



# DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE

## Department of Defense Annual Report on Sexual Assault in the Military

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Fiscal Year 2010

March 2011



***“THE DEPARTMENT HAS A NO-TOLERANCE POLICY TOWARD SEXUAL ASSAULT. THIS TYPE OF ACT NOT ONLY DOES UNCONSCIONABLE HARM TO THE VICTIM; IT DESTABILIZES THE WORKPLACE AND THREATENS NATIONAL SECURITY.”***

***SECRETARY OF DEFENSE ROBERT M. GATES***

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## LETTER FROM THE DIRECTOR



Dear Members of Congress,

We are pleased to provide you a report each year on the progress of the Department of Defense (DoD) in preventing and responding to the crime of sexual assault. This year's report describes and aligns the Department's significant achievements across the five DoD-wide sexual assault prevention and response (SAPR) strategic priorities. The *Department of Defense Fiscal Year 2010 Annual Report on Sexual Assault in the Military* demonstrates these steadfast improvements in the areas of institutionalizing prevention strategies in the military community, increasing a climate of victim confidence associated with reporting, improving sexual assault response, improving system accountability, and improving stakeholder knowledge and understanding of the SAPR Program and Policy.

Our commitment to establishing a culture free of sexual assault remains unwavering. As detailed throughout this report, in fiscal year (FY) 2010, the DoD Sexual Assault Prevention and Response Office (SAPRO) found innovative ways to collaborate with the Military Services—the Army, Navy, Marine Corps, and Air Force—and their civilian counterparts to execute the SAPR Program. In addition to these efforts, the Department worked diligently to integrate more than 100 recommendations from internal and external agencies into a single coordinated plan to improve the SAPR Program. We look forward to future collaboration with Congress that further strengthens our program.

Our new prevention campaign, "Hurts One. Affects All.," emphasizes that behind each report is a person whose life is changed forever and a military unit that is less ready to carry out its mission. Knowing this, the Department remains steadfast in its commitment to preventing sexual assault, supporting victims with appropriate and timely care, and executing effective system accountability.

This is our duty! Our Service members deserve nothing less.

A handwritten signature in black ink that reads "Kaye Whitley".

Kaye Whitley, Ed.D.  
Director  
SAPRO

## EXECUTIVE SUMMARY

Sexual assault is a crime that is incompatible with service in the U.S. Armed Forces. It undermines core values, degrades military readiness, subverts goodwill, and forever changes the lives of victims and their families. Unfortunately, sexual assault is also a crime that is significantly underreported, both within and outside of the Military Services.

In 2005, the Department of Defense (DoD) established the Sexual Assault Prevention and Response (SAPR) Program to promote prevention, encourage increased reporting of the crime, and improve response capabilities for victims. The Department's vision is to enable military readiness by establishing a culture free of sexual assault. The Sexual Assault Prevention and Response Office (SAPRO) within the Office of the Secretary of Defense (OSD) is responsible for the policy that supports the SAPR Program and oversight activities that ensure its effectiveness. The DoD SAPR Policy requires each Military Service to maintain its own SAPR program, document both Restricted and Unrestricted Reports of sexual assault, investigate Unrestricted Reports of sexual assault, and hold subjects appropriately accountable.

Section 577(f) of Public Law (PL) Number (No.) 108-375 requires the Secretary of Defense to submit an annual report to the Committees on Armed Services on sexual assaults involving members of the Armed Forces. Section 596(c) of PL No. 109-163, Section 583 of PL No. 109-364, and Sections 561 and 562 of PL No. 111-84 specify additional reporting requirements. This report fulfills those requirements and describes sexual assaults reported during fiscal year (FY) 2010, which is from October 1, 2009, through September 30, 2010. The appendices of this report include supplementary reports from the Secretaries of the Military Departments. This year, the report also assesses the Department's progress in the areas of prevention, reporting, response, and improved knowledge of SAPR issues in the context of the Defense Manpower Data Center (DMDC) *2010 Workplace and Gender Relations Survey of Active Duty Members (WGRA)*.

In FY08, Secretary of Defense Robert Gates identified the following four key areas in the SAPR Program:

- Reducing stigma associated with sexual assault reporting;
- Ensuring sufficient commander training;
- Ensuring investigator training and resourcing; and
- Ensuring trial counsel training and resourcing.

Since then, the Department has focused on the execution of these areas. To assist in accomplishing these priorities—and for the first time in the Department's history—the issue of sexual assault was included in the *Office of the Under Secretary of Defense for Personnel and Readiness Strategic Plan for Fiscal Years 2010–12*.<sup>1</sup> Under the goal

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<sup>1</sup> Department of Defense (DoD). (2010). *Office of the Under Secretary of Defense for Personnel and Readiness Strategic Plan for Fiscal Years 2010–12*. Washington, DC: DoD. Goal 2. Sub-goal 2.4. Performance objective 2.4.1.

“shape and maintain a mission-ready all volunteer force,” the Under Secretary of Defense (USD) for Personnel and Readiness (P&R) articulated the sub-goal of “establish a culture free of sexual assault.”

In keeping with the mission of establishing a culture free of sexual assault, this year’s report presents the Department’s programmatic activities and provides statistical analysis of reports of sexual assault during FY10.

To discuss FY10 programmatic efforts, OSD SAPRO utilizes the *DoD-Wide SAPR Strategic Plan* as the report’s oversight framework. This framework works as an oversight tool to assess progress against the *Strategic Plan’s* five priorities, which are:

- Institutionalize prevention strategies in the military community;
- Increase the climate of victim confidence associated with reporting;
- Improve sexual assault response;
- Improve system accountability; and
- Improve stakeholder knowledge and understanding of SAPR.

In addition to these targeted areas, in future years, the Military Services will be evaluated against the priorities outlined in the *DoD-Wide SAPR Strategic Plan*.

To address the first priority, the Department seeks to prevent sexual assaults through institutionalized efforts that influence the knowledge, skills, and behaviors of military members to reduce sexual assaults in the DoD community. In FY10, the Department built on the successful social marketing campaign that was disseminated worldwide in FY09. The FY09 campaign, entitled “My Strength Is For Defending,” was transformed to the “Hurts One. Affects All.” social marketing campaign for FY10. This next phase of prevention outreach was designed to reach Service members using the communications platforms they use most with the key message that the prevention of sexual assault is everyone’s duty. In FY10, the Department also undertook prevention-related research and engaged in outreach efforts through a variety of new media channels. In addition, each of the Military Services deployed prevention-focused informational and educational activities devised to motivate their personnel to intervene safely before sexual assaults occur. Although measuring success in prevention is difficult, it appears the Department’s SAPR programs may be contributing to a decrease in the incidence of sexual assault against Service members, as measured by DMDC’s *2010 WGRA*.<sup>2</sup> In 2006, 6.8 percent of Active Duty women and 1.8 percent of Active Duty men indicated they experienced unwanted sexual contact in the 12 months before the survey.<sup>3,4</sup> In 2010, 4.4 percent of Active Duty women and 0.9 percent of Active Duty men indicated they experienced unwanted sexual contact in the prior 12 months.<sup>5</sup>

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<sup>2</sup> DoD. (2011). *2010 Workplace and Gender Relations Survey of Active Duty Members (WGRA)*. Washington, DC: Defense Manpower Data Center (DMDC). [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>3</sup> Unwanted sexual contact is the survey term for all of the contact sexual crimes against adults proscribed by the Uniform Code of Military Justice (UCMJ). These crimes constitute the sexual assaults covered by DoD Sexual Assault Prevention and Response (SAPR) Policy and this report.

The Department is working toward the second priority by increasing victims' confidence in reporting sexual assault by publicizing the two reporting options, identifying and addressing the challenges associated with reporting, and reducing the stigma and other barriers that deter reporting. The Department's intent is to increase the number and percentage of sexual assaults reported to authorities while decreasing the incidents of sexual assault through prevention. The sexual assaults reported to the Department include a broad spectrum of offenses ranging from rape to wrongful sexual contact, which are addressed by Articles 120, 125, and 80 of the Uniform Code of Military Justice (UCMJ). In FY10, the Military Services received a total of 3,158 reports of sexual assault involving Service members, which reflects a 2-percent decrease in overall reporting from FY09. Despite the small decrease in total reports this year, the trend over the previous 3 years shows that more victims are coming forward to report sexual assault than when the SAPR Program was launched in 2005. Of the 3,158 reports of sexual assault in FY10, 2,410 were Unrestricted Reports, which is a 4-percent decrease from FY09. In FY10, the Military Services initially received 882 Restricted Reports, which is a 5-percent increase over FY09. At the request of the victim, 134 reports were converted from Restricted to Unrestricted Reports, leaving 748 reports remaining Restricted in FY10. It should be noted that, on average, the Department has received more than 750 initial Restricted Reports annually since the enactment of the Restricted Reporting policy in 2005; about 15 percent of these reports convert to an Unrestricted Report each year at the victim's request.<sup>6</sup> To further build the climate of victim confidence and encourage reporting, the Department also continued to publicize its reporting options through a variety of innovative media channels, engaged leadership to reduce the stigma associated with reporting, and developed initiatives to encourage help-seeking behaviors. As required by the Department's SAPR Policy, the Military Services provided initial and annual refresher SAPR Program training to the U.S. Armed Forces during FY10. According to the DMDC 2010 WGRA, 93 percent of Active Duty men and women indicated they received training on topics related to sexual assault during the 12 months preceding the survey.<sup>7</sup> This reflects a 4-percent increase over the number of Active Duty members who acknowledged receiving training in 2006 (89 percent for both women and men).<sup>8</sup>

For the third priority, the Department is improving its response to victims of sexual assault through policy and program enhancements that expand the Department's capability for victim care and increase Service member confidence in the military criminal justice process. Sexual Assault Response Coordinators (SARC) and SAPR Victim Advocates (VA) are responsible for ensuring victims are referred to medical, counseling, and legal support services. This year, SARCs and SAPR VAs made an

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<sup>4</sup> DoD. (2008). *2006 WGRA*. Washington, DC: DMDC. [Online]. Available: [http://www.sapr.mil/media/pdf/research/WGRA\\_OverviewReport.pdf](http://www.sapr.mil/media/pdf/research/WGRA_OverviewReport.pdf).

<sup>5</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>6</sup> This number is based on Military Service reporting statistics from FY05 to FY10.

<sup>7</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>8</sup> DoD. (2008). *2006 WGRA*. Washington, DC: DMDC. [Online]. Available: [http://www.sapr.mil/media/pdf/research/WGRA\\_OverviewReport.pdf](http://www.sapr.mil/media/pdf/research/WGRA_OverviewReport.pdf).

average of 1.4 support service referrals per victim making an Unrestricted Report and 1 support service referral per victim making a Restricted Report. In FY10, OSD SAPRO worked with the Military Services and other stakeholders to propose revisions to the SAPR Policy that are designed to further increase reporting by victims and improve response resources. OSD SAPRO also contracted with the Rape, Abuse and Incest National Network (RAINN) to develop a confidential 24/7 hotline resource for sexual assault victims and continued to work with the Pennsylvania Coalition Against Rape (PCAR) to implement the next phase of an educational curriculum to improve civilian rape crisis center support of military victims. In addition, the Department continued to revise and expand SAPR Program training requirements for military first responders and draft revisions to the SAPR Policy that would expand reporting options and services to new categories of persons, clarify that the SAPR policy is victim focused, and require that sexual assault victims be considered a priority for emergency care. The Department also began making revisions to the forensic exam form and associated healthcare provider instructions to ensure sexual assault victims receive care that reflects national standards. The Military Services also trained hundreds of SARCs, SAPR VAs, and commanders to provide direct support to victims.

The Department's fourth priority is ensuring SAPR Program effectiveness. Improved system accountability is possible through data collection, analysis, and reporting of case outcomes, as well as review of ongoing SAPR efforts to ensure attainment of desired programmatic solutions. The Department made significant strides in the development of the Defense Sexual Assault Incident Database (DSAID) in FY10. Each Military Service also agreed to update its data systems to support DSAID. Also, throughout FY10, representatives from OSD SAPRO, other DoD components, and the Military Services worked to improve SAPR Program strategic planning and oversight and to conduct innovative research. In FY10, 2,594 sexual assault investigations were completed involving 3,223 subjects, 2,554 of whom were subject to the UCMJ. By the end of FY10, 1,935 of the subjects received final disposition of their cases. Commanders had sufficient evidence to take action against 1,025 subjects. Of these, 51 percent had courts-martial charges preferred (initiated), 25 percent received punishment under Article 15 of the UCMJ, and 23 percent received a discharge or another adverse administrative action. Of the remaining 910 subjects, the Department declined or was precluded from taking action for a variety of reasons, including, but not limited to, insufficient evidence that an offense occurred, the victim declined to participate in the military justice process, or there was probable cause for a nonsexual assault offense only. The remaining 619 subjects who had not yet received a final disposition on their case or cases by the end of FY10 will be reported on in forthcoming years' reports. This year, OSD SAPRO and the Military Services also participated in and responded to reviews of the SAPR Program by the Government Accountability Office (GAO), Inspector General DoD (IG DoD), and Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS). Finally, OSD SAPRO completed work on the development of its Oversight Framework, which organizes and aligns efforts within the Department to ensure the SAPR Program functions as it was designed.

The Department's fifth priority is to educate its stakeholders about its progress in SAPR programs and policies. Greater stakeholder knowledge results when military and civilian

leadership communicate SAPR Program successes and challenges, disseminate SAPR-specific research drawn from the military environment, and deploy effective messaging through a variety of outreach channels. This year, OSD SAPRO worked to improve understanding of the SAPR Program both within and outside of the DoD community. The OSD SAPRO Director and representatives from the Military Services testified at congressional hearings about the progress being made in SAPR programming throughout the Department. In addition, the Military Services hosted summits to involve civilian and military leadership as champions of the SAPR Program. The Department also launched studies to measure effectiveness of the SAPR Program and better understand the level of SAPR awareness among military personnel and the general public.

## INTRODUCTION

This report is the *Department of Defense Fiscal Year 2010 Annual Report on Sexual Assault in the Military*, required by Section 577(f) of Public Law (P.L.) Number (No.) 108- 375, National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2005. Section 596(c) of P.L. No.109-163, the NDAA for FY06; Section 583 of P.L. No.109-364, the NDAA for FY07; and Sections 561 and 562 of P.L. No. 111-84, the NDAA for FY10, impose additional requirements for the report. For additional information regarding the P.L.s that govern this report, please refer to Appendix A, Public Laws Governing the Report.

To discuss FY10 programmatic efforts, Office of the Secretary of Defense (OSD) Sexual Assault Prevention and Response Office (SAPRO) utilizes the *DoD-Wide SAPR Strategic Plan* as the report's oversight framework. This framework works as an oversight tool to assess progress against the *Strategic Plan's* five priorities, which are to:

- Institutionalize prevention strategies in the military community;
- Increase the climate of victim confidence associated with reporting;
- Improve sexual assault response;
- Improve system accountability; and
- Improve stakeholder knowledge and understanding of sexual assault prevention and response (SAPR).

The reports of sexual assault described in this annual report were made during FY10, which is from October 1, 2009, through September 30, 2010. For complete information on reported sexual assaults in FY10, please refer to Statistical Data section of this report.

This report is the Department's fourth annual report done on an FY basis. Annual reports from 2005 to 2006 were based on the calendar year (CY).<sup>9</sup>

## INSTITUTIONALIZE PREVENTION STRATEGIES IN THE MILITARY COMMUNITY

The crime of sexual assault takes an immeasurable toll on the victim and diminishes the Department of Defense's (DoD) overall capability by undermining core values, degrading mission readiness, subverting strategic goodwill, and raising financial costs. The negative consequences of sexual assault have a ripple effect, starting with the victim and expanding outward to include families, friends, colleagues, the military community, and the larger population.

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<sup>9</sup> Congressional revisions to Article 120 of the UCMJ on October 1, 2007, drove the Department to align its reporting collection period from calendar year (CY) to fiscal year (FY).



When discussed in this report, prevention is referred to as population-based or environmental- and system-level strategies, policies, and actions that preclude sexual violence from occurring. Such prevention efforts work to minimize or entirely eliminate the events, conditions, situations, or influences (e.g., risk factors) that result in the initiation of sexual violence and associated injuries, disabilities, and deaths.<sup>10</sup>

## DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION STRATEGY

Recognizing the significant impact of sexual assault, the Department began a transformative mission to prevent sexual assault in the military in FY05. No other major institution on the scale of the U.S. Armed Forces has undertaken such a comprehensive approach to sexual assault prevention.

The Department's early prevention efforts consisted of awareness training on SAPR Policy, services available to victims, consequences of sexual assault for an offender, and the incompatibility of sexual assault with the U.S. military's core values of honor and integrity. Since then, the Department has built on its earlier efforts by undertaking a more comprehensive approach to prevention by focusing on interventions aimed at the peer, community, organizational, and societal levels.

The Spectrum of Prevention is a comprehensive approach that is a central focus in the ongoing development of the *DoD Sexual Assault Prevention Strategy*, which underwent further refinement in FY10. In addition, all of the Military Services have comprehensive prevention strategies in place.

The Spectrum of Prevention depicts several populations and levels of influence in an organization's social environment that are appropriate targets for intervention (see Figure 1).<sup>11</sup> The Spectrum has six levels ranging from training individuals at the lowest level to influencing policy at the highest levels of an organization.



By addressing sexual assault at each of the six levels of the Spectrum, the Department's goals are to reduce the number of military sexual assaults and provide a benchmark model for other organizations to follow.<sup>12</sup> The activities at the six levels are as follows:

- Promote prevention-related policy.

<sup>10</sup> Centers for Disease Control and Prevention (CDC). (2004). *Sexual Violence Prevention: Beginning the Dialogue*. Washington, DC: CDC.

<sup>11</sup> Cohen, L., & Swift, S. (1999). The Spectrum of Prevention: Developing a Comprehensive Approach to Injury Prevention. *Injury Prevention*, 5, 203–207.

<sup>12</sup> McGann, P., & Schewe, P. (2008). *DoD Sexual Assault Prevention Strategy*. Washington, DC: DoD.

- Create new organizational prevention-based practices.
- Foster prevention-related coalitions and networks.
- Educate prevention service providers.
- Promote community education.
- Strengthen individual Service member knowledge and skills.

Although the Department implemented activities at all six levels in FY10, it made particular strides in strengthening the knowledge and skills of individual Service members through prevention training and education, as discussed in the following section.

## PREVENTION TRAINING AND EDUCATION FOR SERVICE MEMBERS

As a first step in combating sexual assault, the Department requires all Service members in both the Active and Reserve components to receive annual awareness training. In addition, sexual assault awareness instruction is currently a mandatory component of all accession training, professional military education programs, and pre-command courses.<sup>13</sup>

A key component of the *DoD Sexual Assault Prevention Strategy* is bystander intervention education. Bystander intervention programs are designed to empower people to act in situations where others may be at risk for sexual assault.<sup>14, 15, 16, 17</sup> In training, Service members are taught the skills to recognize risky situations and intervene safely before a sexual assault occurs.

Each Military Service has instituted a variety of programs that feature bystander intervention as prevention intervention. In FY10, the Military Services conducted innovative training and education for Service members.

- U.S. Army (USA) contracted to continue the Sex Signals training tour. Sex Signals is a 90-minute live audience-interactive program that includes skits dealing with dating, rape, consent, and other associated topics, such as paying attention to body language, alcohol use, and safe intervention.<sup>18</sup>

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<sup>13</sup> Department of Defense Instruction (DoDI) 6495.02. *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: DoD.

<sup>14</sup> Banyard, V.L., Moynihan, M.M., & Plante, E.G. (2007). Sexual Violence Prevention through Bystander Education: An Experimental Evaluation. *Journal of Community Psychology, 35*(4), 463–481.

<sup>15</sup> Berkowitz, A.D. (2002). Fostering Men's Responsibility for Preventing Sexual Assault. In P.A. Schewe (Ed.), *Preventing Violence in Relationships: Interventions Across the Life Span*. Washington, DC: APA Books, 107–136.

<sup>16</sup> Cummings, K.M., & Armenta, M. (2002). Penalties for Peer Sexual Harassment in an Academic Context: The Influence of Harasser Gender, Participant Gender, Severity Of Harassment, And The Presence Of Bystanders. *Sex Roles, 47*(5-6), 273–280.

<sup>17</sup> Kilmartin, C., & Berkowitz, A.D. (2005). *Sexual Assault in Context: Teaching College Men about Gender*. Mahwah, NJ: Lawrence Erlbaum Associates Publishers.

<sup>18</sup> During FY10, the U.S. Army (USA) contracted for more than 450 presentations of "Sex Signals," reaching approximately 100,000 audience members, including Soldiers in Iraq, Korea, and Europe.

- U.S. Navy (USN) began a bystander intervention pilot program in March 2010 that was scheduled to run through December 2010. The pilot is anticipated to train more than 5,300 Sailors at five locations in bystander intervention skills.<sup>19</sup>
- U.S. Marine Corps (USMC) continued the Mentors in Violence Prevention Program designed to give all Marines the tools required to effectively influence bystander behavior in potentially risky social situations so positive outcomes occur.<sup>20</sup>
- U.S. Air Force (USAF) trained 400 facilitators to assist Sexual Assault Response Coordinators (SARC) in bystander intervention training at installations and subsequently held several 3-day train-the-trainer courses for local installation volunteers.

### Senior Leadership Support

The Department is committed to ensuring that the top levels of DoD leadership are engaged in the SAPR Program, as recommended by the Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS) in December 2009. In May 2010, Dr. Kaye Whitley, Director of OSD SAPRO, briefed the Joint Chiefs of Staff “Tank” on the SAPR Program and the status of the DTF-SAMS recommendations’ implementation.<sup>21</sup> In attendance were the Vice Chairman of the Joint Staff and the Vice Chiefs.

In FY10, OSD SAPRO proposed that revised training for senior leaders and commanders be included in the SAPR Policy reissuance based on findings from Policy Assistance Team (PAT) visits conducted in FY09. For additional information on PAT visits, refer to the *FY09 Annual Report on Sexual Assault in the Military Services*.

Military Service senior leadership has also demonstrated a strong level of commitment to the SAPR Program. In FY10, the Military Services held several SAPR summits.

- USA held its third annual Sexual Harassment/Assault Response and Prevention (SHARP) Summit in April 2010. At this summit, both the Secretary of the Army and the Chief of Staff of the Army delivered remarks (see Figure 2). More than 600 attendees were present, including brigade and battalion leaders, USA’s

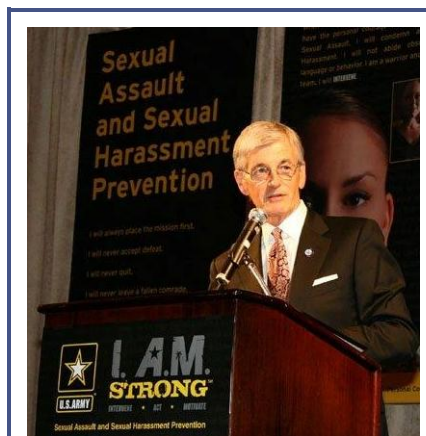


Figure 2: Honorable John McHugh, Secretary of the Army, Speaks During USA’s 2010 Sexual Harassment/Assault Prevention Summit in the Washington, DC, Area.

<sup>19</sup> At the completion of the pilot program, an assessment will be conducted to determine the effectiveness of the training by measuring attitudes toward intervention in sexual assault-related behavior and reductions in incidents of sexual assaults.

<sup>20</sup> Collaborative efforts with the Training and Education Command and training program staff are underway to ensure SAPR-specific policies are embedded in the program curriculum.

<sup>21</sup> “Tank” meetings are used to address unresolved complex issues and to hold senior decision briefings.

SAPR Program personnel, SHARP Program personnel, and program managers (PM).

- USN held the Department of the Navy (DON) SARC Summit in March 2010. A highlight of the summit was specialized training on helping victims through the military justice process, particularly in understanding the new Article 120 of the Uniform Code of Military Justice (UCMJ)—the rape and sexual assault statute.
- USMC held a Sergeant Major of the Marine Corps Sexual Assault and Family Support Conference in December 2009. The conference was designed to examine ways enlisted leadership can support the prevention strategy and advance intervention and risk reduction training.
- USAF held the annual SAPR Leader Summit in November 2009 in Washington, DC. During this summit, attendees provided input to support the OSD SAPRO “Hurts One. Affects All.” campaign message in a strategic planning session.
- National Guard Bureau (NGB) held the 2010 National Guard Health Promotion and Annual Prevention Training Workshop. The theme of the workshop was “Become a National Guard P.R.O. (Prevention, Response, and Outreach).”

## PREVENTION OUTREACH AND COLLABORATION

In FY10, the Department built on the successful outreach initiatives of FY09 and focused on expanding prevention-related outreach activities, including prevention’s role in mission readiness.

The Military Services also engaged in inventive ways to execute prevention-related outreach in FY10 (see Figures 3 and 4). Examples of these practices are as follows:

- USA utilized several innovative channels to convey the message of sexual assault prevention, such as interactive skill-based training, concerts, and commercials. Particularly, USA continued the partnership between the USA SHARP Program and the Better Opportunities for Single Soldiers Program.
- USN hosted numerous SAPR prevention and awareness training events in the Pacific Fleet. As of the end of FY10, 1,455 Sailors in the Pacific Area of Responsibility had been trained. Training venues included SAPR program workshops targeted at senior leadership and “Naming the Unnamed Conspirator” sessions targeted at helping unit commanders and leadership identify common behaviors that can facilitate sexual assault. USN also hired a highly qualified expert (HQE) in Bystander Intervention and Social Norms theory to support the Department-wide focus on prevention.



- USMC held senior leaders sexual assault prevention seminars for commanders to conduct a comprehensive review of the SAPR program and related policies. Subject matter experts (SME) from the Judge Advocates (JA) Office and law enforcement were part of the training program.
- USAF worked with experts from the University of Kentucky to execute the Green Dot Violence Prevention Strategy, which promotes effective intervention and prevention of power-based personal violence.



Figure 4: Soldiers Met Country Music Performer Toby Keith During a USA Concert at Fort Knox, Kentucky, Sponsored by the "I. A.M. Strong." Campaign.

All of the Military Services also engaged nationally recognized experts to speak and provide input on prevention programs to effect cultural change. For a full list of prevention-related outreach and collaboration activities, please see the Military Services reports in Enclosure 1, Department of the Army; Enclosure 2, Department of the Navy; and Enclosure 3, Department of the Air Force.

### Social Marketing Campaign

As stated, the Department spent FY10 building on its successful FY09 social marketing campaign, "My Strength Is for Defending: Preventing Sexual Assault Is Everyone's Duty." The FY09 campaign focused on the ability of every Service member to prevent sexual assault by taking an active role in looking out for the welfare of friends and fellow Service members. It incorporated a key component of the *DoD Sexual Assault Prevention Strategy*—promoting community education about prevention. The Department contracted with Men Can Stop Rape (MCSR), a non-profit organization nationally renowned for its sexual violence prevention messaging and outreach activities. MCSR assisted in the development of a social marketing campaign for the Military Services to demonstrate key bystander intervention techniques and encourage victim support and sexual assault reporting.

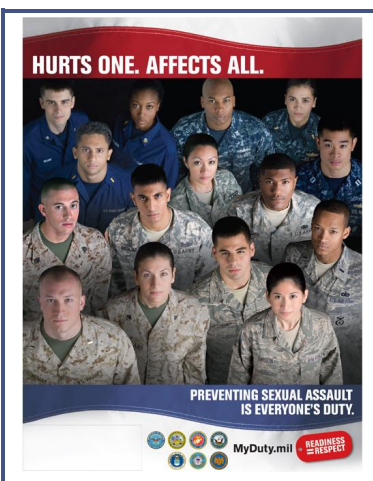


Figure 5: The "Hurts One. Affects All." Social Marketing Campaign Aligns With the *DoD Sexual Assault Prevention Strategy*.

In FY10, the Department again worked with MCSR to develop the "Hurts One. Affects All." (see Figure 5) social marketing campaign. As with the FY09 campaign, the "Hurts One. Affects All." campaign supports the Community Education section of the *DoD Sexual Assault Prevention Strategy* and promotes the message that the prevention

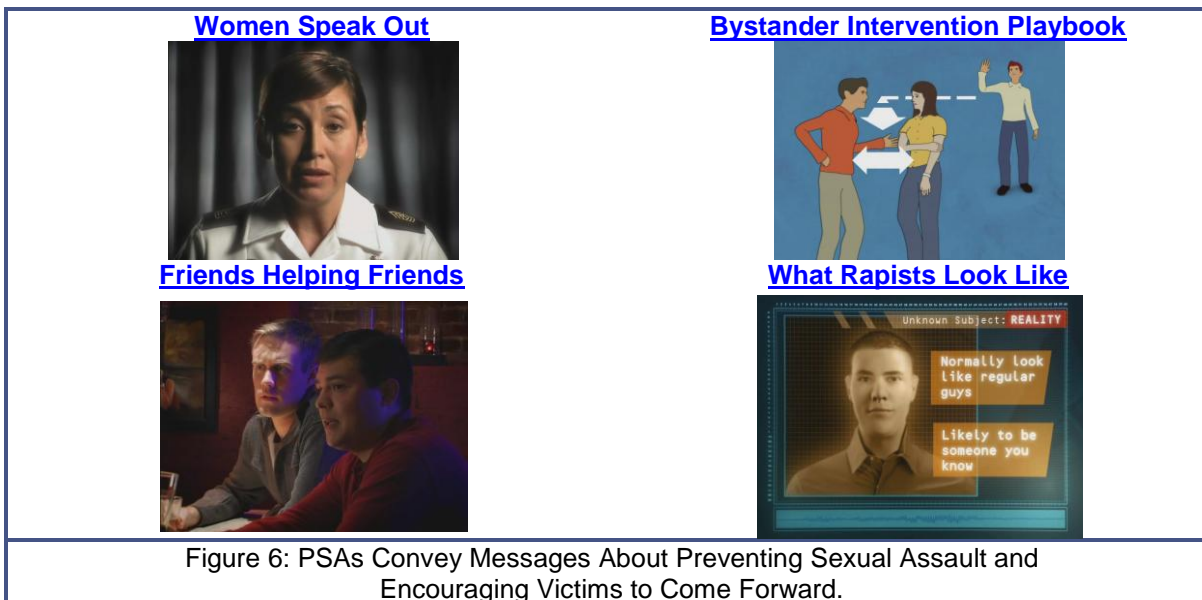
of sexual assault is everyone's duty.<sup>22</sup> Following the deployment of the FY09 campaign, MCSR and the Department gathered feedback from groups of Active Duty and Reserve component members, commanders, SARCs, and SAPR Victim Advocates (VA) to identify prevention-based messages that resonate with Service members. Throughout FY10, OSD SAPRO asked

the Military Services to play an integral role in developing key messaging components. Rollout of the jointly produced training video, public service announcements (PSA), and Military Service-specific posters will be released in FY11.

All of the Military Services utilized social marketing campaigns in FY10. USN, USMC, USAF, and NGB utilized the Department's "Hurts One. Affects All." campaign. USA employed the "I. A.M. (Intervene – Act – Motivate) Strong" campaign, which draws from the strength-focused tenets of the Department's campaign.

### *New Public Service Announcements*

In FY09, the Department and the Armed Forces Networks collaborated to develop four new sexual assault-themed PSAs to run on Department radio, television, and computer networks in FY10. Scripting of the PSAs was based on data collected by OSD SAPRO during its FY09 PAT visits. The new PSAs convey messages about preventing sexual assault and encouraging victims to come forward. These important messages can be accessed at <http://www.sapr.mil/index.php/video-and-audio/saam-campaign-psas> and are embedded in Figure 6.



In addition, the Department developed a radio PSA that ran in nine targeted geographic locations with high military populations.

<sup>22</sup> The "Hurts One. Affects All." social marketing campaign poster is also located in Appendix B, "Hurts One. Affects All." Social Marketing Campaign Poster.

## PREVENTION-RELATED RESEARCH

In FY10, as the Military Services developed programs to reduce the number of sexual assaults, OSD SAPRO began developing methods for measuring prevention program effectiveness. OSD SAPRO worked with Defense Manpower Data Center (DMDC), the Department's human resource information source, to craft questions fielded in the *Status of Force Survey of Active Duty Members*. In previous Department-conducted focus groups, Service members stated that although they may consider intervening to assist someone, they simultaneously have concerns about how other Service members might view that action. To address this concern, the Department fielded a survey question to better understand attitudes about this kind of situation. Service members were asked if they considered it their duty to stop fellow Service members from doing something harmful to themselves or others when in a social setting.<sup>23</sup> Not surprisingly, given the supportive culture of the military, 95 percent of the respondents believed helping others in this situation was indeed their duty. Based on this overwhelming result, OSD SAPRO is currently developing a campaign to relay the results of this survey to reassure Service members that intervening is an action those around them would support.

Also, the SAPR Policy requires that Service member training focus on modifying the knowledge, skills, and behaviors associated with deterring criminal behavior or mitigating fact-based risks. In future years, the Department will continue working to identify metrics and other evaluative means to track prevention program progress.

The Military Services engaged in the following prevention-related research in FY10:

- USA, through the U.S. Army Research Institute for the Behavioral and Social Sciences, published two technical reports in July 2010 as part of a recurring *Human Relations 2009 Operational Troop Survey*.
- As a result of the *2009 DON Sexual Assault Study* findings released in November 2009, which comprehensively compare USN's SAPR program with the *2005 Naval Inspector General Survey*, USN funded two studies that reviewed prevention training effectiveness for both male and female recruits.<sup>24</sup>
- USMC worked with the Center for Naval Analysis to execute a study called *Risk Mitigation and Response: Applying Best Practices From the Civilian Population to the Marine Corps*. The study provides a comprehensive overview of sexual assaults within USMC.<sup>25</sup>
- USAF initiated a contract with Social Solutions, Inc., to conduct a training effectiveness study to measure successful transference of learning using self-

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<sup>23</sup> DoD. (2010). *2010 Status of Forces Survey of Active Duty Members*. Washington, DC: DMDC. Available: Office of the Secretary of Defense, Public Affairs, 1400 Defense Pentagon, 2D961, Washington, DC 20301, ATTN: DMDC 2010 Status of Forces Survey.

<sup>24</sup> This research reinforces that "face-to-face" training is much more effective than annual general military training.

<sup>25</sup> The results of that study are being utilized in the Sexual Assault Prevention Campaign and the five initiatives (prevention, risk reduction, accountability, victim services, and administration) outlined for the upcoming FY.

reported measures from respondents indicating efficacy and willingness to change behavior.<sup>26</sup>

## THE IMPACT OF EFFORTS TO INSTITUTIONALIZE PREVENTION STRATEGIES IN THE MILITARY COMMUNITY

The Department seeks to prevent sexual assaults through institutionalized efforts that influence the knowledge, skills, and behaviors of military members to reduce sexual assaults in the DoD community.

Since 2007, the Department has invested considerable resources in the prevention of sexual assault. No other institution of the Department's size and scope has implemented such a comprehensive, wide-reaching program. Few organizations in the world have the ability to strategically develop evidence-based curricula, train millions of people, invest resources, and measure outcomes. The U.S. Armed Forces has this ability.

In FY10, OSD SAPRO worked with DMDC to create and incorporate several questions into the *2010 Workplace and Gender Relations Survey of Active Duty Members (WGRA)*. This survey assesses Service member awareness of SAPR and Equal Opportunity Program. Several questions in the 2010 survey specifically addressed Service member understanding of sexual assault prevention tactics. Results of this survey give the Department a better overall perspective on Service member awareness of the prevention program and will allow the Department to identify areas of best practice and those needing improvement.

Every four years, the Department uses the *WGRA* to officially measure the incidence, or occurrence, of sexual assault in the military.<sup>27</sup> In 2006, the survey found that 6.8 percent of women and 1.8 percent of men experienced an incident of unwanted sexual contact in the 12 months prior to the survey.<sup>28, 29</sup> In 2010, the survey found that 4.4 percent of women and 0.9 percent of men experienced unwanted sexual contact in the 12 months prior to the survey.<sup>30</sup>

The *WGRA* is designed so that its results accurately represent the Active Duty force. The design allows the Department to use weighted counts of survey respondents to

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<sup>26</sup> The study is currently ongoing with one remaining site evaluation projected for January 2011. The study's estimated completion date is March 2011.

<sup>27</sup> DoD. (2009). *Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS) Report*. Washington, DC: DoD. Recommendation 3b2: The Secretary of Defense conduct a biannual gender relations survey of an adequate sample of Service members to evaluate and manage DoD's SAPR Program.

<sup>28</sup> Unwanted sexual contact is the survey term for attempted and completed contact sexual crimes against adults prohibited by Articles 120, 125, and 80 of the UCMJ. Like the term sexual assault, unwanted sexual contact refers to a range of crimes, from rape to wrongful sexual contact.

<sup>29</sup> DoD. (2008). *2006 WGRA*. Washington, DC: DMDC. [Online]. Available: [http://www.sapr.mil/media/pdf/research/WGRA\\_OverviewReport.pdf](http://www.sapr.mil/media/pdf/research/WGRA_OverviewReport.pdf).

<sup>30</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.



roughly estimate the number of sexual assaults that occur in the years for which data is available. The DMDC *2010 WGRA* indicates that there were nearly 15,000 fewer incidents of sexual assault in 2010 than in 2006.<sup>31</sup> A change this size in the sexual assault incidence rate is welcome news, but it is quite surprising. Consequently, the Department will measure sexual assault incidence with other, more frequent, surveys to closely monitor how the rate changes over time. However, other supporting findings in the DMDC *2010 WGRA* suggest that the reported decrease in sexual assaults is not a mistake. In 2010, 93 percent of the Active Duty force received SAPR training in the prior year, and nearly all who received training indicated that it taught them how to intervene when confronted with a situation where someone was at risk of being sexually assaulted. In addition, most all Service members believed that preventing harm to others was their duty and, when presented with a hypothetical situation, could identify how they would intervene to prevent someone from being sexually assaulted.<sup>32</sup>

As a result, the Department believes its prevention programs are making a difference and contributed, at least in part, to the reduction in sexual assaults against Service members in 2010.<sup>33</sup>

## INCREASE A CLIMATE OF VICTIM CONFIDENCE ASSOCIATED WITH REPORTING

Leading research suggests that most sexual assaults that occur in the United States are not reported to law enforcement.<sup>34, 35</sup> The Department's own statistics indicate that approximately 20 percent of incidents of unwanted sexual contact are reported to a military or civilian authority.<sup>36</sup> Underreporting poses a serious challenge to military readiness because the potential consequences of sexual assault are extremely high and can be physically and mentally debilitating. Chronic psychological consequences may include post-traumatic stress disorder (PTSD), attempted suicide, and substance

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<sup>31</sup> The 2006 estimate (34,219±433) used weighted population counts of the 6.8 percent of DoD women and 1.8 percent of DoD men who indicated they experienced an incident of unwanted sexual contact in the 12 months prior to the *2006 WGRA*. The 2010 estimate (19,349±192) used weighted population counts of the 4.4 percent of DoD women and 0.9 percent of DoD men who indicated they experienced an incident of unwanted sexual contact in the 12 months prior to the *2010 WGRA*. The rough difference between these two numbers is about 14,880. However, because of the confidence intervals of each estimate, the change in incidents may have been as large as 15,495 and as small as 14,245. Weighted population estimates of each of the Services are found in the Tabulation Volume of each year's survey.

<sup>32</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>33</sup> Supporting data for this assessment can be found in the Statistical Data on Sexual Assault section of this report.

<sup>34</sup> Depending on the study methodology used to obtain data, reporting of sexual assault by victims to police varies from 22 percent to 41.6 percent. Department of Justice (DOJ). (2008). *Criminal Victimization, 2007*. Washington, DC: DOJ.

<sup>35</sup> Rand, M., Rennison, C., & DOJ. (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992–2000* [Online]. Available: <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1133>.

<sup>36</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

abuse.<sup>37, 38</sup> In addition, a prior history of assault, including sexual assault, doubles the chance of developing PTSD symptoms after exposure to combat.<sup>39</sup> By encouraging reporting of sexual assault, the Department desires to increase the number of victims who access care and services. Several Department resources are intended to help restore the resiliency that sexual assault degrades. These resources are discussed in the Improve Sexual Assault Response section of this report.

To encourage greater reporting by sexual assault victims, the Department offers two sexual assault reporting options to Service members: Restricted Reporting and Unrestricted Reporting.<sup>40</sup> SARCs and SAPR VAs stationed at every installation work with victims to help them understand these reporting options. For additional information regarding victim care, please refer to Appendix C, DoD Sexual Assault Prevention and Response Program Overview, Victim Care.

The creation of the Restricted Reporting option in June 2005 was a critical addition to the Department's SAPR Program. Restricted Reporting allows victims to confidentially access medical care and advocacy services without initiating an official investigation. This option may increase victim confidence in the military system. Also, if a victim decides to convert to an Unrestricted Report in the future, this option may aid the possibility of prosecution by allowing victims to anonymously receive Sexual Assault Forensic Examinations (SAFE). Although a victim may convert from a Restricted Report to an Unrestricted Report at any time, evidence obtained during a SAFE is only required to be maintained for up to 1 year.

When a victim makes an Unrestricted Report of sexual assault, it is referred for investigation, and victims' rights apply.<sup>41</sup> As in Restricted Reporting, victims may receive healthcare, counseling, and advocacy services. However, in an Unrestricted Report, details of the incident are reportable to command and law enforcement. For additional information regarding the Department's two reporting options, please refer to Appendix C, DoD Sexual Assault Prevention and Response Program Overview, Department's Reporting Options and Procedures.

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<sup>37</sup> Department of Health and Human Services (HHS), CDC. (2009). *Understanding Sexual Violence Fact Sheet, 2009* [Online]. Available: [http://www.cdc.gov/violenceprevention/pdf/SV\\_factsheet-a.pdf](http://www.cdc.gov/violenceprevention/pdf/SV_factsheet-a.pdf).

<sup>38</sup> HHS, CDC. (2009). *Sexual Violence: Consequences* [Online]. Available: <http://www.cdc.gov/ViolencePrevention/sexualviolence/consequences.html>

<sup>39</sup> Smith, T.C., Wingard, D.L., Ryan, M.A., Kritz-Silverstein, D., Slymen, D.J., & Sallis, J.F. (2008). Prior Assault and Post-Traumatic Stress Disorder after Combat Deployment, *Epidemiology*, 19, 505–512.

<sup>40</sup> For more detailed information on the Department's reporting options and procedures, please see Appendix C, DoD SAPR Program Overview, Department's Reporting Options and Procedures.

<sup>41</sup> Department of Defense Directive (DoDD) 1030.1. *Victim and Witness Assistance*. Washington, DC: DoD.

## PUBLICIZING REPORTING OPTIONS

In FY10, the Department took several steps to further clarify and publicize the reporting options available to victims of sexual assault. The following sections discuss these steps.

In FY10, the Military Services also continued to implement training, in compliance with policy requirements, that ensures all military personnel understand the reporting options available to sexual assault victims.

- USA has made reporting a key topic in all training, including initial entry training for new Soldiers, mandatory annual refresher unit training, and pre- and post-deployment training. USA is also revising professional military education training to include an emphasis on the Restricted Reporting option.
- USN has worked to ensure medical first responders and forensic examiners, who are key victim support providers, receive comprehensive training and information on the Department's reporting options.
- USMC commanders receive training on the barriers to reporting from a victim's perspective and on respecting an individual's right to decline a report. Training can help foster a command climate that is better able to overcome these barriers and encourage reporting.
- In the USAF, the SARC training course includes an entire block on understanding reporting and confidentiality, which covers the basis for confidentiality, Restricted and Unrestricted Reporting, and the eligibility requirements associated with each reporting option.

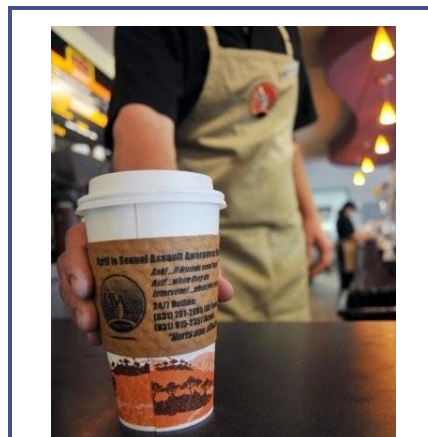


Figure 7: The USAF Advertised a Sexual Assault Hotline Resource and Promoted the "Hurts One. Affects All." Campaign Message on Coffee Cup Sleeves.

Throughout FY10, the Military Services also continued to utilize innovative communications materials developed to publicize the Department's reporting options, such as PSAs; installation website, billboard, and flyer postings; and newspaper articles (see Figure 7).

### Policy Enhancements

In FY10, OSD SAPRO continued to execute the DoD policy reissuance process for DoD Directive (DoDD) 6495.01, *Sexual Assault Prevention and Response (SAPR) Program*, and DoD Instruction (DoDI) 6495.02, *Sexual Assault Prevention and Response Program Procedures*, which is expected in FY11.

OSD SAPRO worked with the Military Services to discuss and draft revisions to the SAPR Policy that clarify the Department's existing reporting options and propose

expanding the categories of individuals eligible to elect the Restricted and Unrestricted Reporting options.

To explore the potential impact of expanding SAPR programs to other members of the military community, the Department approved USA's request for an exception to DoDI 6495.02, allowing U.S. Army Europe (USAREUR) to run a 1-year pilot program extending the Restricted Reporting option to eligible adult civilian beneficiaries of the military healthcare system in Europe. The pilot program encourages reporting of sexual assault by members of the military community by demonstrating USA's respect for the well-being of its civilian personnel and their families. As of the end of FY10, reaction to the pilot program, which began in March 2010 and is scheduled to run through February 2011, has been overwhelmingly positive. The end results of the program will be used to inform future implementation of the program.

### *State Reporting Laws*

Restricted Reporting is not typically an option for victims of sexual assault in California because of state laws that require healthcare providers to report injuries associated with violent crime. On- and off-base providers licensed in California must notify law enforcement if a victim seeks medical care or a forensic exam, thus negating the viability of Restricted Reporting.<sup>42</sup>

In FY10, OSD SAPRO met with staff from the California congressional delegation and representatives from the California Coalition Against Sexual Assault (CALCASA) to discuss this Restricted Reporting challenge. The Department will continue to work with the Military Services and relevant stakeholders to overcome this impediment to Restricted Reporting.

In addition, staff from DON SAPRO visited a number of USN and USMC installations in southern California to assess the impact of the state's mandatory reporting laws on the Department's Restricted Reporting option. USN SARCs in California provide healthcare personnel with specific training on the limitations of Restricted Reporting in the state, and USMC is seeking to establish memoranda of understanding (MOU) related to this issue between military medical personnel and law enforcement personnel.

## **REPORTING PROCESS CHALLENGES**

In reviewing the issue of underreporting, the Department found several persistent barriers to reporting. One is that informal messages from leadership, dissatisfied victims, peers, and the media may unintentionally reinforce the fear and skepticism associated with reporting. Also, the SAPR Program is still relatively new to the military

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<sup>42</sup> California's mandatory reporting laws also affect victims in Arizona for whom the nearest civilian medical treatment facility is in California. For specific information please refer to U.S. state and territory mandatory reporting laws, which can be found at <http://www.sapr.mil/index.php/law-and-dod-policies/civilian-sexual-assault-reporting-law>.

community.<sup>43</sup> As with other new programs, Service members may be reluctant to report until the program proves itself to be permanent, trustworthy, and effective.

In the DMDC *2010 WGRA*, 71 percent of women and 85 percent of men indicated on the survey they did not report the incident of unwanted sexual contact they experienced in the year prior to the survey. These survey respondents were provided with a list of 13 reasons for not reporting the matter. Respondents could endorse one or more reasons for not reporting. The most frequently cited reasons Active Duty women gave for not reporting their incident included not wanting anyone to know (67 percent), feeling uncomfortable making a report (65 percent), thinking their report would not be kept confidential (60 percent), being afraid of retaliation or reprisals from the perpetrator or his or her friends (54 percent), fear of being labeled a troublemaker (52 percent), hearing about the negative experiences of other victims (47 percent), and thinking that nothing would be done about their report (47 percent). Other less cited reasons women gave for not reporting included fearing they would not be believed, having concern about the career implications of reporting, believing the incident was not important enough to report, and thinking reporting would take too much time and effort. The most frequently cited reasons men gave for not reporting included thinking it was not important enough to report (46 percent), wanting no one else to know (43 percent), thinking the report would not be kept confidential (36 percent), feeling uncomfortable making a report (32 percent), and thinking nothing would be done (31 percent). Other less frequently cited reasons men gave included thinking the report would take too much time and effort, fearing retaliation or reprisal by the perpetrator or his or her friends, and fear of being labeled a troublemaker.<sup>44</sup> It could be argued that Service members may be reluctant to report because they are not fully aware of their reporting options and the steps to follow. However, relatively few Active Duty women (15 percent) and Active Duty men (8 percent) endorsed lack of knowledge about how to report as a reason for not reporting.<sup>45</sup>

The Department found the following challenges to be of particular note in FY10.

### *Environmental Challenges*

In 2005, DoD Base Realignment and Closure (BRAC) identified opportunities to reduce costs and redundancies by combining selected bases and military installations with similar missions or services. At the bases and installations affected by DoD BRAC, the Military Services had to reevaluate how resources for SAPR services were dedicated. Under these circumstances, the Military Services realigned the provision of SAPR services according to the unique needs of each base and installation.

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<sup>43</sup> For a full history of the SAPR Program within the Department, please see Appendix C, DoD SAPR Program Overview, SAPRO History.

<sup>44</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>45</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

The Military Services also faced additional challenges to reporting in different environments, including guaranteeing the availability of reporting options for Service members in geographically dispersed and remote units, ensuring pre-deployment briefings include contact information for both reporting options, and clarifying the roles of personnel in deployed units as they relate to reporting. Currently, OSD SAPRO is working with the Military Services to resolve these issues.

### **Restricted Reporting Challenges**

Throughout FY10, each of the Military Services worked to overcome challenges to maintaining the confidentiality afforded by the Restricted Reporting option while also providing sexual assault victims the assistance they requested. For example, USA reported uncertainty among some Soldiers regarding how third-party reports affect Restricted Reporting. The SAPR Policy revisions proposed to clarify the protections offered under Restricted Reporting in situations involving third-party reports (discussed earlier in this section) address this type of uncertainty.

## **REDUCING REPORTING STIGMA**

As mentioned at the beginning of this report, one of the Secretary of Defense's four key SAPR Program areas was to reduce the stigma associated with sexual assault reporting. Because the military culture values strength and readiness, victims may sometimes mistakenly assume that being the victim of a sexual assault will make them appear weak or incapable of performing their mission.

In the DMDC *2010 WGRA*, 40 percent of Active Duty women and 20 percent of Active Duty men who experienced an incident of unwanted sexual contact in the year prior to the survey did not report the incident because they thought their performance evaluation or chance for promotion would suffer. In addition, 52 percent of women and 24 percent of men thought they would be labeled a troublemaker if they reported the matter.<sup>46</sup>

The Restricted Reporting option was enacted to address victims' fears and privacy concerns. On average, the Department receives over 750 initial Restricted Reports annually; about 15 percent of these reports convert to an Unrestricted Report each year.<sup>47</sup> Findings in the DMDC *2010 WGRA* support these reporting and conversion averages. The survey found that, of those women who reported their unwanted sexual contact experience to a DoD authority, 30 percent made a Restricted Report, 50 percent made an Unrestricted Report, and 21 percent made a Restricted Report that was later converted to an Unrestricted Report.<sup>48</sup>

In FY10, the Department took the following actions to reduce reporting stigma:

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<sup>46</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>47</sup> This number is based on Military Service reporting statistics from FY05 to FY10.

<sup>48</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

- Deployed a new PSA entitled “Women Speak Out” to encourage victims of sexual assault to report the crime and get the assistance they need; and
- Required investigators and attorneys to be trained in interviewing methods that reduce the potential for re-victimization by the military justice system.

The Military Services also continued their efforts to reduce the stigma associated with reporting sexual assault.

- USA worked to finalize the development of a social network tool focused on engaging conversations about sexual assault.
- USN worked to promote and de-stigmatize help-seeking through its Suicide Prevention Cross-Functional Team (CFT).
- USMC developed briefs that cover sexual assault scenarios involving male victims, demonstrating USMC’s priority to dispel the myth that sexual assault is a crime exclusively committed against females.
- USAF, as part of local base practices, publicly marketed the Department’s reporting options in a range of venues, including base-wide presentations, commander calls, and special unit visits.

## THE IMPACT OF EFFORTS TO INCREASE THE CLIMATE OF VICTIM CONFIDENCE ASSOCIATED WITH REPORTING

Among the performance objectives outlined by the Under Secretary of Defense (USD) for Personnel and Readiness (P&R) in the *Office of the Under Secretary of Defense for Personnel and Readiness Strategic Plan for Fiscal Years 2010–12* is the objective of ensuring “an environment where victims of sexual assault feel free to report and know how to report the assault by decreasing the size of the gap between the number of incidences and number of reports of assault.”<sup>49</sup> In FY10, the Department employed policy changes, education, and messaging to encourage more victims to report sexual assault.

Given that most sexual assaults in military and civilian society are not brought to the attention of authorities, the Department identified improved reporting as the key to better visibility of the crime, improved victim care, and better accountability of perpetrators.<sup>50</sup> DMDC 2010 WGRA data indicated that in the past year, most all Active Duty members received effective training on sexual assault reporting options, the means available to do so, and the resources available for victims. Two-thirds of Service members knew they had a choice about what kind of information went to their commander; about two-thirds also felt that members of their work group would feel free to report sexual assault without fear of reprisal.<sup>51, 52</sup> However, because so few men and women chose to report

<sup>49</sup> DoD. (2009). *Office of the Under Secretary of Defense for Personnel and Readiness Strategic Plan for Fiscal Years 2010–12*. Performance objective 2.4.4.

<sup>50</sup> DOJ. (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992–2000*. Washington, DC: Rennison, Callie Marie.

<sup>51</sup> DoD. (2011). 2010 WGRA. Washington, DC: DMDC. 31 [Online]. Available: <http://www.sapr.mil/index.php/research>.

their incident of unwanted sexual contact to an authority, it appears the experience of unwanted sexual contact may change one's perceptions about the freedom to report.<sup>53</sup> Enhanced training about safety and privacy precautions, accompanied by oversight review of systems designed to protect Service members and their privacy, may encourage greater victim reporting of the crime.

With the beginning of the Restricted Reporting option in 2005, reports by Service member victims the following year increased by nearly 30 percent. Except for a small decrease in FY10, Service member victim reports have grown steadily. Not only have the number of reports to military authorities increased but also in FY10 the Department had visibility over a greater proportion of sexual assaults against military Service victims. In 2006, reports to DoD authorities accounted for about 7 percent of the sexual assaults estimated to have occurred that year.<sup>54</sup> In 2010, reports by victims accounted for about 14 percent of the sexual assaults estimated to have occurred.<sup>55</sup> Although reports to DoD authorities will never capture all the sexual assaults in a given year, it is the Department's intent to reduce the underreporting of sexual assault in the military community.

The DoD SAPR Program has contributed to the increased total reporting of the crime by 86 percent in 6 years and also expanded the Department's visibility over a greater proportion of the sexual assaults that occur each year. Despite these accomplishments, much remains to be done to improve reporting. The majority of sexual assaults against Service members each year remain unreported. The Department must continue its efforts to knock down barriers that prevent victims from reporting and work toward the goal of eliminating the stigma that accompanies victimization.

## IMPROVE SEXUAL ASSAULT RESPONSE

OSD SAPRO is responsible for the policies and procedures that govern the multidisciplinary approach to sexual assault response adopted by the Department in 2005.<sup>56</sup> As a policy organization, OSD SAPRO embeds research-supported guidance and best practices from the civilian community in DoDI 6495.02.

In FY10, the Department continued to focus on strengthening its response capability through proposed policy revisions, program enhancements, updated responder training, improvements to care in joint and deployed environments, and creative outreach initiatives. A discussion of the Department's diverse and innovative response efforts follows in the sections below.

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<sup>52</sup> Id.

<sup>53</sup> Id.

<sup>54</sup> DoD. (2008). *2006 WGRA*. Washington, DC: DMDC. [Online]. Available: [http://www.sapr.mil/media/pdf/research/WGRA\\_OverviewReport.pdf](http://www.sapr.mil/media/pdf/research/WGRA_OverviewReport.pdf).

<sup>55</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>56</sup> For more detailed information on the history of SAPR within the DoD, please refer to Appendix C, DoD SAPR Program Overview, SAPRO History.



## PROPOSED POLICY REVISIONS TO IMPROVE RESPONSE

Beginning in FY08 and continuing in FY09 and FY10, OSD SAPRO worked with the Military Services and other stakeholders to draft revisions to and reorganization of the SAPR Policy. The revisions will demonstrate the Department's commitment to ensuring victims of sexual assault receive the highest quality care and access to services and will include revisions mandated by the NDAA. The SAPR Policy is anticipated to be reissued in FY11.

In addition, several of the Military Services began considering revisions to their own SAPR policies in FY10. For further information on the Military Services' SAPR policies and revisions proposed in FY10, please see the Military Services reports in Enclosure 1, Department of the Army; Enclosure 2, Department of the Navy; and Enclosure 3, Department of the Air Force.

## PROGRAM ENHANCEMENTS TO RESPONSE

### *DoD Safe Helpline Project*

Sexual assault victims, and SAPR personnel seeking to assist them, have voiced a need for a confidential, anonymous hotline. In response to this need, OSD SAPRO began developing its newest initiative to support victims of sexual assault: the DoD Safe Helpline.

In FY10, OSD SAPRO contracted with the Rape, Abuse and Incest National Network (RAINN) to develop a new online hotline, telephone hotline, and texting initiative to support victims of sexual assault in the DoD community.<sup>57</sup> Once the DoD Safe Helpline is operational, visitors will be able to "click, call, or text" for victim support services for themselves or others anytime and anywhere. The Safe Helpline will offer victims an additional channel to seek sexual assault support and fulfill recommendations and mandates made by various oversight bodies. DoD senior leadership approved the initiative in 2009, and it is anticipated to launch in spring 2011.<sup>58, 59</sup>

After the contract award in FY10, OSD SAPRO began developing the DoD Safe Helpline in collaboration with the Military Services, NGB, OSD Family Advocacy Program (FAP), Department of Veterans' Affairs, and Coast Guard. All organizations provided input on the training curriculum, mandatory reporting protocol, privacy policies, and information for service referrals. As a result of the successful cooperation among all stakeholders, once operational, the hotline will boast a robust database of on-base and civilian service referrals that will be available worldwide 24 hours a day, 7 days a week.

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<sup>57</sup> Any reference to any non-federal entity is not intended to be an endorsement of that entity by the Department of Defense.

<sup>58</sup> DoD. (2009). Recommendation 27. *DTF-SAMS Report*. Washington, DC: DoD. The DoD Safe Helpline fulfills the Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS) recommendation for the creation of a universal sexual assault hotline for Service members.

<sup>59</sup> In May 2010, the Under Secretary of Defense (USD) for Personnel and Readiness (P&R) approved this recommendation.

The database will also contain SARC contact information for each Military Service, the NGB, and the Coast Guard.

In FY10, OSD SAPRO developed a communications plan to launch and sustain the DoD Safe Helpline (see Figure 8). In support of the branding and communication efforts for the hotline, OSD SAPRO obtained feedback from Service members between the ages of 20 and 24.<sup>60</sup> These Service members provided valuable insights on several hotline-related topics, which directly informed the development of the project name, key messaging components, and hotline initiative branding. OSD SAPRO conducted additional post-design tests with the targeted user population, the results of which confirmed that the site is professional and builds confidence in the quality of assistance given.



In FY10, OSD SAPRO also developed a communications plan to launch and sustain the DoD Safe Helpline. Major milestones included formulating potential brands and product names; holding focus groups to test brands, product names, key messages, and spokesperson types; and developing communication tools and tactics.

In FY11, efforts will include a broad integrated outreach campaign, including a variety of launch events with RAINN and other non-profit, congressional, and senior government officials in interested organizations, such as DOJ and the Department of Health and Human Services (HHS).<sup>61</sup>

### ***Strengthening Military-Civilian Community Partnerships to Respond to Sexual Assault: Phase II***

During FY10, OSD SAPRO continued its partnership with DOJ's Office for Victims of Crime (OVC) and the Pennsylvania Coalition Against Rape (PCAR). This partnership started in FY08 when OSD SAPRO concluded Phase I of a collaborative training project with the Military Services, NGB, PCAR, and OVC entitled *Strengthening Military-Civilian Community Partnerships to Respond to Sexual Assault*. Phase I resulted in an interactive 2-day training curriculum that better equipped civilian agencies to assist military victims of sexual assault and their families. A facilitator's guide and participant's manual for this project were finalized in FY09.<sup>62</sup>

In FY10, PCAR received grant funding from OVC to implement Phase II of this initiative. In FY11, Phase II will involve designing a regional training program for civilian partners to be conducted by DoD SAPR Program representatives and civilians. The trainers will

<sup>60</sup> According to data from the Military Services included in the *DoD FY09 Annual Report on Sexual Assault in the Military Services*, reports of sexual assault in the military often involve victims between the ages of 20 and 24 years old.

<sup>61</sup> Any reference to any non-federal entity is not intended to be an endorsement of that entity by the Department of Defense.

<sup>62</sup> Available: <http://www.sapr.mil/HomePage.aspx?Topic=Training&PageName=Resources.htm>.

include one SARC, one JA, and one civilian VA. These trainers will lead three regional training sessions for civilian rape crisis center VAs from around the country. Training sessions will take place in regions with high populations of Service members. The project is an effective way to improve civilian community services for military sexual assault victims.

Partnerships with civilian rape crisis centers provide an additional avenue of reporting and a source of confidential crisis support—away from the military environment—for military sexual assault victims. As noted throughout this report, privacy and career concerns may discourage a military sexual assault victim from reporting an assault through DoD channels and, consequently, from seeking on-base assistance. By working with civilian rape crisis centers, the Department helps ensure Service members can receive care that considers their military-specific needs, even when they seek care off base.

### *Victim Assistance Project*

In FY10, OSD SAPRO helped initiate an effort to evaluate victim assistance functions within all Department programs. This effort fulfilled several recommendations from various oversight bodies, including the Defense Task Force on Care for Victims of Sexual Assault, Government Accountability Office (GAO), and DTF-SAMS.<sup>63, 64, 65</sup> In addition, this evaluation helped achieve the goals of reducing redundancies and creating efficiencies within the Department, as directed by the Secretary of Defense.<sup>66</sup>

OSD SAPRO led the establishment of an OSD-level working group focused on five principal objectives:

- Assess the outcome of a functional evaluation of victim assistance programs within the Department (i.e., sexual assault, harassment, victim and witness assistance, and domestic violence) and make recommendations to USD(P&R), as appropriate.
- Issue victim assistance guidance on the distinct but related issues of sexual harassment and sexual assault.
- Evaluate the Military Services' processes for staffing and designating key installation-level victim assistance program positions at installations in the United States and overseas to ensure these individuals have the ability and resources to fully carry out their responsibilities.
- Establish consistent victim assistance terminology, position descriptions, minimum program standards, and organizational structure throughout the Military Services.

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<sup>63</sup> DoD. (2004). Recommendation 1.3 and Finding 20. *DTF-SAMS Report*. Washington, DC: DoD.

<sup>64</sup> Government Accountability Office (GAO) Report No. 08-924. (2008). *Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges* [Online]. Available: <http://www.gao.gov/new.items/d08924.pdf>.

<sup>65</sup> DoD. (2009). Recommendations 3a, 3c, and 6a1-4. *DTF-SAMS Report*. Washington, DC: DoD.

<sup>66</sup> DoD. (2010). *Memorandum from the Secretary of Defense on Department of Defense Efficiency Initiatives* [Online]. Available: <http://www.cpms.osd.mil/sespm/docs/EfficiencyMemo.pdf>.

- Modify program personnel and oversight, as needed.<sup>67</sup>

The working group members included representatives from OSD SAPRO, OSD Office of Legal Policy, DoD Office of the General Counsel, OSD Office of Diversity Management and Equal Opportunity (ODMEO), Defense Human Resource Activity, and OSD FAP. The working group held its first meeting in April 2010 and, shortly after, conducted a data call to obtain victim assistance support information from the Military Services. The group held additional meetings throughout CY10 to review the results of this data call and conduct a review of the current DoD policies that govern victim assistance. The working group collaborated with representatives from each of the Military Services in the development of recommendations to the USD(P&R) and expected to receive a response from the USD(P&R) in the second quarter of FY11.

### **COMPREHENSIVE CHANGES TO DD FORM 2911, *FORENSIC MEDICAL REPORT: SEXUAL ASSAULT EXAMINATION***

From FY08 to FY10, OSD SAPRO led a working group to update Department of Defense (DD) Form 2911, *Forensic Medical Report: Sexual Assault Examination*, and its accompanying instructions. The working group included members from the Military Service SAPR programs, OSD for Health Affairs (HA), Military Service legal and investigative offices, and U.S. Army Criminal Investigation Laboratory (USACIL).

In FY10, the group proposed revisions to the form's instructions, which will allow examiners to have more a detailed description on how to locate and collect evidence. Proposed revisions to DD Form 2911 and accompanying instructions were designed to be consistent with DOJ's *A National Protocol for Sexual Assault Medical Forensic Examinations: Adults/Adolescents* and to assist healthcare providers in collecting evidentiary specimens for analysis by a crime laboratory.<sup>68</sup> This DOJ protocol was recently adopted by OSD(HA) as the minimum standard of care for sexual assault victims.

Once issued, DD Form 2911 will ensure the victim is aware of his or her right to all SAPR services from the servicing SARC and further define requirements. The revised form and instructions will also include comprehensive instructions for a more detailed examination of male victims and ensure victims are subject to a less intrusive examination.<sup>69</sup> In addition, SAPRO is working to finalize instructions for conducting a forensic examination of the alleged sexual assault offender.

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<sup>67</sup> DoD. (2009). Recommendation 6: Modify sexual assault program personnel and oversight. *DTF-SAMS Report*. Washington, DC: DoD.

<sup>68</sup> DOJ. (2004). *A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents*. Washington, DC: DOJ.

<sup>69</sup> The examination will include the use of toluidine blue dye and additional genital swab collections in examinations of male victims.

## SERVICE MEMBER CONFIDENCE IN INVESTIGATIVE PROCESSES

The Department recognizes that a significant barrier to reporting is the belief among many Service member victims that nothing will be done after a sexual assault incident is reported.<sup>70</sup> In FY10, the Department continued to review training programs and policies to ensure investigative personnel and trial counsel are trained to properly handle sexual assault cases.

In FY10, the Joint Services Committee (JSC) on Military Justice completed a review of Article 120 of the UCMJ, *Rape, Sexual Assault, and Other Sexual Misconduct*, which codifies most sex offenses in the military, as recommended by DTF-SAMS. Upon completion of its review, the JSC proposed a legislative amendment to Article 120 and submitted it to Congress for consideration in June 2010. The proposal addressed the report and DTF-SAMS recommendation that Article 120 be reviewed because “practitioners consistently advised Task Force members that the new Article 120 (effective October 1, 2007) is cumbersome and confusing. Prosecutors expressed concern that Article 120 may cause unwarranted acquittals. In addition, significant issues related to the constitutionality of Article 120’s statutory affirmative defense of and consent to lesser included offenses have evolved.”<sup>71</sup> This report, and similar concerns with Article 120 as amended in 2007, were raised with members of Congress and their staff in FY10. The JSC-proposed amendment to Article 120 addresses those concerns. In addition to Article 120, the JSC also proposed amendments to Article 43, *Statute of Limitations*, and Article 118, *Murder*, as they pertain to sexual assault.

In FY10, the Military Services worked to effectively investigate allegations of sexual assault.

- USA Judge Advocate General Corps (JAGC) continued implementing its Special Victims Prosecutor (SVP) and HQE programs by hiring HQEs to advise leadership and improve training of sexual assault investigators, prosecutors, and defense counsel; additional examiners for the USACIL to process DNA evidence; and SVPs to focus on the prosecution of sexual assault and special victims cases. Particularly, USA added eight additional SVPs and one Office of the Judge Advocate General (OTJAG) HQE in FY10.
- The USN Criminal Law Division provided training to all Naval Criminal Investigative Service (NCIS) agents through an Advanced Family and Sexual Violence course, which addressed topics such as alcohol-facilitated sexual assault, consent defense, cases involving multiple subjects, and intimate partner sexual assault.
- USMC enhanced the requirements for key prosecution billets by updating the *Military Occupational Specialty (MOS) Manual* to add six additional MOS for JAs. The change requires that these billets be filled with JAs possessing advanced education, experience, and training.

<sup>70</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. DoD: <http://www.sapr.mil/index.php/research>.

<sup>71</sup> DoD. (2009). Recommendation 29c. *DTF-SAMS Report*. Washington, DC: DoD.

- DON executed a Sexual Assault Investigation and Prosecution Course through its Mobile Training Team (MTT). Through the course, NCIS special agents received training on investigative theory and practices on offender behavior.
- USAF received funding for the hiring of 24 additional Air Force Office of Special Investigations (AFOSI) agents in early 2010 to serve as local sexual offense SMEs. The responsibilities outlined for these agents included participating in sex offense investigations (mandatory), meeting or exceeding AFOSI sexual offense investigative timeliness standards, and outlining AFOSI headquarters' oversight of sexual offense investigative effectiveness.
- USA and USAF jointly funded and conducted the Military Institute on the Prosecution of Sexual Violence Conference, which explored the complex issues faced by prosecutors in balancing offender accountability and the effect of criminal prosecution on victims.

## CAPABILITY FOR VICTIM CARE

The Department's response resources are available to victims of sexual assault 24 hours a day, 7 days a week. Each victim who reports a sexual assault is offered the assistance of a SARC or SAPR VA, who explains the reporting options, services available, access to those services, and resources available for assistance with navigating the military criminal justice process. SARCs and SAPR VAs address the victim's safety and security needs, provide an opportunity for victims to communicate the incident and feel validated, and offer expertise to prepare victims for the road ahead. Victims are also offered professional assistance with medical care, counseling, spiritual support, and legal resources.

The Military Services have also continued working to sustain constant response capabilities for victims. For additional information regarding first responders and victim care, please refer to Appendix C, DoD Sexual Assault Prevention and Response Program Overview, Victim Care in the Department of Defense.

### *Sexual Assault Response Coordinator Recognition*

The SARC is often the first person a victim contacts after a sexual assault. The knowledge, dedication, and commitment of SARCs form the cornerstone of the Department's response strategy.

In April 2010, OSD SAPRO hosted an event honoring the 2010 Exceptional SARCs of the Year from each of the Military Services and NGB (see Figure 9). By publicizing the exceptional work of SARCs, the Department hopes to honor these professionals and call attention to the comprehensive services available to victims of sexual assault.



Figure 9: In FY10, Five SARCs Were Honored at the Pentagon by Then-DUSD (Plans) Mrs. Gail McGinn (center front row) and SAPRO Director, Dr. Kaye Whitley (far left front row).

### *National Federal Service Award*

In addition to Department recognition, outside organizations have acknowledged the committed work of SARCs. Annually, the DOJ OVC recognizes individuals and organizations who demonstrate outstanding service in supporting victims and victim services. Specifically, the Federal Service Award honors federal employees for their direct service to victims of federal crime. The award recognizes a service provider's exceptional contributions and extraordinary impact on behalf of victims in areas governed by federal jurisdiction.

In FY10, USA Master Sergeant (MSG) Verlean Brown was awarded the Federal Service Award. As the Senior Deployed SARC assigned to 3rd Sustainment Command (Expeditionary) in support of Joint Base Balad (JBB), MSG Brown provided information, counsel, and assistance to more than 100 individual Service members; single-handedly supervised and trained more than 200 VAs; and conducted more than 40 education and training classes for 2,000 Soldiers, Airmen, and civilians located at JBB in 2009. On April 16, 2010, U.S. Attorney General Eric Holder presented MSG Brown with the Federal Service Award at a ceremony held in Washington, DC, honoring MSG Brown's achievements. In attendance were then-Deputy Under Secretary of Defense (DUSD) for Plans, Mrs. Gail McGinn, and OSD SAPRO Director, Dr. Whitley.

### *Victim Reports and Service Referrals*

Each Military Service is required to report the total number of its Restricted and Unrestricted Reports, as well as victim service referral information, to OSD SAPRO each year. These numbers offer the Department an initial indicator of the sexual assault reporting climate and provide an opportunity to examine and monitor the relationship between reporting and service referrals.

Each Military Service's Military Criminal Investigative Organization (MCIO) collects Unrestricted Reports.<sup>72</sup> It is the SARCs' responsibility to ensure collection of non-identifying Restricted Reports and to submit them to their respective Military Service's SAPR program. To improve visibility and the ability to analyze reporting trends, the Department requests quarterly reports on Restricted and Unrestricted Reports from the Military Services. For additional information regarding quarterly reporting, please refer to the Improve System Accountability section of this report.

Ensuring every sexual assault victim has the opportunity to access available resources through service referrals is critical to aiding victims along the road to recovery. Informing victims of available resources and assisting victims in accessing these resources are standard components of the SAPR Program. SARCs and SAPR VAs are responsible for ensuring victims have access to medical treatment, counseling, and legal advice. Referrals for these services are made to both military and civilian sources. A referral for service can happen at any time while the victim is receiving assistance from a SARC or

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<sup>72</sup> The Military Service Military Criminal Investigative Organizations (MCIO) include the USA Criminal Investigation Command (USACID), Naval Criminal Investigative Service (NCIS), and Air Force Office of Special Investigations (AFOSI).

SAPR VA. Referrals may happen several times throughout the military criminal justice process.

This year, SARCs and SAPR VAs made an average of 1.4 service referrals to victims making Unrestricted Reports. For victims making Restricted Reports, SARCs and VAs provided an average of 1 service referral per case.

The Military Services varied in the average number of referrals per victim, as follows:

- USA provided an average of 0.3 referrals per victim making an Unrestricted Report and 0.5 referrals per victim making a Restricted Report.
- USN provided an average of 2.3 referrals per victim making an Unrestricted Report and 1.8 referrals per victim making a Restricted Report.
- USMC provided an average of 1.8 referrals per victim making an Unrestricted Report and 1.0 referral per victim making a Restricted Report.
- USAF provided an average of 4.2 referrals per victim making an Unrestricted Report and 1.3 referrals per victim making a Restricted Report.

Although the Military Services have differing rates of service referrals per report, the Department believes inconsistent data collection may have precluded the data from fully or accurately representing the work of SARCs and SAPR VAs. In FY11, OSD SAPRO will work with the Military Services to review the methods of defining and tracking support service referrals to ensure data is accurately captured. In addition, the Department will develop guidance on how referrals will be counted in the future. This guidance will help ensure SARCs and SAPR VAs appropriately advise every victim.

## TRAINING

The Department understands that providing continuous and relevant training to all responders is critical to offering quality care to victims, and the Department continues to update its policies to reflect this understanding. OSD SAPRO has proposed SAPR Policy revisions to training requirements for all levels of training and all military personnel. These changes will be reflected when the policy is reissued.

In FY10, all four Military Services continued to institute SAPR training initiatives for all first responders. In addition to the first responder training detailed in the sections that follow, the Military Services also continued to provide initial and annual refresher SAPR training for Service members and worked to standardize training for SAPR personnel.

The following sections highlight outstanding examples of this collective focus on providing high-quality and comprehensive training.



### *Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates Training*

The Department continued to review and clarify the training requirements for SARCs and SAPR VAs in FY10. The Military Services also continued to provide initial and annual refresher training for SARCs and SAPR VAs.

Through DoDI 6495.02, the Department sets training and response capability standards for all SARCs and VAs providing support to victims through the SAPR Program. However, the Department's guidance also provides the Military Services the latitude to structure their own SAPR programs around their unique missions. As a result, the Military Services have created a number of different deployed and unit SARC and VA positions depending on the needs of their SAPR programs. In the sections that follow, the different SARC and VA position terms used reflect the different positions reported by the Military Services.

The USA Installation Management Command trained 55 new Installation SARCs; 3,748 Unit Victim Advocates (UVA); and 266 Deployable Sexual Assault Response Coordinators (DSARC) in FY10.<sup>73</sup> In addition, the USA SAPR program MTT facilitated training for 212 newly appointed UVAs and DSARCs in the USA National Guard (ARNG) and USA Reserve.

USN has 64 SARCs, 29 of whom were new employees in FY10; each of these SARCs received training during FY10. To enhance SARC training, the Commander, Naval Installations Command launched new SARC web-based training. Currently, there are 3,519 trained Active Duty VAs across USN; 2,193 of those VAs received initial training in FY10, and 2,734 VAs received the required annual refresher training. In addition, 146 VAs received training before deployment as individual augmentees.

USMC provided training to 92 SARCs and 912 VAs in FY10, which included both initial and annual refresher training.

USAF has 175 full-time SARC positions authorized. All USAF SARCs must complete the mandatory 40-hour Air University SARC training course prior to serving as SARCs. In FY10, 61 civilian and military USAF personnel attended the SARC training course, which was initial training. Also, 172 SARCs participated in annual refresher training in July 2010 during the annual SARC training workshop. There were 2,049 trained and available VAs in the USAF in FY10. Initial and annual refresher training for USAF VAs is identical. In FY10, 3,119 members received initial and/or annual refresher training.<sup>74</sup>

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<sup>73</sup> The 3,748 Unit Victim Advocates (UVA) trained include 2,534 new UVAs who received training in garrison in FY10.

<sup>74</sup> This number is higher than the total number of available U.S. Air Force (USAF) VAs because some training course attendees take the course to expand their knowledge of sexual assault, even though they cannot actually serve as VAs because of potential conflict between their current role and covered communications.

In addition to specific first responder training requirements identified in DoDI 6495.02, USAF provided all first responders with appropriate bystander intervention training with modules for leaders, men, and women in lieu of the annual training requirement. OSD SAPRO approved this alternate training in FY10.

### *Commander Training*

In FY10, the Department improved on the actions taken in FY09 to enhance commander training and accountability (see Figure 10).

USA developed training specifically for senior leaders. During FY10, the USA School of Command Preparation (Pre-Command Course) trained 197 brigade commanders, 542 battalion commanders, and 195 command sergeants major. In addition, USA Reserve reported training 400 brigade and battalion commanders.

USN revised key SAPR command personnel training to improve response to sexual assaults. USN Installation SARCs reported training on roles and responsibilities for 1,807 commanders in FY10, as well as training for 805 new command POCs, 484 new command liaisons, and 681 new SAPR data collection coordinators.

USMC provided command team training on SAPR roles and responsibilities to 258 commanders in FY10, which included commander-led discussions during newcomer orientation.



Figure 10: Major General Anthony L. Jackson, of USMC, Discussed the SAPR Program With Senior Leaders During the Marine Corps Installation West Senior Leaders' SAPR Seminar in June 2010.

In the USAF, senior pre-command training is conducted at the AU. In FY10, 122 wing and vice wing commanders and 270 group commanders received SAPR training as part of this training. Installation SARCs also provided SAPR-specific training to 3,342 squadron commanders and first sergeants.

### *First Responder Training*

The Department also worked to enhance the training of other personnel involved in sexual assault response in FY10.

### Criminal Investigators

In early FY09, OSD SAPRO and MCIO representatives reviewed investigator training. The representatives recommended to the Department that training standards be revised to ensure training requirements reflect the needs of the law enforcement and military criminal investigators responsible for addressing issues and procedures applicable to

sexual assault cases.<sup>75</sup> In FY10, OSD SAPRO drafted revisions to DoDI 6495.02 to enhance SAPR training for investigators and JAs based on the results of this review.

As noted below, the Military Services also offered advanced training to investigators related to their responsibilities in sexual assault cases.

During FY10, all U.S. Army Criminal Investigation Command (USACID) agents who investigate or supervise agents who investigate sexual assault allegations received training developed and fielded by the U.S. Army Military Police School (USAMPS); 723 USACID agents were trained during the past FY. In addition, USAMPS conducted Special Victims Unit (SVU) training in conjunction with its attendance at the CALCASA National Sexual Assault Conference.

In FY10, USN SARCs trained 131 military and 87 civilian criminal investigators on their roles in the USN SAPR program. In addition, USN requires that NCIS special agents complete annual in-service training on sexual assault awareness, prevention, investigative procedures, and victim sensitivity. In FY10, 92 NCIS special agents received advanced training on sexual assault investigations.<sup>76</sup>

USMC provided training for 154 criminal investigators in FY10.

USAF provides a 7-week Basic Special Investigations Course (BSIC) for new agents at the Federal Law Enforcement Training Center. Most of the AFOSI sexual offense investigations training is taught in five blocks of instruction in the BSIC. In FY10, 169 agents were trained. AFOSI also offers an Investigative Sexual Assault Response Training Refresher Course, which is a web-based refresher training course; 1,962 AFOSI agents completed this course in FY10.

### [Law Enforcement](#)

The Department is committed to providing law enforcement personnel with appropriate sexual assault training. In early FY09, OSD SAPRO and law enforcement representatives reviewed law enforcement training. The representatives recommended to the Department that training standards be revised to ensure training requirements reflect the needs of the law enforcement community responsible for addressing issues and procedures applicable to sexual assault cases.

In FY10, USAMPS provided specialized sexual assault training to 2,985 military law enforcement investigators and first responders in several professional development courses. USAMPS also continued developing a 2-week SVU training course focused on victim impact, alcohol-facilitated sexual assaults, trauma and memory, and male-on-male sexual assaults.

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<sup>75</sup> DoDI 6495.02. Washington, DC: DoD.

<sup>76</sup> NCIS conducts investigations of offenses affecting both the U.S. Navy (USN) and the U.S. Marine Corps (USMC). Thus, NCIS training information applies to both the USN and the USMC.

USN SARCs trained 1,853 military and 212 civilian law enforcement personnel on SAPR program roles and responsibilities. These numbers only reflect one component (SARC training) of law enforcement personnel.

USMC provided training for 5,874 law enforcement officials in FY10.

The USAF Security Forces Apprentice Course provides law enforcement instruction in areas related to the SAPR program; 4,957 students were trained through the Security Forces Apprentice Course in FY10. In addition, a Basic Officer Course (BOC) provides SAPR-related instruction in areas such as crisis intervention, victim-witness assistance, and intervention interviews; 102 Security Forces officers completed the BOC in FY10. Finally, 79 UASF Security Forces Airmen completed the Military Police Investigators Course in FY10, which covered topics such as interviewing and interrogation, evidence collection, and report writing.

### Healthcare Personnel

As of the end of FY10, DoDI 6495.02 requires timely, accessible, and comprehensive healthcare for beneficiaries of the military healthcare system who have been sexually assaulted. Healthcare provided to victims may include the assessment and treatment of injuries, a SAFE, pregnancy testing and care, testing and prophylaxis for sexually transmitted infections, Human Immunodeficiency Virus prophylaxis, and mental health counseling.

In FY10, OSD SAPRO worked closely with the Office of the Assistant Secretary of Defense (OASD) HA Sexual Assault Integrated Policy Team (SAIPT) to discuss providing emergency medical care to sexual assault victims; draft revisions to SAFE Kit and victim and suspect accompanying instructions; and draft revisions to training requirements for healthcare providers who treat victims of sexual assault. OASD(HA) established the HA SAIPT in October 2009 to facilitate effective and efficient coordination of sexual assault response matters in the DoD medical community. The creation of the HA SAIPT institutionalized a link that will ensure SAPR Policy changes are translated into HA policy and procedures and that HA initiatives for sexual assault patients appear in the SAPR Policy.

The Military Services conducted SAPR training for healthcare personnel in FY10. In the USA, all healthcare personnel who train at the USA Medical Center and School received initial basic training for sexual assault response. In FY10, USA trained 95,429 military and civilian healthcare personnel. In addition, sexual assault clinical providers and sexual assault care coordinators conduct follow-on and refresher response training for healthcare personnel at their assigned military treatment facility (MTF).

USN SARCs trained 5,913 military and 1,427 civilian medical personnel on their roles in the USN SAPR program. In addition, the DON Bureau of Medicine and Surgery (BUMED) reported that 20,462 first responders and 115 forensic examiners were

trained in FY10.<sup>77</sup> In January 2010, BUMED hired a full-time instructor to provide training to commands that provide SAFE services in an MTF; 98 students at 11 sites received this training in FY10.

In the USAF, 6,026 medical personnel received first responder training as an annual requirement in FY10. In addition, the USAF updated sexual assault computer-based training for all personnel in an MTF. This training provides updated information on how to handle any patient who has made a Restricted or Unrestricted Report. It will be included in the annual training for all medics.

### Judge Advocates

In FY09, the Military Services jointly reviewed trial counsel (prosecutor) training. OSD SAPR proposed revisions to the SAPR Policy to ensure training requirements reflect the needs of military commanders, attorneys, and investigators handling sexual assault cases in the military justice system.

Beginning in FY09, OSD SAPRO secured funding to assist the Military Services in developing and implementing a specialized training program for JAs involved in sexual assault cases. This training program employs joint resources from the DoD legal community and expert civilian and military instructors. In FY10, OSD SAPRO continued to fund the Sexual Assault Trial Counsel Electronic Training System, an interactive DVD program that provides e-learning and simulated training for each of the 22 modules. This system supports DoD and JA sexual assault training and response objectives.

In addition to this joint training effort, the Military Services have taken advantage of other innovative training opportunities for JAs.

In the USA, the Judge Advocate General's School and Legal Center provided first responder training to 565 USA JAs in the JA Basic Course, the JA Graduate Course, and two other courses. Additional training expanded through the Trial Counsel Advocacy Program included outreach programs and regional conferences, the Sexual Assault Trial Advocacy Course, and the Sexual Assault Expert Symposium.

The USN Judge Advocate General (JAG) continued to train prosecutors and defense counsel in trial advocacy and special techniques for litigating sexual assault cases. Installation SARCs reported 1,370 staff JAs attended training on their roles and responsibilities. In addition, the Prosecutor's Resource on Violence Against Women developed a new advanced trial advocacy course on prosecuting alcohol-facilitated sexual assault for USN, which OSD SAPRO funded.

All 41 USMC student JAs who trained at the Naval Justice School's (NJS) Basic Lawyer Course in FY10 received initial SAPR training. An additional 63 USMC student JAs, prosecutors, and military justice supervisors received detailed courses of instruction on the investigation and prosecution of sexual assault cases through Joint MTT courses and the NJS Prosecuting Sexual Alcohol Facilitated Sexual Assault Course.

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<sup>77</sup> These healthcare personnel training statistics apply to both the USN and USMC.

In the USAF, the Judge Advocate General's School (TJAGS) primarily conducted training for JAs in FY10. It provided training through a number of courses, including a Judge Advocate Staff Officer Course (JASOC), which introduces new JAs to the career and to the JAGC. In all, 165 JAs took the JASOC. TJAGS also provided a Trial and Defense Advocacy Course (TDAC), which gives JAs the opportunity to develop their trial advocacy skills through practical demonstrations and role-playing exercises. In all, 76 USAF JAs took the TDAC. In this course, experts from within and outside the DoD community provide insight into how JAs can overcome the unique challenges of sexual assault cases.

### Chaplains

In FY10, OSD SAPRO proposed revisions to the training requirements for chaplains in collaboration with representatives from all Military Services.

All first-term Active component, ARNG, and USA Reserve chaplains receive initial training through the Chaplain Basic Officer Leader Course, which educates chaplains on topics such as reporting classifications and reporting requirements, ministry response and spiritual support to sexual assault victims, sexual assault dynamics, and installation and unit victim advocacy services and referral resources. In FY10, the USA trained 1,110 chaplains on the Unity Ministry Team role in supporting the USA SHARP program. USA also updated its chaplain training in FY10 to align with USA's "Sexual Harassment and Assault Prevention" campaign.

USN SARCs trained 154 chaplains on SAPR roles and responsibilities in FY10.

USMC provided training for 171 chaplains in FY10.

In the USAF, the subjects covered in the Basic Chaplain Course include counseling skills and the role of Chaplain Corps personnel in the USAF SAPR program; 57 chaplains received SAPR training through this course. In all, 873 Active Duty chaplain and chaplain assistants took annual refresher training and 1,038 Air National Guard and USAF Reserve Chaplain Corps personnel took the training in FY10. In addition, as a Chaplain Corps initiative, the USAF Chaplain Corps College contracted Loyola University's Pastoral Counseling Department to develop and teach a 5-day course titled "Spiritual and Pastoral Care Response for Military Members Affected by Sexual Assault." In all, 31 chaplains and 31 chaplain assistants attended the course, conducted at Loyola's Columbia, Maryland, campus in August 2010.

### *National Guard Bureau Training Initiatives*

In FY10, OSD SAPRO continued to support the NGB in its response efforts by providing nearly \$6 million for its SAPR program initiatives, policies, and training. This support included funding for the following:

- Development and execution of a 16-hour distance learning course for NGB SARCs and SAPR VAs on prevention and response before the required in-person training course.

- NGB 2-day SAPR Senior Leadership Summit for approximately 250 senior enlisted leaders and their SARC's to enhance leadership understanding and SAPR program development.
- Provision for an assistant SARC for each state and territory to assist in program management and unit training.
- 26 contracted assistant SARC's across the NGB in 54 states, territories, and the District of Columbia to increase prevention and reporting initiatives.

Also, the NGB Joint Force Headquarters (JFHQ) SARC's oversaw annual SAPR training conducted for the Army National Guard and Air National Guard within each of their states. In FY10, JFHQ SARC's reported 197,466 Soldiers and 52,381 Airmen who participated in annual training. Those numbers reflect approximately 55 percent of the total strength of the Army and Air National Guard.

### ***Defense Equal Opportunity Management Institute Sexual Assault Prevention and Response 101 Course***

In August 2010, USD(P&R) approved OSD SAPRO's request to explore opportunities for collaboration between OSD SAPRO and the Defense Equal Opportunity Management Institute (DEOMI). The first of these collaborative initiatives was a "SAPR 101" training course conducted by OSD SAPRO staff for personnel serving as equal opportunity advisors (EOA).

In its report, DTF-SAMS noted that Service members often have difficulty understanding the complexity of the definitions, potential interrelationships, and different reporting and response mechanisms associated with sexual assault and equal opportunity.<sup>78</sup> The report found that most of the Military Services discourage combining the equal opportunity and sexual assault functions and, accordingly, conduct separate training.<sup>79</sup> Thus, the primary goal of the "SAPR 101" course was to increase awareness among EOAs about the SAPR Program, available resources, and reporting options available to victims of sexual assault and to alleviate confusion regarding the differences between sexual harassment and sexual assault programs and policies.

Following the training course, OSD SAPRO staff administered a feedback survey to course participants. After participating in the course, 80 percent of survey respondents agreed or strongly agreed that the course increased their knowledge of the SAPR Program, and 93 percent of respondents agreed or strongly agreed that they understood the difference between sexual assault and sexual harassment.

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<sup>78</sup> DoDD 1020.02, *Diversity Management and Equal Opportunity (EO) in the Department of Defense*. Washington, DC: DoD. In accordance with DoDD 1020.02, sexual harassment falls under the purview of the Department's Diversity Management and Equal Opportunity program.

<sup>79</sup> DoD. (2009). Recommendation 3c. *DTF-SAMS Report*. Washington, DC: DoD.

## RESPONSE CAPABILITY IN DEPLOYED ENVIRONMENTS

The delivery of comprehensive care to sexual assault victims requires training providers with the right skills and having the appropriate equipment at the right time and place.

The unique and unpredictable circumstances in deployed environments can make it difficult for SAPR responders to deliver comprehensive and consistent care to victims. These uncertainties could also discourage victims from reporting a sexual assault incident, as discussed in the Increase a Climate of Victim Confidence Associated With Reporting section of this report. Tracking victim services accurately and consistently can also be challenging in deployed environments. Unit rotations and re-deployment make it difficult for SAPR responders to track services provided to victims of sexual assault. OSD SAPRO, with the Military Services, worked to respond to these challenges in FY10.

None of the Military Services reported any gaps in supplies, trained personnel, or transportation resources; reported any cases in which lack of an available SAFE Kit or other medical supplies hindered care; or had any verifiable reports of victims for whom timely access of laboratory testing resources hindered care. USMC reported one case in which a victim had to be transported 90 minutes to undergo a SAFE and was addressing the matter at the end of FY10.

In addition, at the request of the Deputy Secretary of Defense, U.S. Central Command (CENTCOM) recommended changes to the OSD and Military Department policies and procedures that CENTCOM believed may hinder theater operations in a deployed environment. CENTCOM submitted a memorandum entitled *Results of Deputy Secretary of Defense Directed Regulatory Review*. One of its recommendations was for USD(P&R) to issue enduring guidance describing the SAPR services a combatant command must provide to contractor staff when contractors deploy with U.S. Armed Forces. In response to this request, OSD SAPRO proposed revisions to the SAPR Policy that will fulfill this recommendation when the SAPR Policy is reissued. To read the full memorandum, please see Appendix D, CENTCOM Memorandum *Results of Deputy Secretary of Defense Directed Regulatory Review*.

### Barriers to Care

The FY10 NDAA required the Department to review the provision of SAPR services in deployed areas and report its findings to Congress. In July 2010, OASD(HA) submitted its report entitled *Care for Victims of Sexual Assault in Combat Zones*, which found that:<sup>80</sup>

- Not all healthcare providers who were otherwise deployment ready possessed the requisite training to conduct a SAFE;

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<sup>80</sup> DoD. (2010). *Improved Prevention and Response to Allegations of Sexual Assault Involving Members of the Armed Forces and Availability of Care for Victims of Sexual Assault*. Washington, DC: DoD.



- SAFE training is lengthy and can sometimes delay the deployability of healthcare providers;
- In a deployed environment, providers may be unable to employ the required skills with the frequency (and supervision) necessary to develop desired proficiency;
- Access to timely victim-to-provider (or vice versa) transport is limited; to address competing threats to life, limb, or eyesight, access must be balanced against demand;
- Specialized equipment that may be needed to conduct a SAFE and preserve evidence of the assault lacks standardization at all levels of care, especially in remote areas;
- Protocols for handling SAFE Kits for Restricted Reports vary between the Military Services, but collaboration among Military Service SARCs has helped the Military Services more effectively manage victims of sexual assault; and
- Victims may also be particularly hesitant to seek care because of the close-knit atmosphere that can develop among Service members in deployed environments, which may raise victims' concerns about maintaining confidentiality and unit cohesion and readiness.

In FY10, the Military Services identified specific barriers related to personnel, transportation, supplies, equipment, policies, and processes while in deployed locations, including:

- Facilitating person-to-person transfers between the Military Services when departing joint environments;
- Training adequate numbers of SAPR VAs when faced with limiting operational schedules;
- Accessing trained personnel and SAFE Kits in remote locations; and
- Obtaining toxicology results on suspected drug-facilitated sexual assaults.

Despite the multiple barriers for providing care to sexual assault victims in deployed environments, the Department is committed to ensuring access to timely, comprehensive quality care by:

- Establishing a policy prioritizing sexual assault as an emergency, thereby giving victims the same priority as emergency cases;
- Developing processes and procedures to survey in-theater MTFs' availability of appropriate equipment and supplies;
- Facilitating a standardized annual assessment of MTF capabilities to provide comprehensive, timely, and accessible care;
- Continuing to enhance and optimize coordination and collaboration efforts among OSD SAPRO, the Military Services, and other key stakeholders; and
- Revising training requirements to help ensure all healthcare personnel servicing in a deployed environment are adequately prepared to respond to sexual assault victims regardless of their location.

The Department will continue to strengthen collaboration and coordination with unit leadership and SAPR personnel. Victims are often encouraged to seek necessary medical care through these channels.

For statistical information regarding FY10 Combat Areas of Interest (CAI) reports, please refer to the Statistical Data section of this report.

### *Innovative Practice*

The Department is committed to maintaining timeliness and a high quality of care for Service members in all environments. Sometimes, overcoming unexpected obstacles requires an innovative approach, such as USA's initiative that serves sexual assault victims in Germany.

In coordination with the USA Medical Command (MEDCOM) and European Regional Medical Command, USAREUR initiated a pilot program in Bavaria (southern Germany) in March 2010 to provide medical care and SAFEs to victims and subjects of sexual assault 24 hours a day, 7 days a week. Under this initiative, patients receive care and SAFEs through a medical team comprising one forensic examiner and one medic located at the closest MTF. This program precludes patients from having to use host nation facilities and thus safeguards the Restricted Reporting option. At the end of FY10, overall patient feedback was very positive, and USA MEDCOM leadership continued to review the program.

## **OUTREACH AND COLLABORATION**

In FY10, the Department led a number of valuable outreach initiatives aimed at improving response to sexual assault both within and outside of the DoD community. The Military Services also continued to build community coalitions and networks and strengthen DoD stakeholder partnerships.

- Overall, 75 percent of USA installations reported having MOUs or memoranda of agreement (MOA) with civilian agencies serving sexual assault victims, such as rape crisis centers, hospitals, and law enforcement.
- USN SARCs reported working with 12 schools, universities, and other civilian community groups on SAPR awareness and prevention programming.
- In an ongoing effort to improve the USMC Victim Witness Assistance Program (VWAP), which provides rights and services for victims of sexual assault, the USMC Judge Advocate Division Military Justice Branch (JAM) sponsored the first USMC-wide VWAP training conference in June 2010. This conference placed special emphasis on caring for victims of sexual assault. JAM plans to host another VWAP conference in spring 2011.
- USAF continued to foster strong partnerships with other first-responder agencies and collaborate with key community providers at the installation level, which promoted effective response to victims of sexual assault.

### *Presentations to Recovery Care Coordinators*

OSD SAPRO staff continued to connect other parts of the DoD community in FY10 by leading three presentations on the Department's SAPR Program, resources, and procedures for local recovery care coordinators.<sup>81</sup> The presentations not only increased awareness and understanding of the SAPR Program but also improved the Department's ability to respond to Service member victims of sexual assault.

## THE IMPACT OF EFFORTS TO IMPROVE SEXUAL ASSAULT RESPONSE

The Department seeks sexual assault response improvements through programs, policies, and activities that advance victim care and enhance the military criminal justice process. SARCs and SAPR VAs are responsible for referring victims of sexual assault to medical, counseling, and legal support services.

The Department has substantially increased the training and resources of military professionals working in sexual assault response since launching the SAPR Program. Each year, thousands of investigators, attorneys, healthcare providers, chaplains, commanders, SARCs, and SAPR VAs participate in state-of-the-art training about how to best engage and care for sexual assault victims.

In areas for which the Department has data, the majority of female victims who have used sexual assault advocacy services, counseling, and medical care indicated they were satisfied with their quality, according to the *DMDC 2010 WGRA*.<sup>82</sup> Department case disposition statistics indicate that most victims of sexual assault who make an Unrestricted Report participate in the military justice process. However, a few hundred victims each year ultimately decline to participate in the military justice process. In addition, most female victims surveyed indicate experiencing some kind of retaliation (either professional or social) or administrative action against them associated with their reporting the sexual assault.<sup>83</sup>

Although the Department has improved its response system substantially, it must continue to improve the professionalism, capabilities, and resources of all who support

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<sup>81</sup> The Office of the Deputy Under Secretary of Defense (DUSD) for Wounded Warrior Care and Transition Policy (WWCTP) oversees these coordinators.

<sup>82</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>. 50 percent of women indicated they were satisfied with the quality of sexual assault advocacy services received, 57 percent indicated they were satisfied with the quality of counseling services they received, and 56 percent indicated they were satisfied with the quality of medical care they received. Results were not reportable for men.

<sup>83</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>. Of the 71 percent of women who experienced unwanted sexual contact, reported it to the Department, and made either an Unrestricted Report or converted a Restricted Report to an Unrestricted Report, less than a quarter reported that they believed they experienced a combination of adverse administrative action, professional retaliation, and social retaliation (23 percent). 27 percent experienced social retaliation only, 3 percent of women experienced professional retaliation only, and 9 percent experienced administrative action only. Also, 38 percent indicated experiencing no retaliation or administrative action.

victims seeking assistance. In addition, the Department must continue its endeavor to create a culture where victims of crime are treated fairly by those with whom they serve.

## IMPROVE SYSTEM ACCOUNTABILITY

OSD SAPRO is the single point of responsibility for sexual assault policy matters within the Department, except for the legal processes provided for under the UCMJ and criminal investigative matters.<sup>84</sup> As part of its policy responsibilities, OSD SAPRO engages in several annual internal and external oversight activities.

### REVIEW BY EXTERNAL AGENCIES

In FY09 and FY10, the Department's SAPR Program was the subject of intense review by several internal and external oversight bodies. The following sections discuss the reviewing bodies.

#### *Government Accountability Office*

Since the inception of the SAPR Program in 2005, GAO has conducted three reviews of the SAPR Program and made 22 recommendations for the Department's SAPR Program. A fourth GAO review was underway in late FY10.

As outlined below, all of the Military Services worked with OSD SAPRO to provide input for the DoD response to all GAO report recommendations.

#### Recent Investigations

In January 2008, GAO issued a report recommending that the Department enhance data reporting requirements related to terminology, establish evaluative program performance measures, and provide a more comprehensive program assessment.<sup>85</sup> At the end of FY10, two of the three recommendations had been completed and work on the remaining recommendation was ongoing.<sup>86</sup>

In August 2008, GAO issued a report indicating that although the Department had taken positive steps to prevent and respond to sexual assault, several factors hindered program implementation.<sup>87</sup> In that report, GAO made several recommendations to improve prevention and response-related DoD programs through training and senior leader involvement, development of an oversight program, and creation of measures of effectiveness. The Department concurred with all of the recommendations in GAO's

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<sup>84</sup> DoDI 6495.02. Washington, DC: DoD.

<sup>85</sup> GAO Report No. 08-296. (2008). *Military Personnel: The DoD and Coast Guard Academies Have Taken Steps to Address Incidents of Sexual Harassment and Assault, but Greater Federal Oversight Is Needed* [Online]. Available: <http://www.gao.gov/new.items/d08296.pdf>.

<sup>86</sup> Id. Recommendations 2 and 3.

<sup>87</sup> GAO Report No. 08-924. (2008). *Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges* [Online]. Available: <http://www.gao.gov/new.items/d08924.pdf>.

report and incorporated them into items for action. Of those recommendations, seven of the nine recommendations were completed by the end of FY10.

The GAO's February 2010 report found that the Department had taken steps to implement GAO's August 2008 recommendations. However, GAO indicated that opportunities exist for further program improvements. GAO provided the Department with 10 recommendations primarily related to the Department's oversight framework and the Defense Sexual Assault Incident Database (DSAID).<sup>88</sup> Of the 10 February 2010 recommendations provided by GAO, 9 were ongoing and 1 was completed.<sup>89</sup>

As noted in GAO's 2008 and 2010 reports, the Department has spent considerable time, attention, and resources assisting victims, preventing sexual assault, and implementing the SAPR Program. At the end of FY10, the Department had completed 10 of the 22 recommendations from the January 2008, August 2008, and January 2010 reports. It continues efforts to implement the remaining 12 recommendations.

### Investigation and Prosecution of Sexual Assault

In the spring of 2010, GAO initiated a fourth Department review on sexual assaults. In this review, GAO is studying the Military Services' investigation and adjudication of alleged sexual assault incidents. Specifically, GAO is assessing policies and procedures for investigating alleged sexual assault incidents in deployed environments, determining whether personnel investigating alleged sexual assault incidents are receiving sexual assault-specific training, and identifying the level of resources allocated to the investigation of alleged sexual assault incidents.

Although these matters lay outside its purview, OSD SAPRO will continue collaborating with GAO to provide information for this investigation and for GAO's 2011 brief to Congress on its findings.

### Government Accountability Office Review of Sexual Harassment Programs

In FY10, GAO continued a review of the DoD Sexual Harassment Program. Although the OSD ODMEC currently oversees policy addressing sexual harassment, OSD SAPRO contributed responses to GAO inquiries regarding the relationship between sexual harassment and SAPR programs.<sup>90</sup>

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<sup>88</sup> Id.

<sup>89</sup> Id. Recommendation 2.

<sup>90</sup> Researchers found that the degree of tolerance of sexual harassment in an organization not only affected how poorly female military members were treated in the workplace but also influenced the number of sexual assaults experienced by military women outside of the immediate work setting. The study concluded that the level of sexual harassment present in a military workplace was moderately correlated with the numbers of women who were sexually assaulted off duty. Harned, M.S., Ormerod, A.J., Palmieri, P.A., Collinworth, L.L., & Reed, M. (2002). Sexual Assault and Other Types of Sexual Harassment by Workplace Personnel: A Comparison of Antecedents and Consequences. *Journal of Occupational Health Psychology*, 7, 174–188.

### *Inspector General*

In FY09, a DoD IG report recommended that the Department modify SAPR Policy to include DoD contractors who are both U.S. citizens and contingency contractor personnel authorized to accompany U.S. Armed Forces stationed OCONUS.<sup>91</sup>

In February 2010, an additional DoD IG report recommended that the Department establish, and the Military Services implement, policy that will provide an immediate response by trained personnel for all sexual assaults involving U.S. personnel reported to DoD facilities.<sup>92</sup>

In response to these reports and an internal Deputy Secretary of Defense Directed Review, OSD SAPRO worked with the Military Services to consider expanding SAPR services to U.S. citizen DoD contractor personnel when they are authorized to accompany the U.S. Armed Forces in a contingency operation OCONUS.

For additional information on SAPR Policy expansions, please see the Improve Sexual Assault Response section of this report and Appendix D, CENTCOM Memorandum *Results of Deputy Secretary of Defense Directed Regulatory Review*.

In FY10, each Military Service engaged in internal oversight activities through its IG. For details, please refer to the individual reports of the Department of the Army, Department of the Navy, and Department of the Air Force in Enclosures 1, 2, and 3, respectively.

### *Defense Task Force on Sexual Assault in the Military Services*

DTF-SAMS submitted a report on its year-long assessment of the DoD SAPR Program to Congress and the Secretary of Defense on December 1, 2009. Although a full recounting of the 91 recommendations made by DTF-SAMS is beyond the scope of this report, the report divided significant recommended changes to the SAPR Program into four topics: strategic direction, prevention and training, response to victims, and accountability.

For a complete copy of the *DTF-SAMS Report*, see <http://www.dtic.mil/dtfsams/reports.html>.

### Department's Response

In early 2010, OSD SAPRO collaborated with the Military Services to conduct a thorough review of the *DTF-SAMS Report's* findings and recommendations. In May 2010, the Department submitted a response to Congress with its assessment of the DTF-SAMS recommendations. The assessment generally agreed with a majority of the *DTF-SAMS Report* recommendations and expressed that those agreed-upon

<sup>91</sup> Department of Defense Inspector General (DoD IG). (2009). Project No. D2008-D000CE-0221.000. *Efforts to Prevent Sexual Assault/Harassment Involving DoD Contractors During Contingency Operations*. Washington, DC: DoD.

<sup>92</sup> DoD IG. (2010). Project No. IPO 2010E001. *Evaluation of DoD Sexual Assault Response in Operations Enduring and Iraqi Freedom Areas of Operation*. Washington, DC: DoD.

recommendations would greatly advance the Department's vision to enable military readiness by establishing a culture free of sexual assault.

The Department's response noted that many of the report recommendations were either previously implemented, currently in progress, or under consideration. The Department is currently working on 55 recommendations, including the following:

- Develop meaningful standards that will work within the respective missions and structures of the Military Services concerning SARC and SAPR VA certification.<sup>93</sup>
- Conduct Military Service senior-level summits.<sup>94</sup>
- Create Service Secretaries committees paralleling the DoD Sexual Assault Advisory Council (SAAC).<sup>95</sup>
- Include SAPR VA within OSD SAPRO functions and structure.<sup>96</sup>
- Enact privileged communication between the SAPR VA and victim.<sup>97</sup>
- Expand the SAPR Policy to include contractors and DoD civilians deployed in contingency operations and military dependents over 18 years of age.<sup>98</sup>
- Establish a universal hotline to facilitate victim reporting.<sup>99</sup>
- Implement a database on sexual assault incidents in an expedited manner.<sup>100</sup>
- Conduct a follow-up review by military justice experts of the effectiveness of Article 120, UCMJ.<sup>101</sup>
- Review commanders' oversight in joint environments and continue to allow component commanders the opportunity to exercise jurisdiction to dispose of alleged offenses on a case-by-case basis.<sup>102</sup>

For a complete copy of the Department's response, refer to [http://www.sapr.mil/media/pdf/research/DoD\\_Response\\_to\\_DTF-SAMS\\_Signed\\_Letters\\_to\\_Congress\\_and\\_Response\\_Combined.pdf](http://www.sapr.mil/media/pdf/research/DoD_Response_to_DTF-SAMS_Signed_Letters_to_Congress_and_Response_Combined.pdf).

Throughout the remaining part of FY10, OSD SAPRO continued to work with the Military Services to prioritize actions, develop executable plans where needed, and address resourcing for many of the recommended changes.

At the end of FY10, OSD SAPRO requested that the Military Services provide the status of each recommendation's implementation or implementation plan. The Military Services will provide this response in early FY11.

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<sup>93</sup> DoD. (2009). Recommendations 3a, 3c, and 6a1–7. *DTF-SAMS Report*. Washington, DC: DoD.

<sup>94</sup> Id, Recommendation 3d.

<sup>95</sup> Id, Recommendation 4c.

<sup>96</sup> Id, Recommendation 5c.

<sup>97</sup> Id, Recommendation 20c.

<sup>98</sup> Id, Recommendation 22a.

<sup>99</sup> Id, Recommendation 27.

<sup>100</sup> Id, Recommendation 28b1.

<sup>101</sup> Id, Recommendation 29c.

<sup>102</sup> Id, Recommendation 30b1.

## OVERSIGHT FRAMEWORK

OSD SAPRO defines oversight as monitoring, analyzing, and reporting on policies, processes, and performance to improve sexual assault prevention and response capabilities throughout the Department. To ensure the SAPR Program was functioning as it was designed, OSD SAPRO conducted an environmental scan and developed strategic goals and objectives for the SAPR Program in October 2008. Based on this research, the office drafted a strategic plan and presented it to the Military Services at an offsite meeting in July 2009.<sup>103</sup> Based on input from this meeting, OSD SAPRO developed the SAPR Program Oversight Framework. In FY10, it was further refined.

The Oversight Framework is a structured approach to managing the sexual assault-related change within the Department brought about by the *DoD-Wide SAPR Strategic Plan*. The Oversight Framework was constructed to derive meaningful information about the SAPR Program's functions, compare the information to desired standards, and report those findings and recommendations in a way that drives program improvement and greater understanding to stakeholders.

As previously mentioned, the *DoD-Wide SAPR Strategic Plan* contains five priorities for achieving the Department's vision. The structure of this report reflects that vision, and the five priorities are as follows:

- Institutionalize prevention strategies in the military community.
- Increase the climate of victim confidence associated with reporting.
- Improve sexual assault response.
- Improve system accountability.
- Improve stakeholder knowledge and understanding of SAPR.

The *OSD SAPRO Strategic Plan* offers a detailed account of OSD SAPRO strategies and tactics needed to develop and track the following five goals, which will help accomplish the five *DoD-Wide SAPR Strategic Plan* priorities:

- The first goal is to develop, maintain, and disseminate policies, programs, and standards for SAPR, including conducting oversight of SAPR policies and programs to ensure compliance with DoD policy and consistency in the quality and effectiveness of the programs.
- The second goal is to establish and maintain a rigorous data collection process and research agenda.
- The third goal is to engage in activities that enhance the quality of care and support provided to victims, as well as promote prevention and reporting of sexual assault within a Total Force.

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<sup>103</sup> More details about the plan, strategic goals, objectives, and actions are available in the Office of the Secretary of Defense (OSD) Sexual Assault Prevention and Response Office (SAPRO) *DoD Sexual Assault Prevention and Response Office Strategic Plan 2009–2014*, last revised May 2009.



- The fourth goal is to ensure all stakeholders understand that the Department is dedicated to eliminating sexual assault within its ranks and is executing ambitious programs to prevent this crime, respond to victims, and ensure system accountability.
- The fifth goal is to achieve consistently superior results that maintain a world-class, fully resourced SAPR Program and maximize stakeholder value, integrity, and credibility by ensuring the right people are in place to carry out the mission.

Moving forward, OSD SAPRO will take a phased approach to implementing new SAPR oversight capabilities. At the end of FY10, the implementation plan projected that targeted improvement initiatives will be executed over three phases.

Phase I will occur from FY10 to FY11. As mentioned above, DTF-SAMS delivered its findings and recommendations to Congress and Department leadership in December 2009. On May 27, 2010, USD(P&R) signed the Department's response to the *DTF-SAMS Report*. This response outlined which recommendations would be adopted. GAO also finished its third of four SAPR program reviews in 2009. As a result, a number of oversight improvement initiatives were addressed by one or more DTF-SAMS, GAO or other programmatic recommendations that were expected to be adopted by the Department. Many of these improvement initiatives will be managed through the SAPRO Tracker, described in the next section. Phases II and III will involve improvement opportunities designed to build off of the work completed in Phase I.

The Department completed two of three required Milestone A activities in FY10, including improving the annual report process and re-structuring senior leadership oversight of the SAPR Program, described in the Internal Oversight Structure section of this report. The final Milestone A activity will be to develop and execute a comprehensive communications plan for the Oversight Framework that will incorporate proactive communication strategies and key messaging for stakeholders.

The Military Services also improved their oversight capabilities in FY10.

- USA developed a comprehensive SHARP Concept Plan, which documents and increases unit-level personnel, resulting in additional full-time assets to manage all aspects of the SHARP Program, including the preparation and conduct of Sexual Assault Review Boards.
- In 2009, the Secretary of the Navy established the DON SAPRO. He also appointed its first Director, a Senior Executive Service civilian who reports directly to the Secretary. DON SAPRO also changed the name of the Sexual Assault Victim Intervention (SAVI) Program to SAPR to align with the mission of the program, highlighting the importance of both prevention and response. In September 2009, USN directed that the Navy 1 (N1), Office of Manpower, Personnel, Training, and Education, become the executive agent of the Navy's SAPR program, thus elevating the program. In FY10, USN continued to establish this program under the N1.
- USMC developed a SAPR Campaign Plan, which comprises five planks: prevention, risk reduction, victim care, offender accountability, and program

administration. Also, USMC aligned its initiatives with the *DoD-Wide SAPR Strategic Plan*.

- USAF conducted an annual offsite strategic review of the balanced scorecard and strategic roadmap for the USAF SAPR program. For FY10, the Vice Commander at Hill Air Force Base, Utah, hosted the review, which evaluated key themes, perspectives, objectives, and measures.

## SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE TRACKER

As described above, the SAPR Program continued to receive a great deal of attention from Congress and the public in FY10. Since the Program's inception, eight congressional hearings, five investigative body reviews, and four GAO investigations have been held. Six NDAs legislated additional program requirements.

To more effectively organize and consolidate the tracking of OSD SAPRO initiatives pertaining to the internal and external coordination of these oversight recommendations and tasks, OSD SAPRO developed and implemented an online tracking tool: the SAPRO Tracker.

OSD SAPRO began work on the SAPRO Tracker in March 2010 to capture and consolidate recommendations made by oversight bodies—specifically those made by DTF-SAMS and GAO. Once it combined the recommendations, OSD SAPRO identified sub-tasks, designated action officers, and established timelines for completion. In addition, it mapped the recommendations back to the *DoD SAPR Program Oversight Framework* through the *P&R Strategic Plan* and *SAPR Strategic Plan*. By July 2010, OSD SAPRO prioritized items in the SAPRO Tracker and developed an action plan.

This tool will give the Department unprecedented oversight of the SAPR Program. By using a “spotlight” method, the Department can monitor and assess the progress of oversight initiatives on a regular basis, including DoD leadership taskings, external taskings, and internal project development. As of the end of FY10, the SAPRO Tracker listed 130 tasks and almost 700 sub-tasks.

Similarly, USN developed a *Plan of Action and Milestones* to track the status of the *Navy Sexual Assault Study* recommendations during FY10.

## INTERNAL OVERSIGHT STRUCTURE

In FY10, the Department also made considerable efforts to review, revise, and implement effective oversight for the SAPR Program.

### *Sexual Assault Advisory Council*

From May 2007 to November 2009, the SAAC, chaired by the USD(P&R), served as the primary oversight body for the SAPR Program. The SAAC was a senior executive-level decisionmaking body that provided advice and counsel to the Secretary of Defense on all SAPR matters. Four SAAC subcommittees developed and reviewed SAPR Policy

and programming in the areas of policy and oversight, research, outreach, and training. OSD SAPRO staff members and representatives from the Military Service SAPR programs co-chaired the SAAC subcommittees.

The SAAC met for the final time in November 2009 and considered the following topics: HA SAIPT, DSAID, DTF-SAMS, GAO investigations, the *DoD IG Report*, the *DoD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies*, and a new approach to the OSD SAPRO oversight structure.

### Sexual Assault Prevention and Response Integrated Product Team

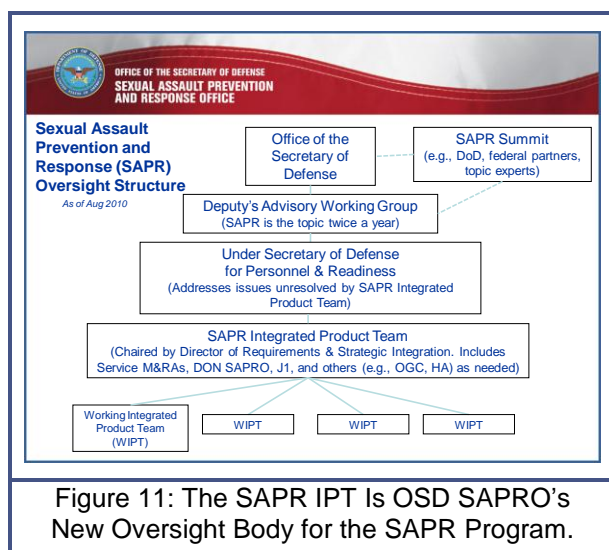


Figure 11: The SAPR IPT Is OSD SAPRO's New Oversight Body for the SAPR Program.

Based on a recommendation from DTF-SAMS, OSD SAPRO developed and implemented a new oversight body structure for the SAPR Program, taking over much of the role of the SAAC as outlined above.<sup>104</sup> DoD leadership signed charters for both the SAPR Integrated Product Team (IPT) and the SAPR Working IPTs in September 2010. Copies of these charters are located in Appendix E, SAPR IPT Charter; and Appendix F, Working IPT Charter.

Like the SAAC, the SAPR IPT will advise the Secretary of Defense through the USD(P&R) across the full range of SAPR

policies, programs, and practices. In particular, the SAPR IPT will discuss and analyze SAPR issues generated by targeted topics in the Working IPTs. Topics may come from a variety of sources, including DoD leadership; SAPR Program needs; and external reports, recommendations, and requests. Unlike the SAAC, SAPR IPT membership will only comprise representatives from DoD and Military Service leadership to ensure candid dialogue. Other DoD component representatives will be invited to SAPR IPT meetings when specific expertise is needed. The SAPR IPT will meet bimonthly and hold ad hoc meetings as necessary.

Working IPTs will be called together to address a single policy topic. The Director, Requirements and Strategic Integration (RSI), as Chair of the SAPR IPT, will approve the topics, which will be drawn from policy recommendations made by DTF-SAMS, GAO, DoD IG, and OSD SAPRO's own policy initiatives and oversight activities. Once leadership approves topic ideas, a Working IPT charter will be developed on a specific issue. The *Working IPT Work Plan* will further define the issue's focus, enumerate goals, and identify a definitive timeline for the accomplishment of the stated goals. Each Working IPT will have a chair, a co-chair as needed, and representation from OSD SAPRO and the Military Services. Once work on an issue is complete, the Working IPT

<sup>104</sup> Id, Recommendation 4.a.

will present findings to the Director, RSI, as Chair of the SAPR IPT. If a Working IPT cannot resolve an issue, it will present the issue to the SAPR IPT for resolution and recommendations. In the event the SAPR IPT cannot resolve issues identified by the Working IPT, the SAPR IPT will elevate the issue to the USD(P&R) for a decision.

A third body, the DoD SAPR Summit, will comprise DoD SAPR Program representatives and external partners and will meet at least once a year. Attendees at the SAPR Summit will discuss best practices and sexual assault-related topics affecting the military, civilian, and international community. Starting in FY11, DoD leadership; civilian experts on criminal law and sexual assault prevention, response, and training; and representatives from other federal agencies (e.g., Department of Veterans Affairs, HHS, DOJ, Department of State, Centers for Disease Control and Prevention) will meet.

Several Military Services have established their own advisory councils to share best practices, collaborate on program issues, and elevate issues to senior leadership.

- USA has the General Officer Steering Committee and a supporting Council of Colonels to provide strategic oversight of the SHARP Program. The committee recommends management strategies, policies, plans, processes, and resources necessary to adequately prevent and respond to incidents of sexual assault.
- USN has the SAPR CFT, which a Navy Flag Officer (N13) chairs. It comprises key stakeholders. The CFT established sub-working groups and meets monthly to collaborate and coordinate on program issues, provide program updates, and continue to mature and improve USN's SAPR program.
- USMC has the SAPR Executive Steering Committee and a Senior Leader Working Group, which were established to direct actions associated with the SAPR Campaign Plan and to advise the Commandant of the Marine Corps of the strategic communication requirements and plan status.
- DON SAPRO also hosts a weekly leadership meeting with the Chief of Naval Personnel and USMC SAPR program leaders to discuss and plan the DON-wide SAPR program and future initiatives. In addition, both USN and USMC senior leadership are members of the DON SAAC.
- USAF has an Executive Steering Group, chaired by the Assistant Secretary of the Air Force for Manpower and Reserve Affairs, to review and advise the Secretary of the USAF regarding the USAF SAPR program.
- ARNG has a SAPR Advisory Council, which meets at least two times each year to discuss program oversight information and regional issues state personnel face.

## OVERSIGHT ACTIVITIES

In general, oversight is a means by which an organization ensures a program is functioning the way it was designed to function. The Department defines oversight as monitoring, analyzing, and reporting on policies, processes, and performance to

improve SAPR capabilities throughout the Department.<sup>105</sup> In FY10, OSD SAPRO engaged in several oversight activities.

Based on a recommendation by DTF-SAMS, the Department began to review Reserve component SAPR programs and policies to ensure their compliance with DoDI 6495.02 requirements in FY10. Initial efforts included meeting with DMDC to begin developing survey questions and identifying dates for site visits with the Military Services. This review is anticipated to officially begin in FY11.<sup>106</sup>

OSD SAPRO also oversees Military Services activities by reviewing high-interest cases after their closure. These reviews allow OSD SAPRO to evaluate how the SAPR Policy has been applied and executed. In addition, OSD SAPRO works with the Military Services to resolve victim inquiries and general inquiries made through the OSD SAPRO website. This information is used to inform policy, resolve conflicts that arise through policy application, and enhance program implementation.

The Military Services also provided oversight in FY10.

- USA conducted Army Community Service Accreditation visits at 36 installations; 100 percent of the installations passed the SAPR standards.
- DON SAPRO made numerous site visits to USN and USMC installations and gathered insights from commanders, key stakeholders, and Sailors. These parties also provided feedback regarding training and helped identify gaps in policy. Out of 26 accreditation site visits conducted in FY10, only one negative finding was identified in a SAPR-related area, and it was corrected within 90 days.
- USAF sponsored oversight visits to four major commands and nine installations, which found that overseas installations experienced high turnover rates as their military SARCs deployed; alcohol is a more significant issue for specific locales, and therefore issues such as underage drinking and instances of sexual assault become more prominent; more emphasis is needed to ensure the location of SARC offices provides privacy and victim accessibility; the majority of installations have excellent MOAs and agreements with local hospitals for SAFEs; and case management meetings have great senior leader support.<sup>107</sup>

## REPORTING

Each year, the Department complies with the reporting requirements set forth in Section 577(f) of P.L. No. 108-375, the NDAA for FY05, by submitting the *DoD Annual Report on Sexual Assault in the Military*. Section 596(c) of P.L. No. 109-163, the NDAA for FY06; Section 583 of P.L. No. 109-364, the NDAA for FY07; and Sections 561 and 562 of P.L. No. 110-417, the NDAA for FY09, establish additional reporting requirements.

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<sup>105</sup> DoD. (2009). *DoD-Wide Oversight Framework*. Washington, DC: DoD.

<sup>106</sup> Id, Recommendation 7.

<sup>107</sup> The teams consisted of representatives from the Resiliency Program to review post-deployment processing and screening procedures, AFOSI, Judge Advocates (JA), and SAPR program managers.

Before submitting the final report, all of the Military Services submit quarterly statistics to OSD SAPRO. In FY10, OSD SAPRO worked with the Military Services to ensure submission of quarterly data and successful resolution of discrepancies throughout the year, which ensured data accuracy.

### *Defense Sexual Assault Incident Database*

Section 563 of P.L. No. 110-417, the Duncan Hunter NDAA for FY09, directs the Secretary of Defense to implement a centralized case-level database that collects and maintains information regarding sexual assaults involving members of the U.S. Armed Forces.

To accomplish this task, an Integrated SAPR Data Collection and Reporting Working Group led by senior USAF representatives worked collectively from FY08 to FY09 to define and design the database in accordance with federal acquisition milestones. The database will have three major functions and will receive data from all four of the Military Services and NGB. These functions will be:

- Ad hoc query and reporting to meet congressional reporting requirements;
- Case management, which enables SARCs to input and maintain sexual assault cases; and
- Business management in support of SAPR PM administration and case management.

DSAID continued to be a top priority in FY10, and OSD SAPRO made great progress toward the system's development. On January 15, 2010, OSD SAPRO released a request for proposals (RFP). From February 2010 through March 2010, OSD SAPRO chaired the Technical Evaluation Board to review the submitted bids. In August 2010, the contract for development was awarded. Also in August 2010, the developer delivered a project management plan, initiating the construction of the database.

In addition to successfully releasing the RFP and awarding the contract, the Department continued to refine system requirements for operational and system-wide functionality. It incorporated additional reporting requirements mandated in Section 567 of P.L. No. 111-84, the NDAA for FY10. Also, OSD SAPRO worked closely with Military Service representatives to identify installations and other geographic locations around the world to be incorporated into DSAID.

Once operational, the Department will be able to use DSAID for data collection, provide accurate data points for analysis, and serve as a case management tool. The Military Services have agreed to update their own data systems to support DSAID, as a source for sexual assault reporting and analysis once established.

OSD SAPRO will continue to work with the Military Services and other stakeholders to further develop DSAID in FY11. Areas of particular collaboration include the following:

- Resolve existing issues and complete mapping between the USA Sexual Assault Data Management System and DSAID.
- Resolve interfacing data challenges between the USN SAVI Case Management System, Consolidated Law Enforcement Operations Center, and DSAID.
- Resolve interfacing data challenges between the USMC Sexual Assault Incident Response Database and DSAID.
- Resolve mapping and interfacing issues with the USAF Investigative Information Management System and DSAID.

If left unresolved, these issues could result in the absence of key data collection and in overlapping data in the Military Services' sexual assault data source systems.

Along with development, the Department submitted three reports to Congress on DSAID's progress in FY10. The Department will continue to submit reports as required.<sup>108</sup>

### *Data Standardization*

OSD SAPRO further standardized the statistical data collection of sexual assault reports by automating repetitive portions of the data matrices, adding detailed instructions for data input, and providing definitions in each data cell in FY10. To ensure the Military Services were educated on these changes, OSD SAPRO developed a guide for annual reporting.

In addition, OSD SAPRO further refined the programmatic matrices with instructions and automated the case synopses template with dropdowns and columns that can be sorted by offense. Also, Sections 561 and 562 of P.L. 110-417, the NDAA for FY09, requested that the Department begin tracking the issuance and violations of MPOs. In FY10, OSD SAPRO successfully incorporated this data point in both the programmatic and statistical matrices and tracks it in the Military Service statistical matrices of this year's report.

OSD SAPRO achieved another milestone toward data standardization in FY10. It successfully gathered quarterly data from the Military Services and provided feedback each quarter about inconsistencies in submitted data. Improved quarterly data ensured data reliability over the course of the FY.

Also, based on a *DTF-SAMS Report* recommendation and congressional interest, OSD SAPRO began establishing the definitions for the investigative terms "founded" and "unfounded" as they pertain to investigations of sexual assault.<sup>109</sup> In August 2010, the USD(P&R) requested that the DoD IG develop definitions of these terms in collaboration with MCIOs.

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<sup>108</sup> NDAA. (2010). PL. No. 111-084, Sections 567 and 598.

<sup>109</sup> DoD. (2009). Recommendation 28a. *DTF-SAMS Report*. Washington, DC: DoD.

In support of data standardization, USN funded a full-time position at NCIS to support data collection on sexual assault cases.

## RESEARCH

FY10 marked the fifth year since the inception of the SAPR Program. Currently, it is unknown if or how the SAPR Policy has affected victims' experience with reporting sexual assaults and participating in the military justice system. Recognizing the important role of research and measurement, OSD SAPRO launched an effort to conduct a research study in FY10 to:

- Measure and analyze rates of victim satisfaction with the quality of care and response provided by their respective Military Service's SAPR programs;
- Measure if the policies the DoD has put in place to serve sexual assault victims have positively affected victims' rates of satisfaction with the level of support provided by the SAPR Program; and
- Provide empirical data that describes and measures victims' current experiences with the military criminal justice system and levels of satisfaction with the SAPR Program.

The study would also draw valid and reliable comparisons to the experiences of victims who reported before the SAPR Policy was implemented in 2005. If funded, the study will be conducted in FY11. Its findings will be used to inform policy development and training initiatives to further enhance SAPR programs at installations around the world.

### *Defense Equal Opportunity Management Institute Climate Survey*

For several years, DEOMI has provided unit commanders with a real-time assessment of their command climate through use of the *Defense Equal Opportunity Climate Survey (DEOCS)*. The *DEOCS*—a pen and paper or online questionnaire—measures climate factors associated with military equal opportunity and civilian equal employment opportunity (EEO) issues, as well as organizational effectiveness factors. To further supplement this information, DMDC conducts the *Survey of Gender Relations* every 4 years; however, the survey does not provide detailed information that may be useful to commanders.

In FY10, OSD SAPRO and DMDC began work with DEOMI to integrate vetted sexual assault questions pertaining to evaluation of the Program from the *WGRA* into the *DEOCS*. In the future, the Department will be able to use the answers to provide commanders with a more complete picture of their command climate.<sup>110</sup>

### *Military Service Research*

As outlined below, the Military Services conducted several research initiatives in FY10.

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<sup>110</sup> Id, Recommendation 91.



USA conducted surveys of Soldiers in conjunction with the FY10 Sex Signals tour to gauge current attitudes and behaviors regarding bystander intervention and any impact the training may have had on such attitudes. Results demonstrated that nearly 29 percent of Soldiers who responded cited an “improved/much improved understanding” regarding Soldiers’ higher level of responsibility to intervene when they witness sexually aggressive behavior, on base or off. Over 20 percent of Soldiers cited an “improved/much improved understanding” of the definition of rape and what constitutes consent. In addition, over 90 percent of Soldiers said they were “certain/very certain” they would “do something to help if they see a Soldier who is surrounded by a group of people at a party and appears uncomfortable.”

USN communicated the results of the *Navy Personnel Research, Studies, and Technology SAPR Quick Poll* in September 2010. The Quick Poll indicated positive trends regarding military awareness of the USN SAPR program across all ranks and gender. Results will be used to brief senior USN leadership on SAPR program effectiveness and to provide information for program improvement in FY11. In addition, a bystander intervention pilot study to test the effectiveness and sustainability of bystander intervention training was initiated in FY10. Data from the project is now being collected and analyzed and will be used to develop future programming.

USMC, including USN, conducted the *Judge Advocates Office: Case Review Project I and II. Case Review Project I* was completed at the beginning of FY10. Using the results of the first *Case Review Project*, DON developed a training curriculum to respond to the training needs identified during the review. *Case Review Project II* began at the end of FY10 and will include the use of an improved case review tool created by a team of prosecution and defense experts. It will be used to analyze both convictions and acquittals in sexual assault cases. The findings from the project will be used to evaluate current training criteria and assist in enhancing prosecutor training. In addition, the project will assist in developing future training and resources to support trial and defense counsel.

USAF contracted with Gallup, Inc., to conduct a prevalence and incidence survey in FY10. The survey will provide a baseline of statistical occurrence of sexual assault and will analyze the probability of occurrence within the USAF. The results from the study will provide a baseline for occurrence of sexual assault, quantify under-reporting, and enable leaders to implement effective policies. This survey is scheduled to be completed in early FY11.

## CONGRESSIONAL ENGAGEMENT

In FY10, Congress requested official testimony on the SAPR Program at two hearings. On February 24, 2010, Dr. Whitley testified at the House Oversight and Government Reform Committee, National Security and Foreign Affairs Subcommittee hearing entitled “Sexual Assault in the Military: Are We Making Progress?” On May 20, 2010, Dr. Whitley gave testimony at the House Committee on Veterans Affairs, Subcommittees on Disability Assistance and Memorial Affairs hearing entitled “Healing the Wounds: Evaluating Military Sexual Trauma Issues.” On both occasions, Dr. Whitley

gave an update on the SAPR Program and the steps the Department is taking to make process improvements identified by Congress.

As follow-on to these hearings, Dr. Whitley and OSD SAPRO staff met several times with members of Congress and committee professional staff on a wide variety of topics related to the SAPR Program.

In addition, OSD SAPRO answered many reporting requests from Congress in 2010. In April 2010, the Department's response to reporting requirements legislated in P.L. No. 111-84, the NDAA for FY10, included the following topics:

- New initiatives aimed at reducing the number of sexual assaults, including timelines for implementing those initiatives;
- Requirements for monitoring and reporting on the progress of implemented initiatives to measure SAPR Policy effectiveness;
- Training programs for JAs, criminal investigators, commanders, prospective commanding officers, senior enlisted members, and personnel with fewer than 6 months of Active Duty service;
- Information about the status of implementation, funding requirements and budgetary implications, and overall utility of data reporting systems;
- Actions taken to implement recommendations on DTF-SAMS;
- Information about the funding needed to fully implement SAPR initiatives; and
- Explanation of the measures being taken to fully ensure the person who requests an MPO is informed in a timely manner of his or her option to request transfer for his or her assigned command.

Congress also requested an update on the following points related to SAFE Kits, which OASD(HA) answered:

- Current availability of sexual assault medical forensic examination protocols, trained personnel, and requisite equipment in combat zones;
- Assessment of the barriers to providing timely sexual assault medical forensic examinations to victims of sexual assault at all echelons of care in combat zones; and
- Recommendations regarding improved capability to conduct timely and effective sexual assault medical forensic examinations in combat zones.

OSD SAPRO provided three updates to Congress regarding DSAID in February, April, and August 2010, per Sections 567 and 598 of P.L. No. 111-84, the NDAA for FY10. These updates provided information on the progress of the acquisition process and compliance with DoD and federal regulations.

In addition, all of the Military Services participated in hearings, met with professional staff, and continued to engage Congress on Military Service-specific issues.

### *Military Service Academy Report*

*The DoD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies* is due to Congress annually in December, in accordance with Section 532 of P.L. No. 109-364, the NDAA for FY07. The Department will provide this year's report to Congress in December 2010.

## **THE IMPACT OF EFFORTS TO IMPROVE SYSTEM ACCOUNTABILITY**

For the first time, this annual report integrates both programmatic accomplishments and military research findings to highlight program strengths and areas for improvement. Consequently, this year's report, as an oversight tool, will be used to drive progress in all five *DoD-Wide SAPR Strategic Plan* priorities and in future research into the issue of sexual assault in the military.

External reviews of the SAPR Program have recommended that the Department use the *Annual Report on Sexual Assault in the Military* as its chief resource for communicating with external stakeholders. In addition, as the Department further develops its Oversight Framework, other more concise methods may be developed to improve stakeholder knowledge of the SAPR Program.

## **IMPROVE STAKEHOLDER KNOWLEDGE AND UNDERSTANDING OF THE SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM AND POLICY**

Building on past outreach efforts, OSD SAPRO continued to expand its communications activities to include a wider array of audiences in FY10. In addition to maintaining a focus on "internal" Department audiences, such as Service members and senior leadership, the Department also engaged in outreach activities to reach a broader network of organizations.

The goal of this outreach is to educate external organizations, such as veterans groups, that can shape internal attitudes and behaviors. In particular, communication with veterans groups provides an invaluable two-way dialogue about veterans' experiences within the Department; this dialogue in turn informs the Department's practices. In addition, other military-affiliated groups are often active in their communities and thus convey their insights on how the Department is currently addressing sexual assault issues to policymakers, interest groups, and potential recruits.

All of the Military Services engaged in SAPR outreach with their local communities in FY10. Examples of activities in FY10 include hosting educational workshops, establishing MOUs with medical and rape crisis centers, and hosting SAPR training for responders.

## SEXUAL ASSAULT PREVENTION AND RESPONSE COMMUNITY OUTREACH

### SAPRline of Courage

In conjunction with FY10 Sexual Assault Awareness Month (SAAM), OSD SAPRO worked with the Military Services to draw on the concepts offered in the “Clothesline Project,” a visual display to denote sexual violence (see Figure 12). The Department’s “SAPRline of Courage” displayed 189 shirts that SARCs around the world created and submitted. Shirts represented an individual’s direct or indirect experience with sexual assault and the Service members who take a stand against sexual assault in the military. The SAPRline of Courage was displayed at the Pentagon in Washington, DC. It furthered the Department’s goal of raising

awareness of sexual assault in the military, educating leadership on sexual assault, and encouraging Service members to prevent sexual assault. Additional pictures of the SAPRline of Courage are located in Appendix G, SAPRline of Courage Pictures.

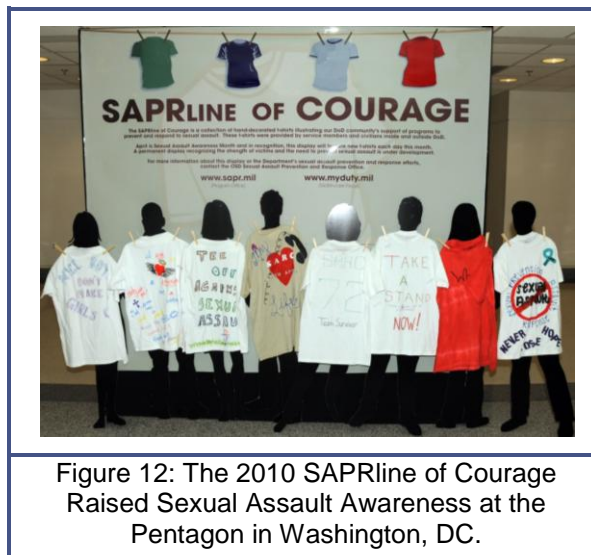


Figure 12: The 2010 SAPRline of Courage Raised Sexual Assault Awareness at the Pentagon in Washington, DC.

### SAPR Source

For several years, OSD SAPRO has used a newsletter to convey program and policy updates and SAPR events to the SAPR community. In FY10, OSD SAPRO began converting the newsletter from a hard copy to an electronic format. Once launched in early FY11, the *SAPR Source* will aid OSD SAPRO in reaching a larger audience of both public and private organizations on current efforts. Each edition will feature an article highlighting work done by a particular Military Service and will highlight a SARC from that Military Service.

### SAPR.mil and Myduty.mil

In FY10, OSD SAPRO also reconfigured its online presence to enhance its usefulness to those seeking assistance or information. It divided the website into two new, separate sites.

First, [www.myduty.mil](http://www.myduty.mil) was designed as a resource for victims of sexual assault. This site features prevention information and advice for friends and supervisors of victims. The site debuted in December 2009.

The second site, [www.sapr.mil](http://www.sapr.mil), supports the needs of SARCs, SAPR VAs, and other sexual assault responders seeking information about SAPR programs and policies. This site was launched in the second quarter of FY10.

### *Sexual Assault Awareness Month*

In April 2010, the Department observed its sixth annual SAAM, which occurs nationally in April. SAAM activities are designed to raise awareness and promote sexual violence prevention through special events and public education. Participation in SAAM provides an annual opportunity to join in a national effort to promote the prevention of sexual assault and publicize the Department's SAPR Program.

During SAAM 2010, the Department unveiled its Hurts One. Affects All. campaign to publicize how sexual assault degrades mission readiness and impedes a unit's ability to accomplish its mission. To kick off the month's events, Dr. Clifford Stanley, USD(P&R), signed a memorandum to the Secretaries of the Military Services and the Chairman of the Joint Chiefs of Staff requesting their support for SAAM and the

Department's SAPR Program. A copy of the SAAM support memorandum can be found in Appendix H, Sexual Assault Awareness Month Memorandum.

Throughout SAAM 2010, commanders and senior enlisted leadership repeatedly demonstrated their support of the SAPR Program. They echoed its important message that sexual assault has no place in a military unit; however, if it does occur, victims are encouraged to report the matter and get the care they need.

As shown by the list of SAAM events attended below, senior leaders continued to confirm their level of support and commitment to SAAM in FY10 (see Figures 13, 14, and 15):

- USA kicked off SAAM with the SHARP Summit in April 2010, which was attended by over 100 sergeants major, 50 general officers, and over 600 attendees.
- USN conducted more than 180 SAAM activities worldwide, including forums, events, news events, runs and walks, and training events. Several USN



Figure 13: The Adjutant General of the state of Rhode Island, Major General Robert Bray, Gave Out Trophies for the SAAM 2010 Obstacle Course Competition, Where Service Members Pledged to Be Good Bystanders.



Figure 14: Sailors Stand in Support of the 2010 USN SAAM Events.

installations hired leading civilian SMEs to conduct workshops and make presentations.<sup>111</sup>

- USMC held multiple events in support of SAAM, such as conducting a 5K Fun Run and issuing a Marine Administrative Message, an announcement to which all Marines have access. SAAM events continue to grow in scope each year, with themes, plans, and marketing campaigns in development to heighten awareness.
- USAF utilized the input given at the SAPR Summit to develop SAPR posters to raise support for SAAM activities. In addition, USAF installations engaged in a variety of events to formally launch the annual campaign messaging and provide members with additional information about sexual assault. Examples of these events included senior leader proclamation signings, 5K runs, Clothesline projects, and informational displays and presentations.



Figure 15: Lieutenant General Allen Peck and Other USAF Senior Leadership Sign a FY10 SAAM Proclamation Demonstrating Their Committed Support.

## EXTERNAL OUTREACH

In addition to working with internal audiences, the Department was active in reaching out to numerous external organizations that have an interest in the Department's efforts to prevent and respond to sexual assault.

For example, the Department briefed the White House Council on Women and Girls and the White House Advisor on Violence Against Women on the SAPR Program in FY10.<sup>112</sup> Dr. Whitley and OSD SAPRO staff also attended regular meetings with the White House Interagency Policy Group on issues related to domestic violence, sexual assault, and children.

In FY10, OSD SAPRO was invited to become a member of the Engaging Women in Security, Defense, and Peacekeeping in Southeastern Europe—Working Group sponsored by the Naval Post-Graduate School. SAPRO's purpose in participation was to provide input on curriculum development pertaining to sexual assault. Efforts will be

<sup>111</sup> Naval Base Guam sponsored Ms. Anne Munch to present workshops on "Naming the Unnamed Conspirator," which challenged Sailors to rethink societal trends of placing the blame on victims when a sexual assault occurs. The Mid-Atlantic Region sponsored Dorothy Edwards, Ph.D., to present the Green Dot Violence Prevention Strategy, which includes a bystander intervention component and a social marketing campaign. In Florida, the White House Violence Against Women Director, Ms. Lynn Rosenthal, spoke about the White House's commitment to reducing sexual assaults in the military.

<sup>112</sup> The purpose of the Council is to ensure that each of the executive agencies take into account the needs of women and girls in the policies they draft, the programs they create, and the legislation they support.

used to increase women's security, defense, and peacekeeping abilities for the Bosnia-Herzegovina Peace Support Operations Training Centre.

All of the Military Services engage federal organizations and Congress to provide information and education on the SAPR Program. Particularly, USA continued to work with the DOJ and the U.S. Marshals Service to help identify and track registered sex offenders. As a member of the DOJ International Working Group (IWG), USA is assisting in the development of an international tracking system for registered sex offenders when they leave the United States. USA will continue to participate in the IWG to determine if USA sex offender data can be tracked in this new international tracking system.

## BRIEFINGS, CONFERENCES, AND WORKSHOPS

The Department's participation in various briefings and conferences allowed for increased education of wide variety of key audiences in FY10. The following are key highlights of OSD SAPRO's outreach.

In April 2010, OSD SAPRO staff attended the 2010 National Guard Health Promotion and Annual Prevention Training Workshop and briefed the NGB Sexual Assault Prevention and Response Advisory Council (SAPRAC). SAPRAC was established to advise and assist the NGB in executing the SAPR mission. It provides recommendations to NGB leadership on promoting cultural change that leads to an environment free of sexual assault. SAPRAC focuses on a dynamic, victim-centered process for facilitating information flow throughout the NGB. During this time, OSD SAPRO staff built relationships with NGB counterparts and found areas for collaboration. As a result of briefing the SAPRAC, OSD SAPRO plans to increase outreach to the Reserve component community in FY11.

In June 2010, OSD SAPRO briefed the Defense Advisory Committee on Women in the Services (DACOWITS). The briefing focused on the SAPR Program and Policy, the *DoD-Wide SAPR Strategic Plan*, and the way ahead for future collaboration. OSD SAPRO plans to brief DACOWITS again in FY11.

In 2000, the United Nations Security Council unanimously passed Resolution 1325, *Women and Peace and Security*, designed to encourage member states to increase the roles of women in decision making positions, including their roles in the military. In support of the latter, the North Atlantic Treaty Organization (NATO) Council on Gender Perspectives met in May 2010 to identify next steps for each NATO member. OSD SAPRO staff attended to share best practices on how SAPR could be incorporated into international military planning.

In FY10, OSD SAPRO met with the following organizations to provide information on steps the Department is taking to prevent sexual assault in the military, as described in the third level of the Spectrum of Prevention (fostering coalitions and networks):<sup>113</sup>

- Iraq and Afghanistan Veterans of America;
- Stop Military Rape;
- Veterans of Foreign Wars;
- National Center on Domestic and Sexual Violence;
- National Organization for Women;
- National Women's Law Center;
- Women's Research and Education Institute;
- Alliance for National Defense;
- Shelia Wellstone Institute;
- National Center for Victims of Crime;
- Women Organizing Women (VetWoW); and
- Service Women Action Network.

OSD SAPRO attended and presented briefs at the following conferences in FY10. The purpose of these briefings was to educate veteran, civilian, and international organizations on the progress the Department has made to improve the SAPR Program and Policy:

- American Legion Conference;
- Veterans of Foreign Wars Conference;
- Department of Veterans Affairs Military Sexual Trauma Conference;
- National Sexual Assault Conference;
- National Victims of Crime Conference;
- Department of Veterans Affairs Advisory Committee on Disability Compensation; and
- 36th National Organization for Victim Assistance Conference.

In addition, in response to the House Committee on Veterans Affairs, Subcommittees on Disability Assistance and Memorial Affairs hearing in May 2010, OSD SAPRO scheduled outreach meetings with the following panel members and identified opportunities for continued collaboration:

- Society on Women's Health Research;
- The American Legion;
- Disabled Veterans of America; and
- American Urological Association.

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<sup>113</sup> Any reference to any non-federal entity is not intended to be an endorsement of that entity by the Department of Defense.



### **Emerging Media Tools**

As shown by both the Department's sexual assault reporting statistics and anonymous Department surveys, sexual assault is more prevalent among Active Duty Service members between the ages of 18 to 24. In continuation of the social media campaigns "My Strength is For Defending" and "Hurts One. Affects All.," OSD SAPRO is implementing additional research-based initiatives to reach at-risk groups with prevention messages in a social media format.

Research states that 18–24 year olds are more likely to receive and accept messages sent through peer-to-peer communications using social media.<sup>114, 115</sup> To reach this community of Service members in the mediums they use most, in FY10 OSD SAPRO began developing social media tools to aid SARCs and SAPR VAs in sending messages of prevention and information on available resources and support. Through contracts with prevention experts, such as MCSR, OSD SAPRO will develop focus group-tested messages, videos, PSAs, and graphics that speak to young Service members. These types of campaigns are easily implemented at the installation level and can be customized for each Military Service if needed. In this way, SARCs and SAPR VAs will have new communications channels to reach a larger audience.

### **MEASURING SEXUAL ASSAULT PREVENTION AND RESPONSE AWARENESS**

Sexual assault in the military can have a wide range of impacts. Recruiting individuals with the Department's values of honor and integrity is key for the Department's future success. This year, the Department laid the groundwork to determine if—and how—the issues of sexual assault in the military may affect recruiting. The Department will continue its efforts in FY11.

### **THE IMPACT OF EFFORTS TO IMPROVE STAKEHOLDER KNOWLEDGE AND UNDERSTANDING OF SEXUAL ASSAULT PREVENTION AND RESPONSE**

The Department's goal is to educate its stakeholders about progress in SAPR programs and policies. Greater stakeholder knowledge results when military and civilian leadership communicate SAPR Program successes and challenges; disseminate SAPR-specific research drawn from the military environment; and deploy effective messaging through a variety of outreach channels.

In FY10, the Department used every communication channel available to inform stakeholders of the progress being made in the SAPR Program. Given the DMDC 2010 WGRA findings, it appears the SAPR Program is effectively reaching its greatest stakeholders—Service members. According to the DMDC 2010 WGRA, one of the most

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<sup>114</sup> Lenhart, A., Purcell, K., Smith, A., & Zickuhr, K. (2010). *Social Media and Young Adults*. [Online.] Pew Internet and American Life Project. Available: <http://www.pewinternet.org/Reports/2010/Social-Media-and-Young-Adults/Summary-of-Findings.aspx>.

<sup>115</sup> Cone Inc. (2006). The 2006 Cone Millennial Cause Study. *The Millennial Generation: Pro-Social And Empowered to Change the World*. [Online.] Available: [http://www.greenbook.org/Content/AMP/Cause\\_AMPlified.pdf](http://www.greenbook.org/Content/AMP/Cause_AMPlified.pdf).

well-known communication channels appears to be an installation's SAAM observance. As a result, the Department should continue to prepare and disseminate materials for use at these events. However, this finding also suggests that base-level events at other times of the year may be equally useful in reaching Service members.<sup>116</sup>

The Department also communicated SAPR Program information in a variety of venues, including congressional hearings and briefings, press interviews, PSAs, and organizational meetings. Improvements in stakeholder knowledge resulting from these activities are more difficult to assess because the information recipients are outside the Department's current measurement authority.

## STATISTICAL DATA ON SEXUAL ASSAULT

The Department's sexual assault statistics include all sexual contact crimes by adults against adults, as defined in the UCMJ. These crimes include rape, aggravated sexual assault, nonconsensual sodomy, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, and attempts to commit these offenses. For incidents that occurred prior to the changes made to the UCMJ on October 1, 2007, sexual assault included rape, nonconsensual sodomy, indecent assault, and attempts to commit these acts. Under the SAPR Policy, there is no time limit as to when someone can report the commission of a sexual assault to a SARC. Thus, the Department may have received reports in FY10 on assaults that occurred prior to October 2007.

In FY10, there were a total of 3,158 reports of sexual assault involving Service members, which represents a 2-percent decrease from FY09.

- The Military Services received 2,410 Unrestricted Reports involving Service members as either the subject or victim of sexual assault (a 4-percent decrease from FY09).
- The Military Services initially received 882 Restricted Reports involving Service members and U.S. civilians as victims of sexual assault (a 5-percent increase from FY09).<sup>117</sup> 134 (or 15 percent) of the initial Restricted Reports later converted to Unrestricted Reports, leaving 748 Restricted Reports remaining.
- 2,617 Service members reported they had been the victim of a sexual assault. 1,870 Service members made (1,736) or converted to (134) an Unrestricted Report; 747 Service members made and maintained Restricted Reports.

As stated in the Increase a Climate of Victim Confidence Associated With Reporting section of this report, sexual assault is one of the most underreported crimes in the United States. Research indicates that only a fraction of sexual assaults that occur each

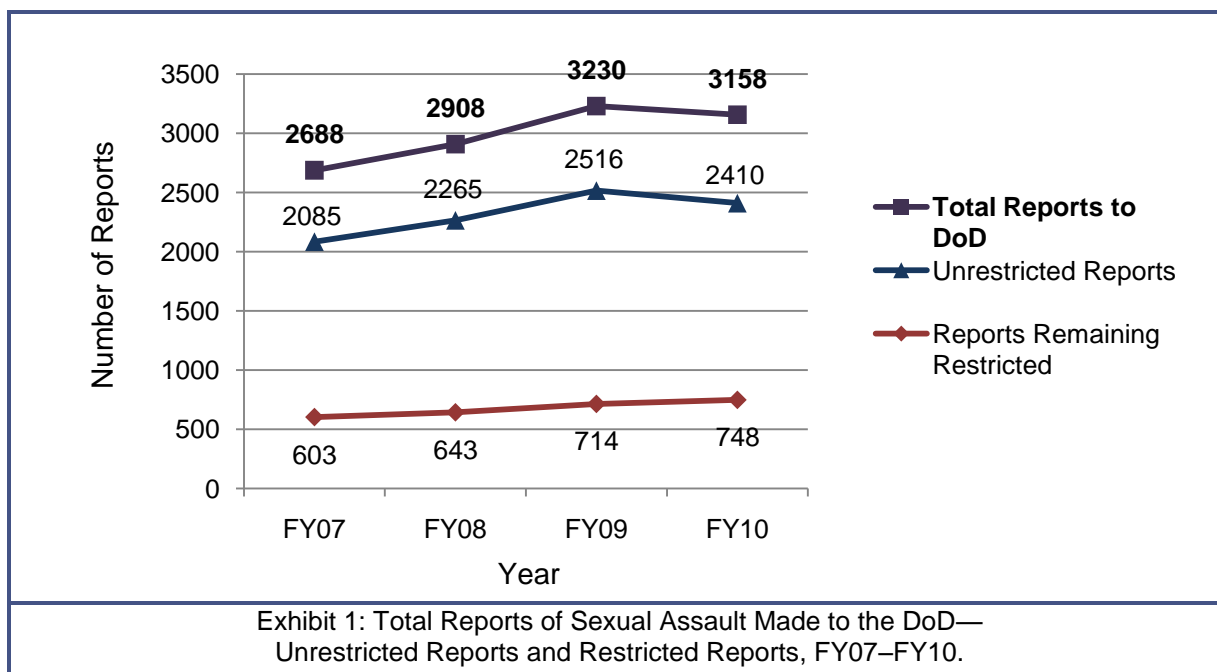
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<sup>116</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>. In all, 60 percent of women and 64 percent of men surveyed indicated that they were aware of their installation's SAAM programs.

<sup>117</sup> USA reported that one U.S. civilian made a Restricted Report in the FY10 pilot program in Europe that has expanded Restricted Reporting to DoD civilians on a temporary basis. This civilian report is counted in the 748 reports remaining Restricted at the end of the FY; the other 747 were made by Service members.

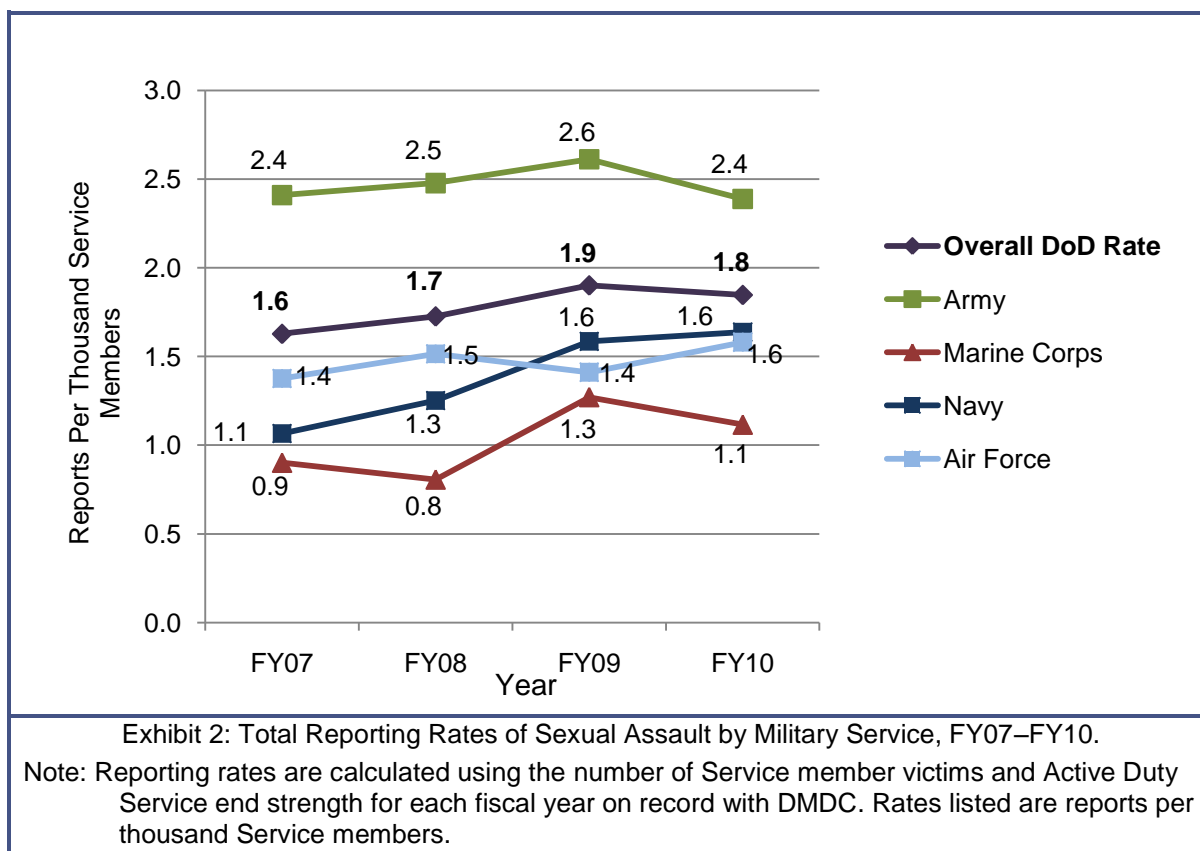
year are ever reported to law enforcement by victims. This reporting behavior is mirrored in the U.S. Armed Forces. Research shows that reporting the crime is most victims' primary link to getting medical treatment and other forms of assistance.<sup>118</sup> The Department's 2005 policy on this subject encourages increased reporting of sexual assault, improves response capabilities for victims, and encourages victims to participate in military justice actions, if they so desire. Since 2005, there has been an upward trend in reporting behavior. However, as stated earlier, total reports of sexual assault in FY10 showed a small decrease from the previous FY.

Although one sexual assault is too many, the overall increase in reporting behavior since 2005 is encouraging. The more Service members who report sexual assaults, the better able the Department is to provide resources to victims and hold perpetrators accountable. Exhibit 1 shows the total number of sexual assault reports made to the Department over the past four FYs.



<sup>118</sup> DOJ. (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992–2000*. Washington, DC: Rennison, Callie Marie.

Exhibit 2 shows the rates of reporting by Military Service during the past four FYs.



### FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULT

Data from Unrestricted Reports is collected and reported to the Department by the MCIOs (Army Criminal Investigations Command, NCIS, and AFOSI).<sup>119</sup>

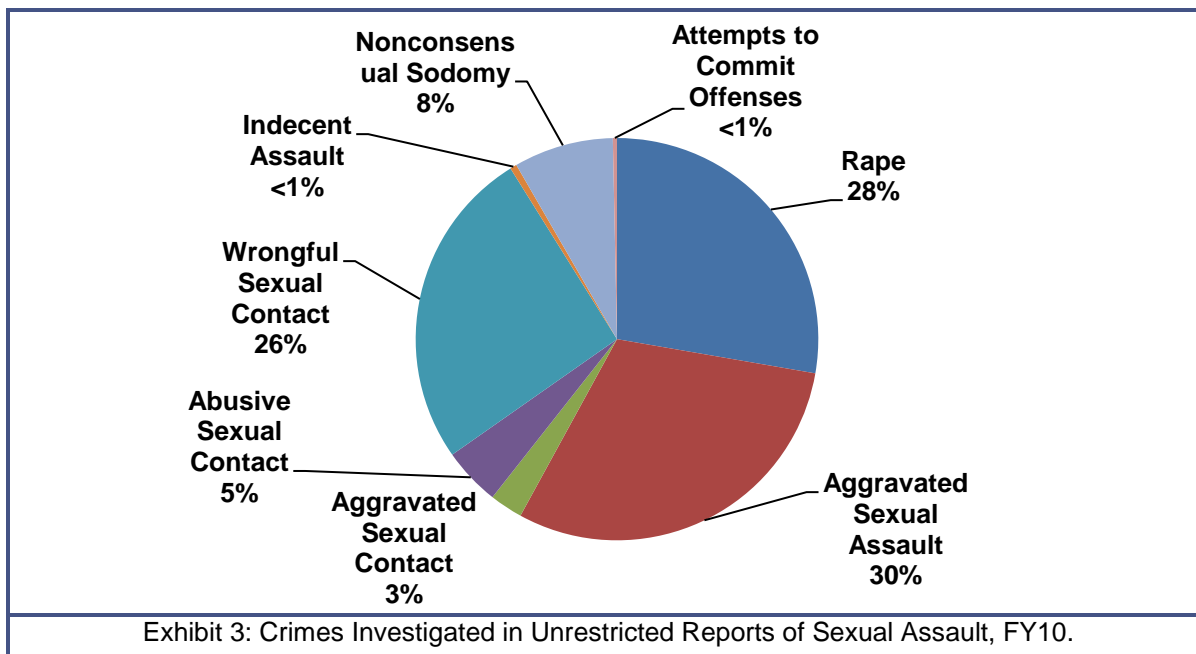
In FY10, there were 2,410 Unrestricted Reports of sexual assault involving Service members as either the subject or victim of a sexual assault.<sup>120</sup> Exhibit 3 and Table 1 provide a breakdown of the types of crimes investigated in Unrestricted Reports of Sexual Assault in FY10.

- 1,719 (71 percent) of Unrestricted Reports involved Service members as victims. Because some incidents involved multiple victims, 1,870 Service member victims were involved in the 1,719 reports of sexual assault.
- The USA reported that 11 victims made an Unrestricted Report for an incident that occurred prior to their enlistment or commissioning. The USN, USMC and USAF did not report data in this category in FY10.

<sup>119</sup> An Unrestricted Report of sexual assault is provided to command and/or law enforcement for investigation.

<sup>120</sup> The term “subject” is used in the Military Services to denote the suspected perpetrator of an offense.

- 2,410 criminal investigations were initiated and 2,594 criminal investigations were completed in FY10.

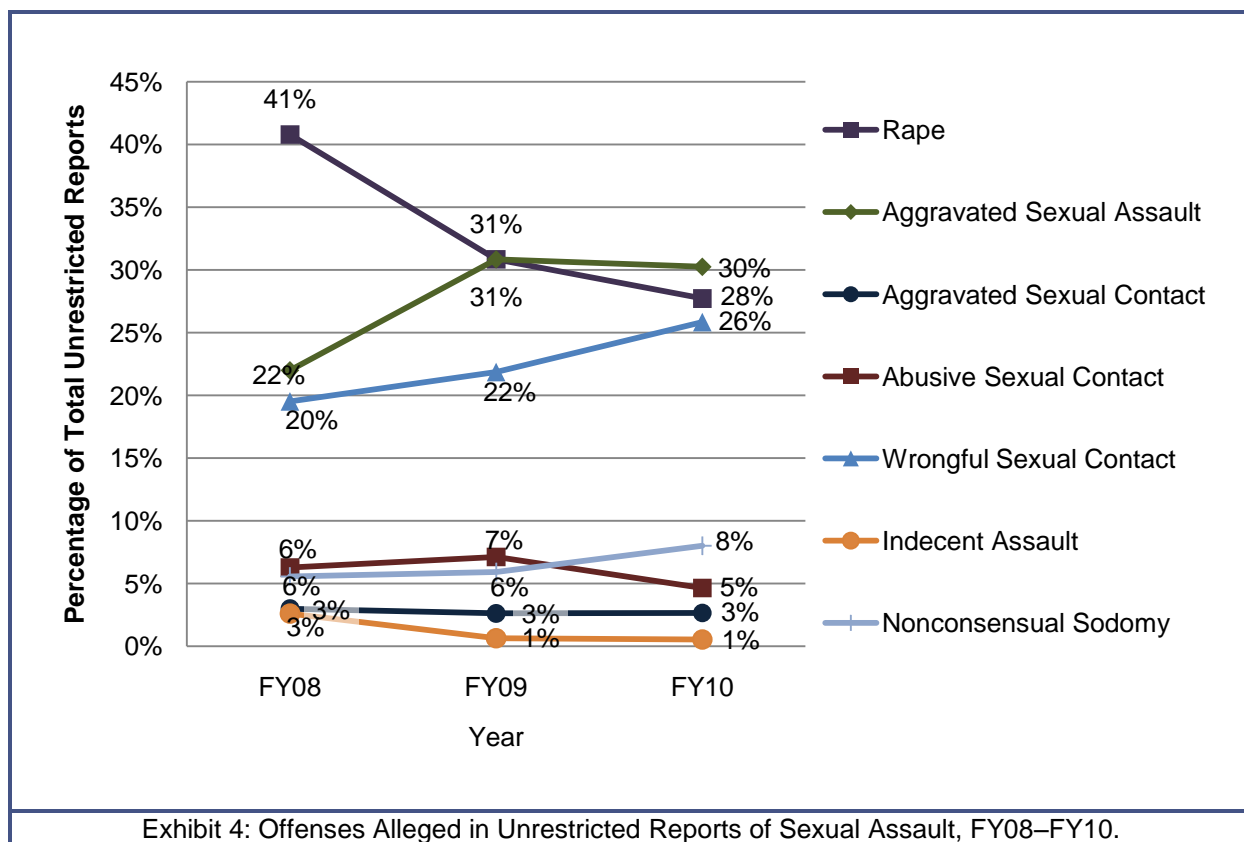


- 1,614 of the criminal investigations initiated in FY10 were completed by the end of FY10; the results of the other 796 investigations will be reported in forthcoming years' reports.
- 980 criminal investigations from prior reporting periods (opened in FY09 or earlier) were also completed during FY10.

Type of Offense	Total Unrestricted Reports	Number of Reports Involving Service Members as Victims	Number of Reports Involving Non-Service Members as Victims
Rape	668	406	262
Aggravated Sexual Assault	729	531	198
Aggravated Sexual Contact	64	41	23
Abusive Sexual Contact	112	87	25
Wrongful Sexual Contact	623	504	119
Indecent Assault	13	9	4
Nonconsensual Sodomy	193	134	59
Attempts to Commit Offenses	8	7	1
<b>Total Unrestricted Reports in FY10</b>	<b>2,410</b>	<b>1,719</b>	<b>691</b>

Table 1: Unrestricted Reports of Sexual Assault by Offense and Military Service Affiliation, FY10.

Substantial revisions to Article 120 of the UCMJ took effect in FY08, giving commanders new options for charging sexual assaults. Exhibit 4 illustrates the types of offenses alleged in Unrestricted Reports of sexual assault over the past three FYs.



Each year, the majority of sexual assault reports received by the MCIOs involve the victimization of Service members by other Service members. In FY10, 1,358 Unrestricted Reports (or 56 percent) involved allegations of Service member-on-Service member sexual assault. Exhibit 5 illustrates how Service members are involved in sexual assault reports.

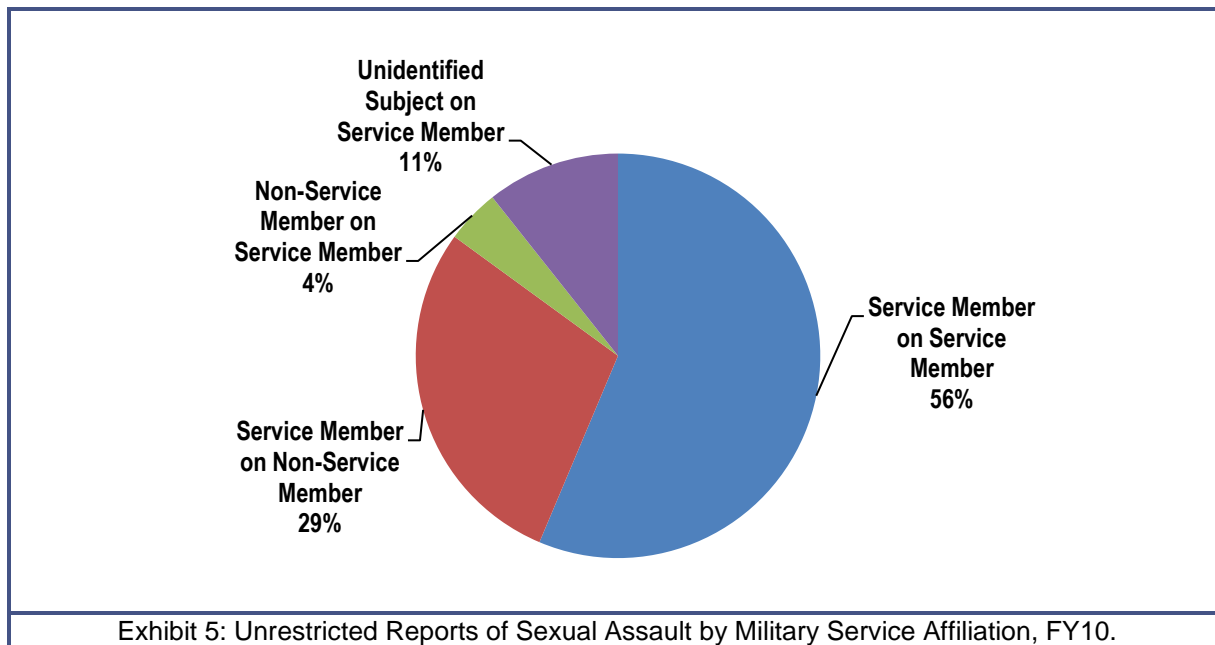
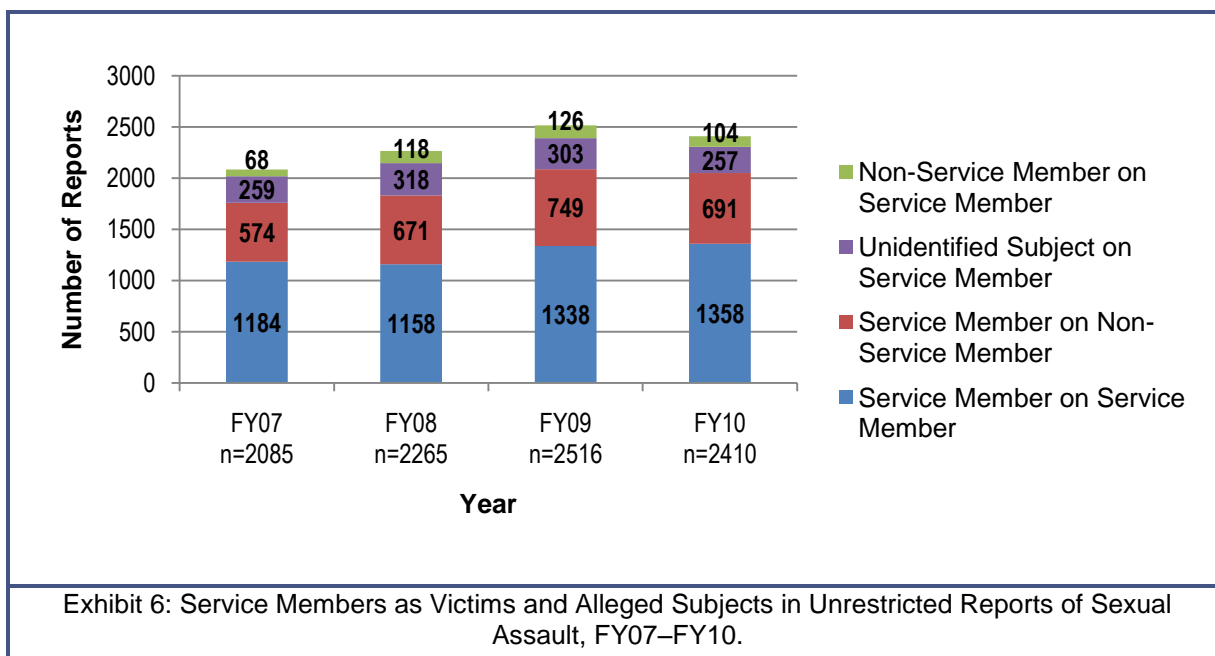


Exhibit 6 illustrates how Service members have been involved in sexual assault reports over the past four reporting periods.



### Disposition of Completed Investigations

An Unrestricted Report of sexual assault is usually referred to an MCIO for investigation. Depending on the complexity of the allegation, the investigation can take a few weeks to several months to complete. Consequently, sexual assault investigations and their outcomes can cross reporting periods. Table 2 includes data about investigations of sexual assault that were opened and completed in FY10,

investigations that were opened in prior years and completed in FY10, and data about pending investigations from prior years as well as FY10. 2,594 investigations of sexual assault were completed during FY10.

Investigations Completed in FY10	Reports Made Prior to FY10	Reports Made During FY10	Total FY10
Investigations of Unrestricted Reports of Sexual Assault Opened in FY10 or Pending From Prior Years	1,025	2,410	3,435
<b>Investigations Completed as of 30-Sep-10 (involving one or more subjects)</b>	<b>980</b>	<b>1,614</b>	<b>2,594</b>
Investigations Still Pending as of 30-Sep-10	45	796	841
Table 2: Investigations Opened in FY10 and Prior Years That Were Completed in FY10.			

The goals of a criminal investigation are to identify what crimes have been committed, who has been victimized, and who may be held accountable for the crime. The Department intends to hold offenders accountable when available evidence supports such action. The 1,614 criminal investigations opened and closed in FY10 involved 1,759 subjects.<sup>121</sup> 980 investigations from FY09 and prior years were closed in FY10. At the end of FY10, 1,464 subjects were awaiting disposition from prior years' investigations. Although many of these 3,223 subjects were Service members under the legal authority of the Department, 48 subjects were civilians and foreign nationals not subject to military law, 47 were Service members being prosecuted by a civilian or foreign authority, and 74 were not identified despite a thorough investigation. In addition, MCIOs determined that allegations against 101 of the subjects were unfounded.

In FY09, the Department implemented new disposition categories to better account for the outcomes of investigations and actions taken against offenders. Exhibit 7 shows the flow of sexual assault reports from initial allegation through final disposition. These categories assist the Department in identifying areas for additional research.

<sup>121</sup> Some of the reports involved more than one subject.



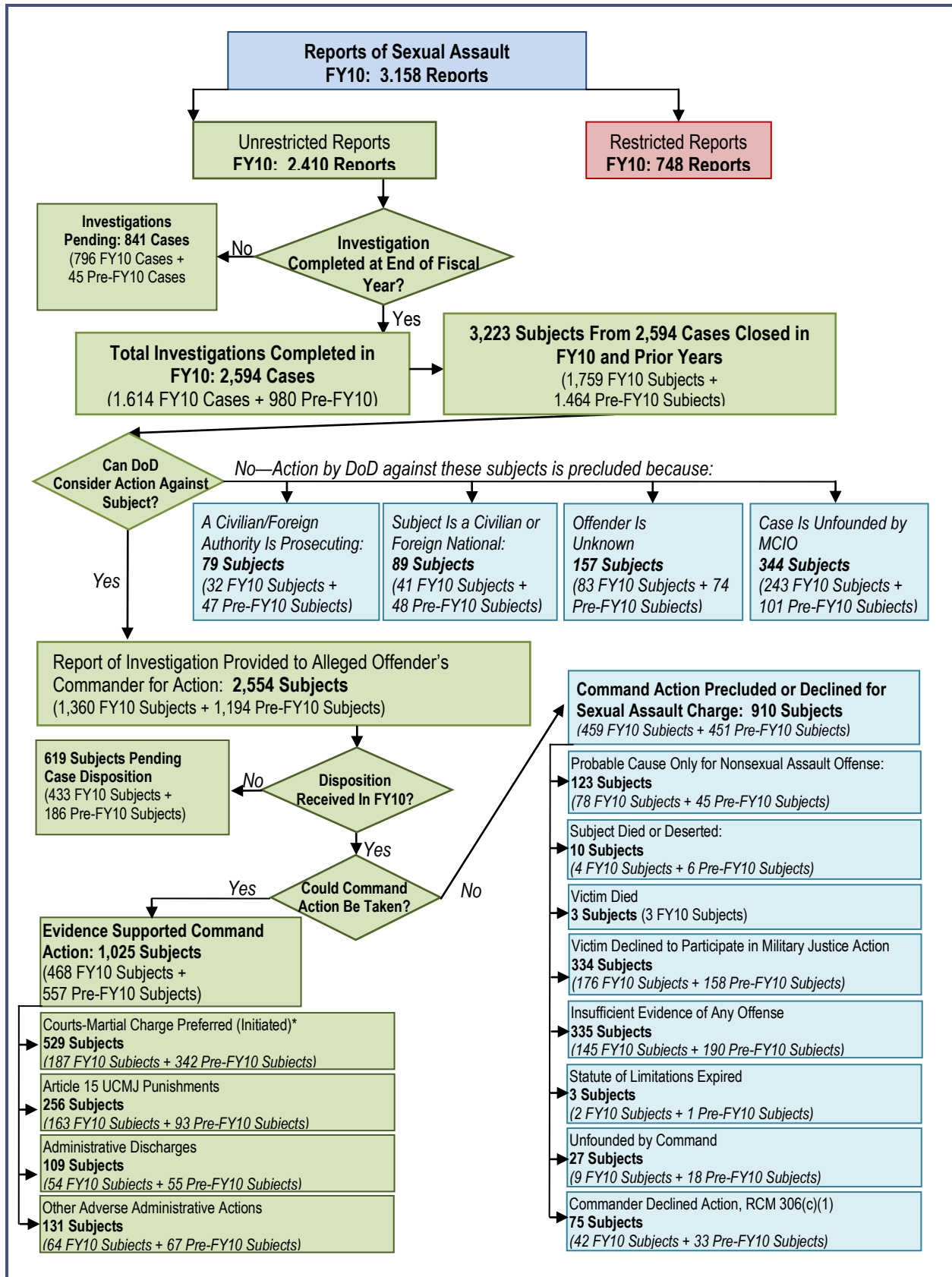
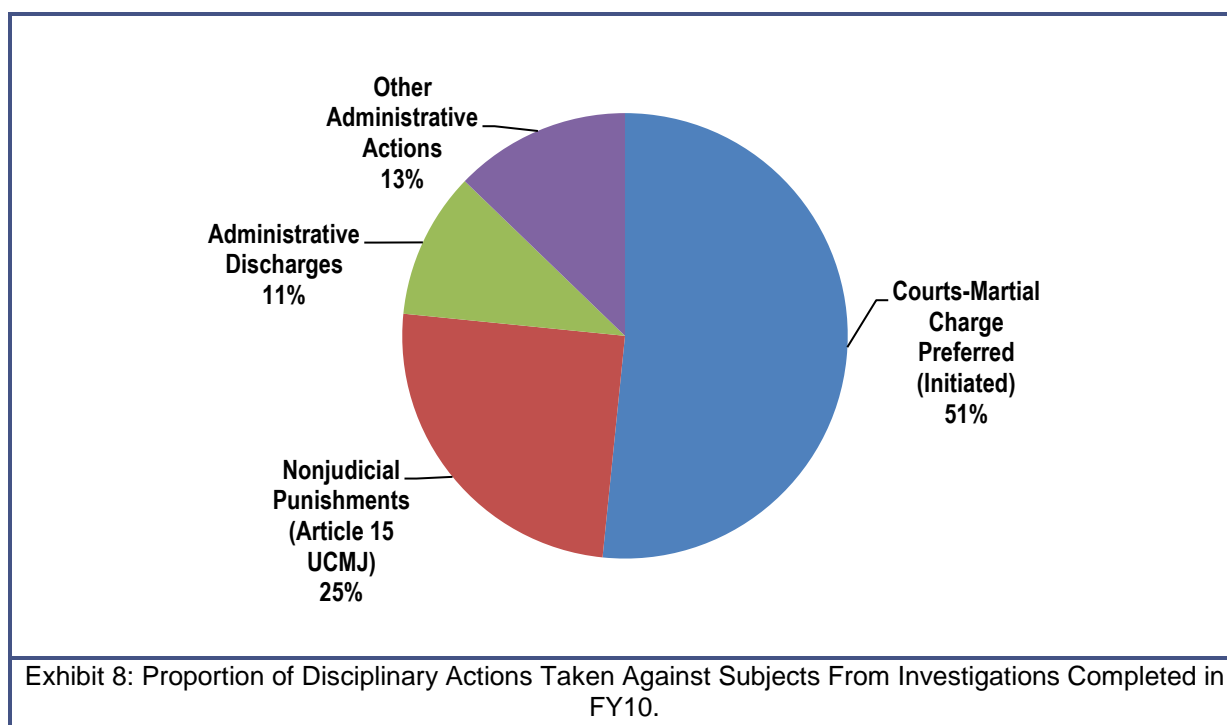


Exhibit 7: Flow of Cases From Initial Report Through Final Disposition, FY10.

Reports of investigation on 2,554 subjects were provided to military commanders for action in FY10. At the close of the reporting period, 619 subjects had yet to receive a final disposition. Action against these subjects will be reported in a future annual report.

For investigations completed in FY10, commanders had jurisdiction and sufficient evidence of a crime to support taking disciplinary action against 1,025 subjects. The actions taken are shown in Exhibit 8 and are as follows:

- 529 courts-martial charges preferred (initiated);
- 256 nonjudicial punishments (Article 15, UCMJ);
- 109 administrative discharges; and
- 131 other adverse administrative actions.



The Department's goal is to hold offenders accountable for crimes committed when the evidence supports such action. In FY08, the Secretary of Defense directed the Secretaries of the Military Departments to ensure investigators and attorneys handling sexual assault cases were sufficiently trained and resourced to investigate and try these crimes. In FY10, 51 percent of the case dispositions on completed investigations involved court-martial proceedings (refer to Exhibit 8), as compared to 30 percent in FY07. Exhibit 9 illustrates that the percentage of subjects entered into courts-martial proceedings has been steadily increasing over the past 4 years.

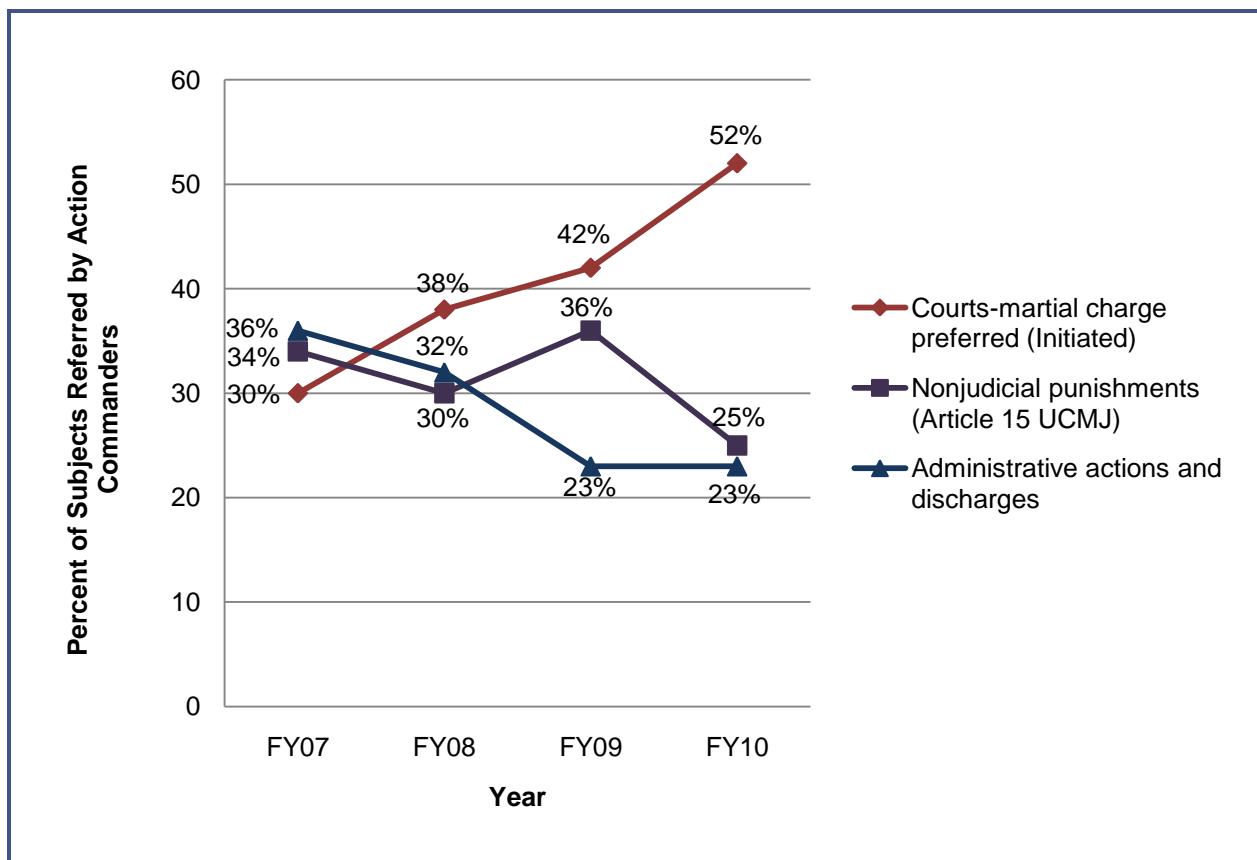


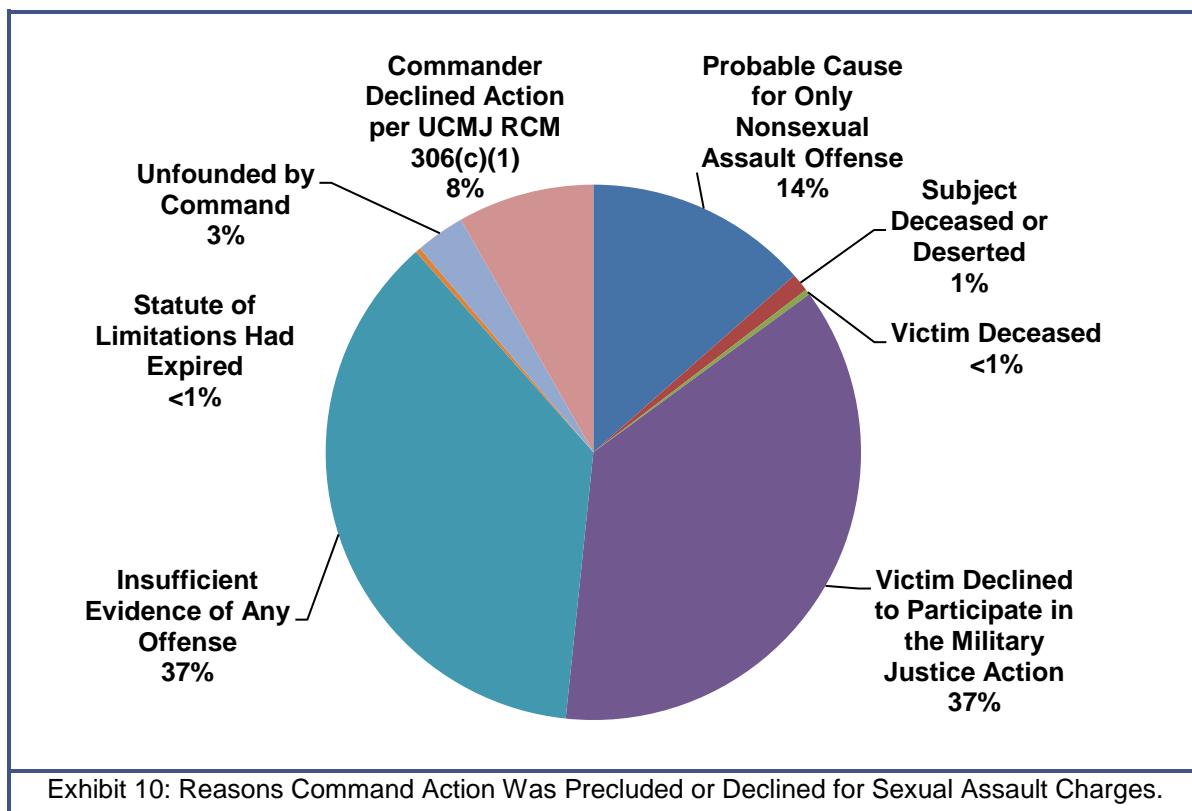
Exhibit 9: Proportion of Command Actions Taken Against Subjects of Completed Sexual Assault Investigations, FY07–FY10.

Note: In FY07 and FY08, the Department tracked only three categories of outcomes, as listed in the graph above. In FY09, the Department began tracking administrative discharges and adverse administrative actions separately. For comparison purposes across the four years, data from the four categories in FY09 and FY10 were collapsed into three categories. As a result, percentages listed for FY09 do not total to 100 due to rounding.

For 910 subjects whose cases were completed in FY10, command action for sexual assault charges was precluded or declined for the following reasons (see Exhibit 10 and Table 3):

- Investigation of the allegations against 123 subjects disclosed probable cause for only a nonsexual assault offense.
- 10 subjects died or deserted before action could be taken against them.
- For 3 subjects, the victim involved in their case died, which precluded military justice action against them.
- Victims declined to participate in military justice actions against 334 subjects.
- Investigation of the allegations against 335 subjects disclosed insufficient evidence of any offense.
- 3 subjects could not be prosecuted because the statute of limitations expired.
- Review of the investigations by command found that the allegations against 27 subjects were unfounded.

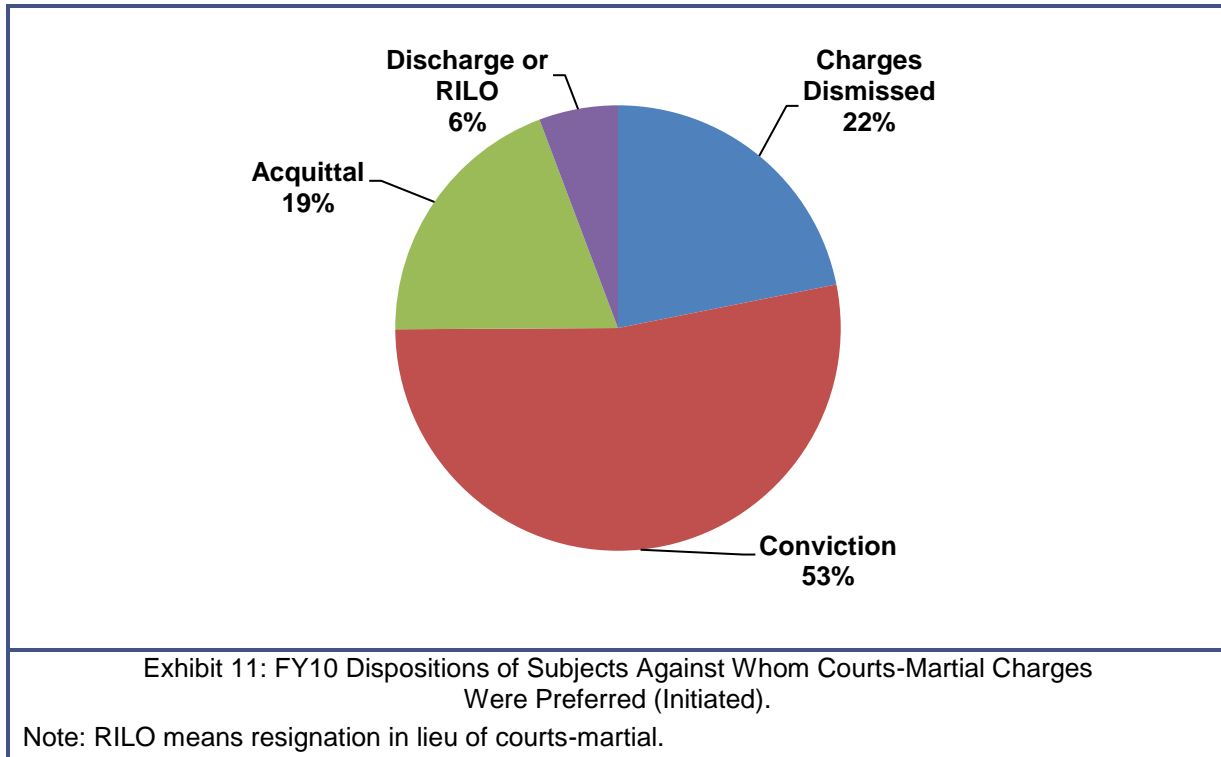
- Commanders of 75 subjects declined taking action in accordance with Rules for Courts-Martial, Section 306, Paragraph (c)(1).



	Reports Made Prior to FY10	Reports Made During FY10	Total FY10
<b>Total Subjects</b>	<b>1,194</b>	<b>1,360</b>	<b>2,554</b>
<b>Subjects Pending Disposition as of 30-Sep-10</b>	<b>186</b>	<b>433</b>	<b>619</b>
<b>Command Action Precluded or Declined for Sexual Assault Charges</b>	<b>451</b>	<b>459</b>	<b>910</b>
<i>Probable Cause Only for Nonsexual Assault Offense</i>	45	78	123
<i>Subject Died or Deserted</i>	6	4	10
<i>Victim Died</i>	0	3	3
<i>Victim Declined to Participate in Military Justice Action</i>	158	176	334
<i>Insufficient Evidence of Any Offense</i>	190	145	335
<i>Statute of Limitations Expired</i>	1	2	3
<i>Unfounded by Command</i>	18	9	27
<i>Commander Declined Action, per RCM 306(c)(1)</i>	33	42	75
<b>Evidence-Supported Command Action</b>	<b>557</b>	<b>468</b>	<b>1,025</b>
<i>Courts-Martial Charge Preferred (Initiated)</i>	342	187	529
<i>Nonjudicial Punishments (Article 15, UCMJ)</i>	93	163	256
<i>Administrative Discharges</i>	55	54	109
<i>Other Adverse Administrative Actions</i>	67	64	131

Table 3: Dispositions of Subjects From Investigations Completed in FY10.

The Military Services provided additional information about the subjects who had courts-martial charges preferred against them. Exhibit 11 illustrates the proportionate breakdown of case dispositions at the end of the military justice process. Exhibit 12 shows the case dispositions and the sentences imposed by courts-martial during FY10.



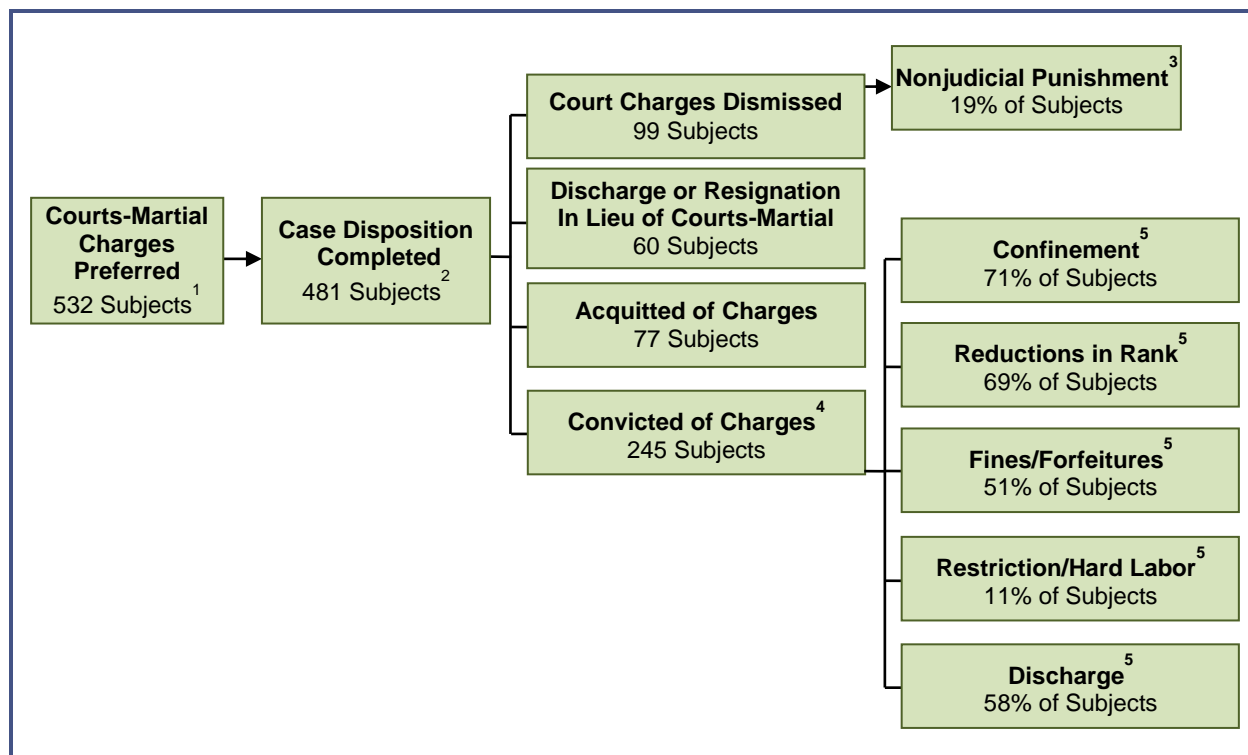


Exhibit 12: Dispositions of Subjects Against Whom Courts-Martial Charges Were Preferred, FY10.

Notes:

1. The Military Services reported that a total of the 532 subjects of sexual assault investigations disposed in FY10 had courts-martial charges preferred (initiated). This includes the 529 listed in Table 3 and 3 other subjects who, upon review of submitted information by the Department, were mistakenly left out of the total.
2. Of the 532 subjects who had courts-martial charges preferred against them, 47 subjects were still pending court action at the end of FY10, 3 subjects died before courts-martial proceedings could be completed, and 1 subject was found to be mentally unfit to stand trial.
3. Of the 99 subjects whose courts-martial charges were dismissed, 19 subjects were subsequently administered nonjudicial punishment.
4. Subjects were convicted of the charged sex crimes and/or other charges based on the evidence against them (e.g., Adultery, Making False Official Statements, Burglary, Indecent Exposure).
5. Conviction by courts-martial may result in a combination of punishments. Consequently, convicts could be administered one or more of the punishments listed. However, in most cases, convicts received four kinds of punishment: confinement, a reduction in rank, a fine/forfeiture, or a discharge. Discharges adjudged by courts-martial were either Bad Conduct Discharges or Dishonorable Discharges. Some convicts that were not adjudged a Bad Conduct or Dishonorable Discharge by a courts-martial were later administratively discharged.

### Demographics of Unrestricted Reports

The following demographic information was gathered from the 1,614 investigations of sexual assault that were initiated and completed during FY10. These investigations involved 1,741 victims and 1,759 subjects. Of these investigations, 238 involved more than 1 victim, more than 1 subject, or multiple victims and subjects.

Victims

Exhibits 13, 14, and 15 show that the vast majority of victims tend to be female, under the age of 25, and from junior enlisted ranks, respectively.

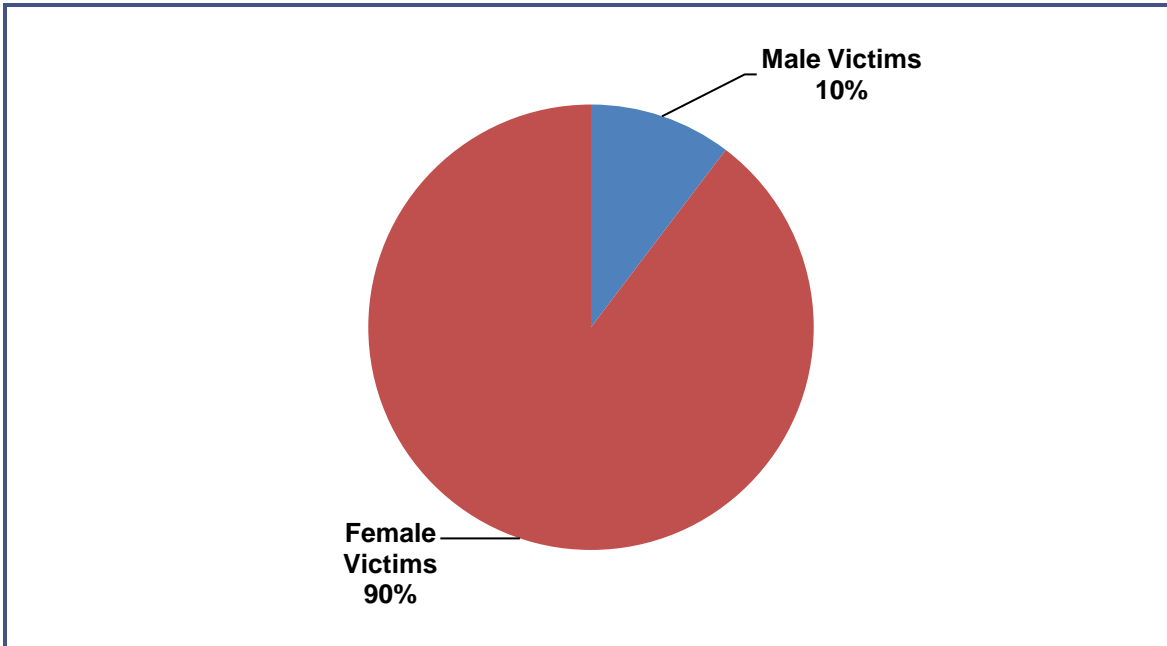


Exhibit 13: Gender of Victims in Completed Investigations of Unrestricted Reports, FY10.

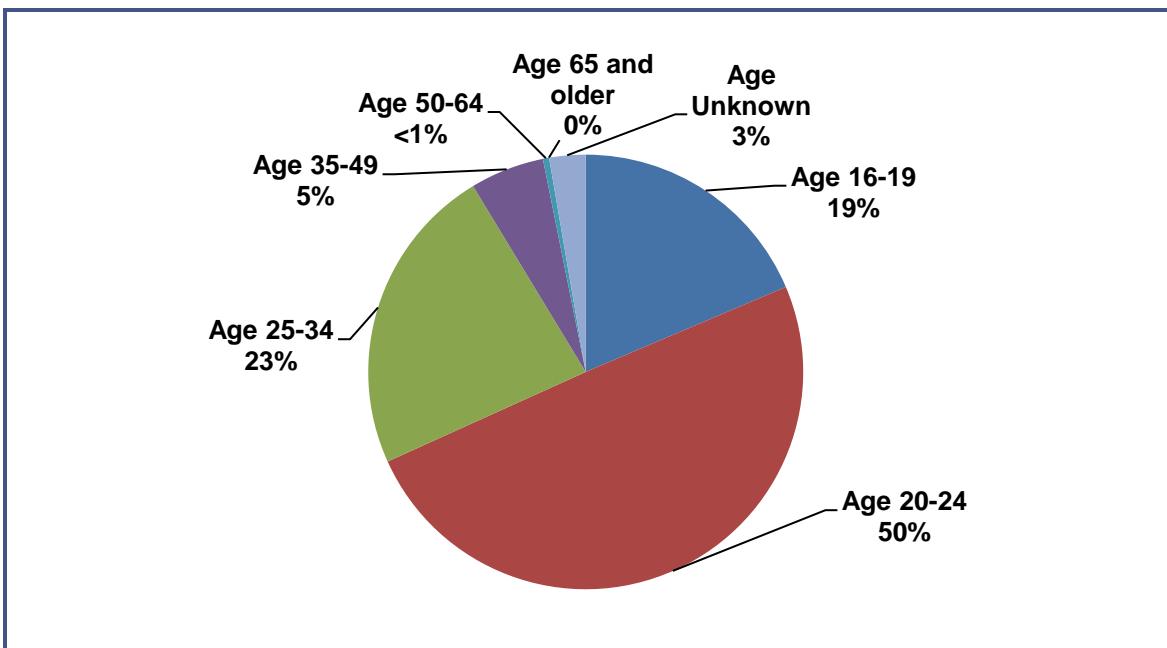
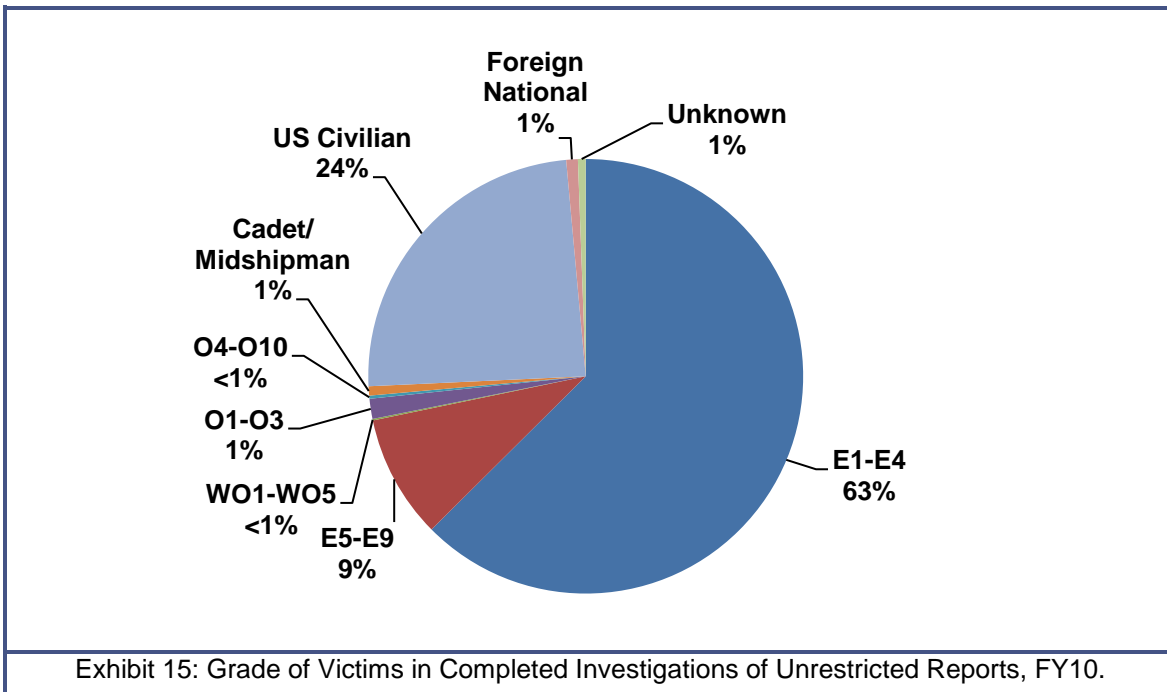


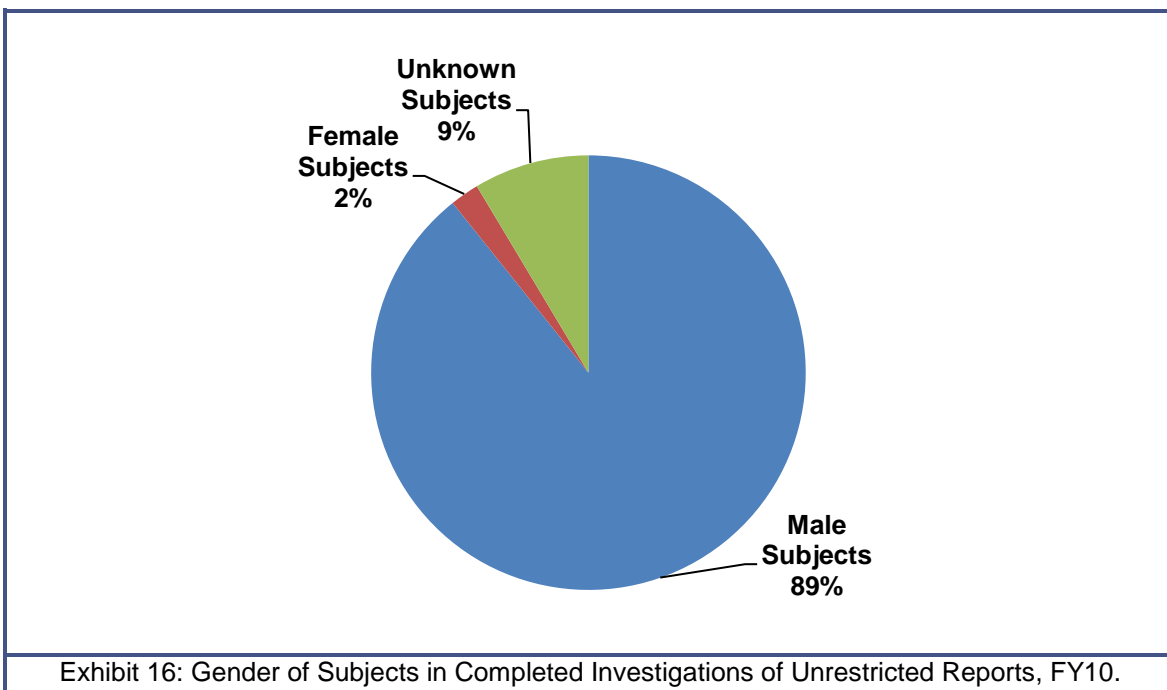
Exhibit 14: Age of Victims in Completed Investigations of Unrestricted Reports, FY10.

Note: The category “Age 16–19” is used because the relevant UCMJ sex crimes apply to victims aged 16 and older.

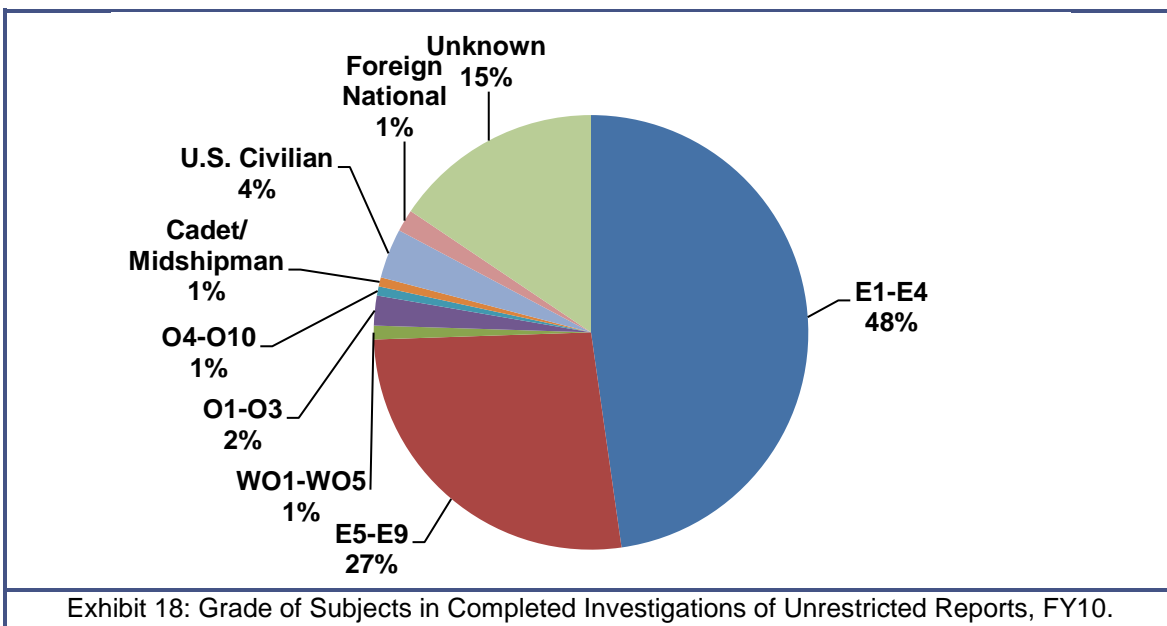
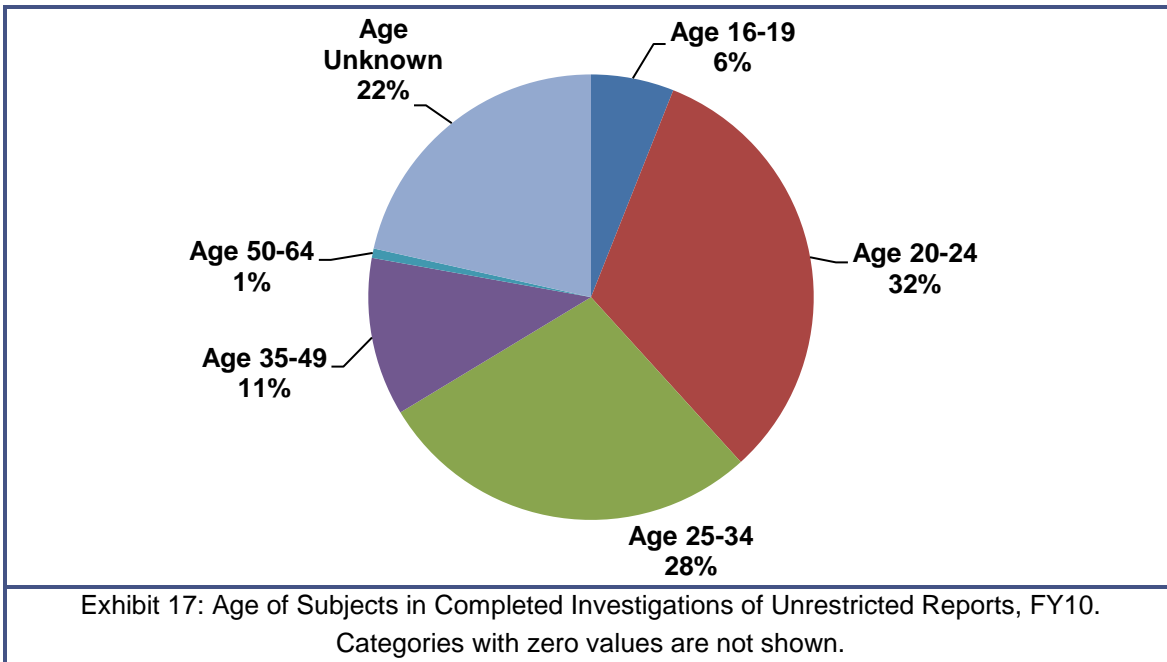


Subjects

Exhibits 16, 17, and 18 show that the vast majority of subjects tend to be male, under the age of 35, and from junior enlisted ranks, respectively.







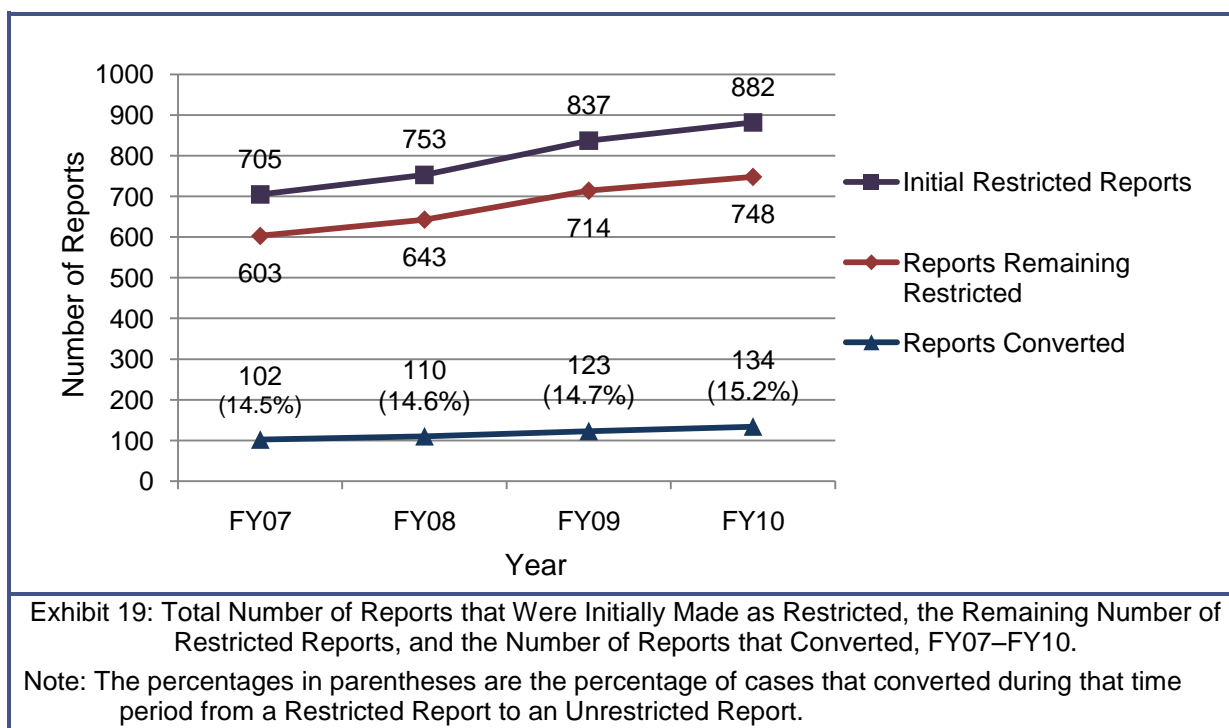
## FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT

SARCs and SAPR VAs ordinarily collect information about Restricted Reports. Because Restricted Reports are confidential, covered communications as defined in Department policy, SAPR personnel only collect limited data about the victim and the allegation being made. As with Unrestricted Reports, Restricted Reports can be made for incidents that occurred in prior reporting periods and incidents that occurred prior to military service.

In FY10, there were 882 initial Restricted Reports of sexual assault.

- Of the 882 reports, 134 (or 15.2 percent) converted to Unrestricted Reports at the request of the victim.
- At the close of FY10, 748 reports remained Restricted.<sup>122</sup>

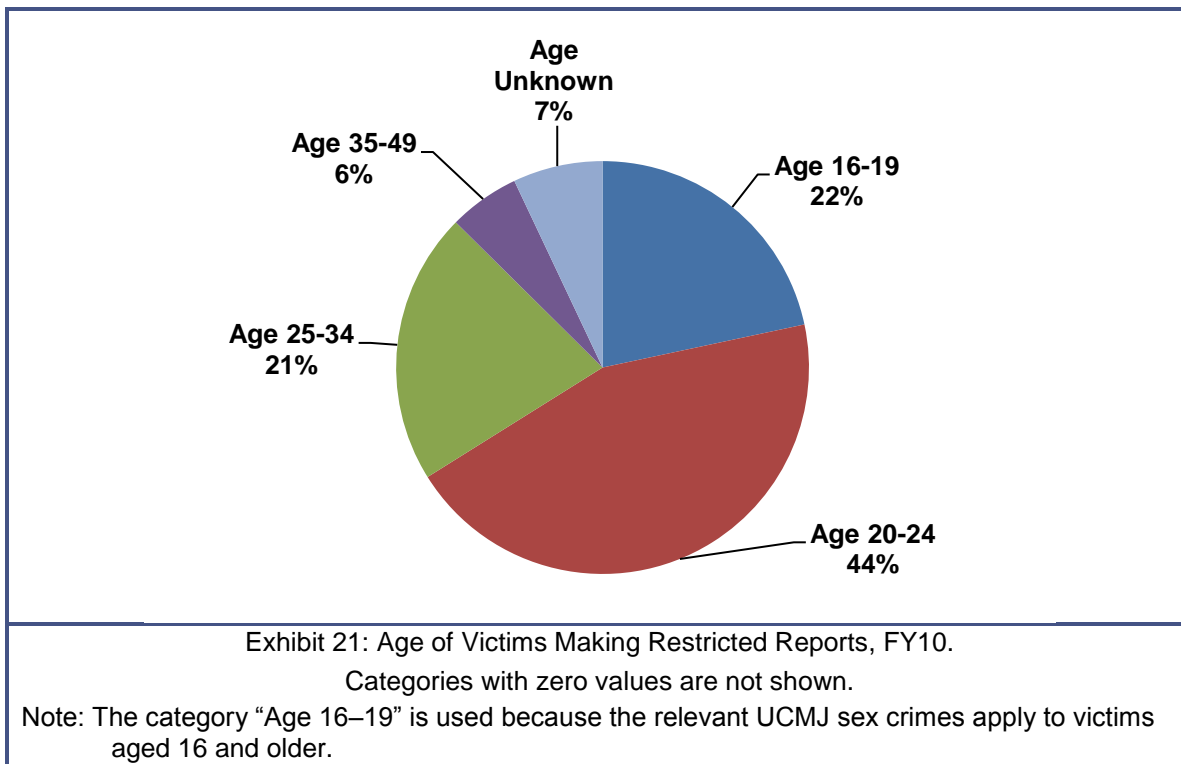
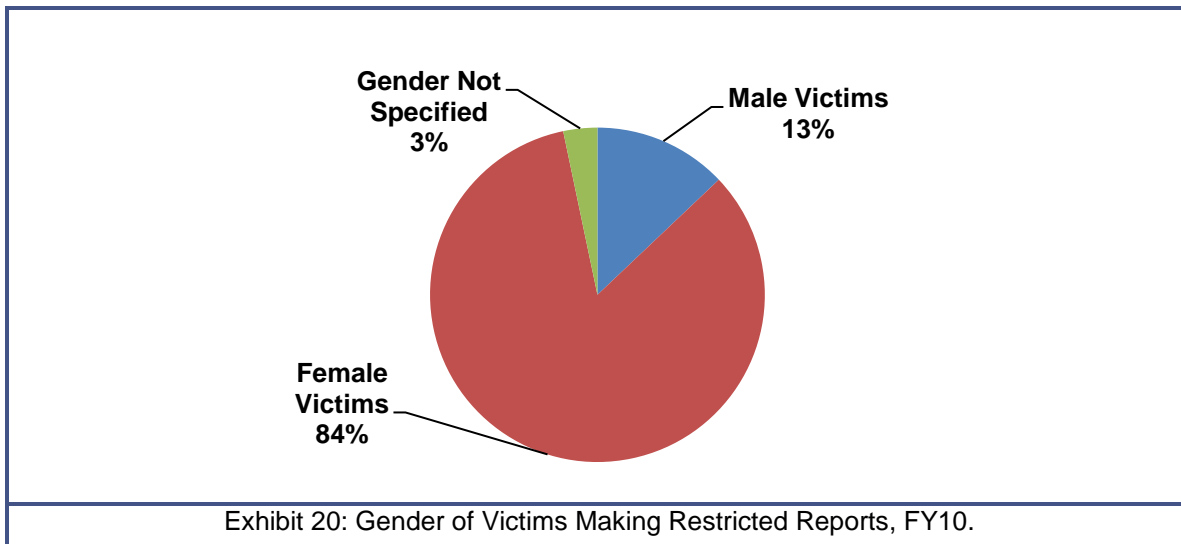
The percentage of victims desiring to convert their Restricted Reports to Unrestricted Reports has remained relatively stable at about 15 percent. Exhibit 19 shows the Restricted Reports and conversion rates for the past four FYs.

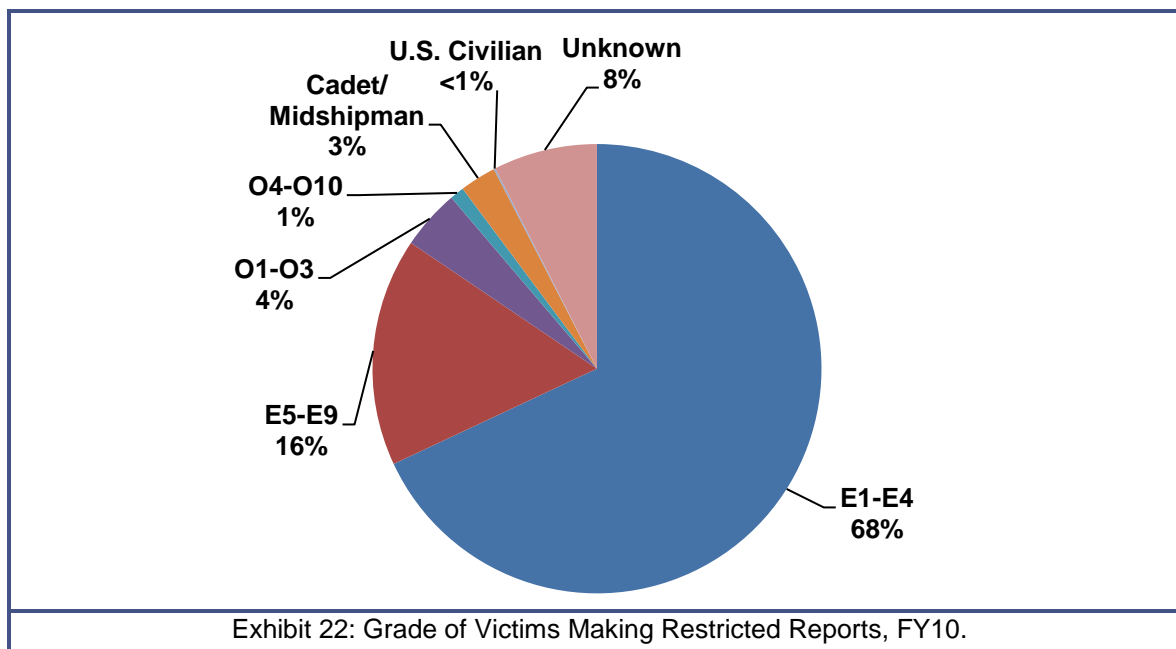


<sup>122</sup> The Restricted Reports that converted to Unrestricted Reports are included in the total 2,410 Unrestricted Reports cited earlier.

*Demographics of Restricted Reports of Sexual Assault*

The following information pertains to Service members who made a Restricted Report of sexual assault. Exhibits 20, 21, and 22 show that victims who made a Restricted Report are primarily female, under the age of 25, and in a junior enlisted rank, respectively.





## FY10 REPORTS OF SEXUAL ASSAULT IN COMBAT AREAS OF INTEREST

For the purposes of this year's report, combat areas of interest (CAI) include Bahrain, Iraq, Jordan, Lebanon, Syria, Yemen, Egypt, Djibouti, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates, Iran, Pakistan, Afghanistan, and Kyrgyzstan. Arduous conditions in CAIs make sexual assault response and data collection very difficult. However, SARC, SAPR VAs, and other SAPR personnel are in place in all of these areas. SAPR personnel are diligent in getting requested services and treatment to victims. The data reported below is included in the total number of Unrestricted and Restricted Reports described in previous sections.

In FY10, there were 268 reports of sexual assault in CAIs. This number reflects a 4-percent decrease in overall reporting in CAIs from FY09. The 238 Unrestricted Reports in FY10 represent an increase of 6 percent over FY09. 30 reports remain Restricted. Exhibit 23 illustrates the history of Unrestricted and Restricted Reporting in CAIs since FY07. Exhibits 24 and 25 show reporting patterns in Iraq and Afghanistan.

- Of the 238 Unrestricted Reports, 128 (or 54 percent) were made in Iraq and 62 (or 26 percent) were made in Afghanistan. The remaining 48 were made in Kuwait (18), Qatar (8), Bahrain (7), United Arab Emirates (7), Djibouti (3), Egypt (3), Jordan (1), and Pakistan (1).
- There were 46 initial Restricted Reports, which reflects a 21-percent decrease over FY09. 16 reports (or 35 percent) were converted to Unrestricted Reports, leaving 30 reports as Restricted. 26 (or 57 percent) of the 46 initial Restricted Reports were made in Iraq, and 9 (or 20 percent) were made in Afghanistan. The remaining 11 Restricted Reports were made in Kuwait (3), Qatar (3), Djibouti (2), Bahrain (1), United Arab Emirates (1), and Kyrgyzstan (1).

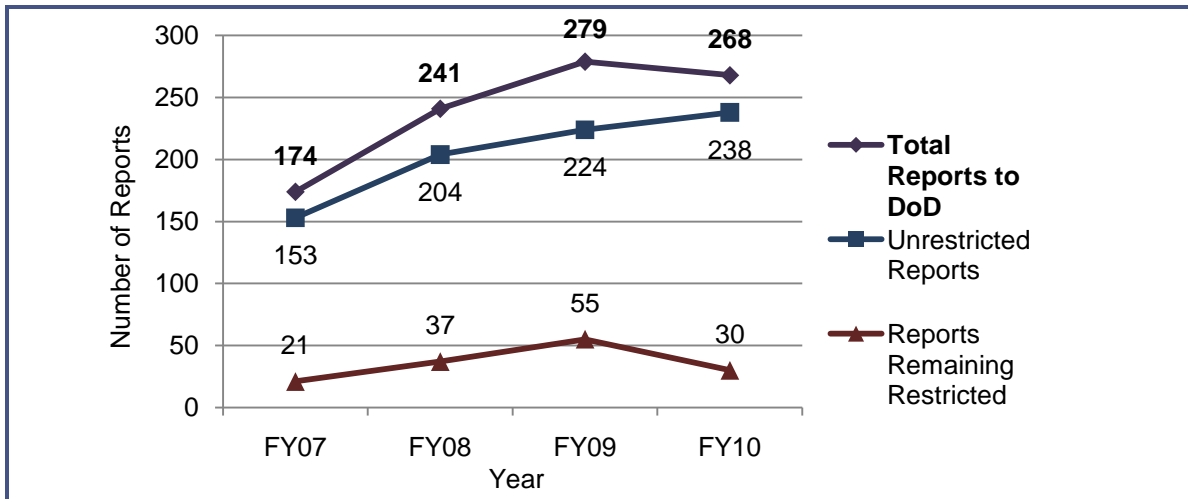


Exhibit 23: Total Reports of Sexual Assault in CAIs: Unrestricted Reports and Restricted Reports, FY07-FY10.

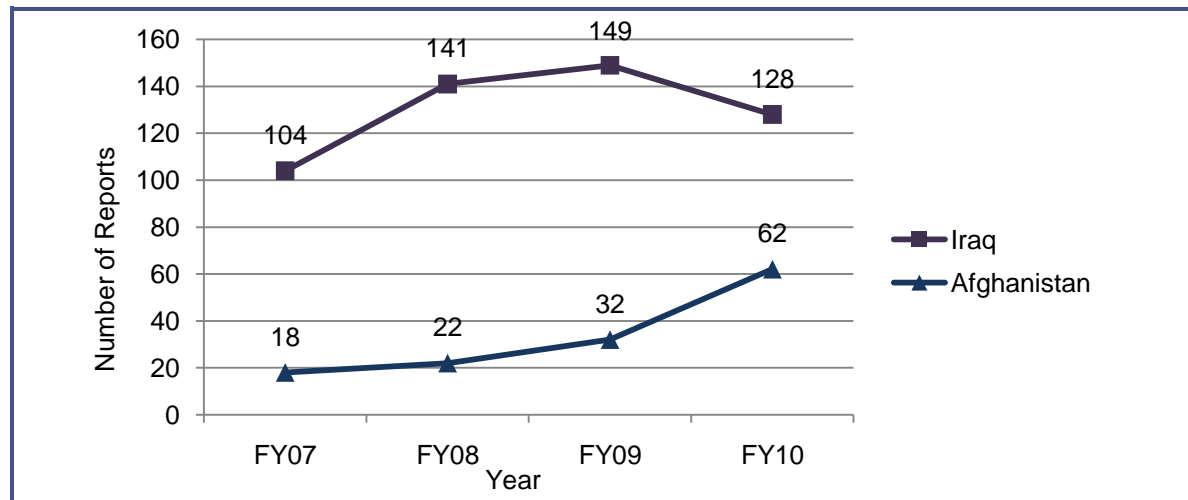


Exhibit 24: Iraq and Afghanistan: Unrestricted Reports, FY07-FY10.

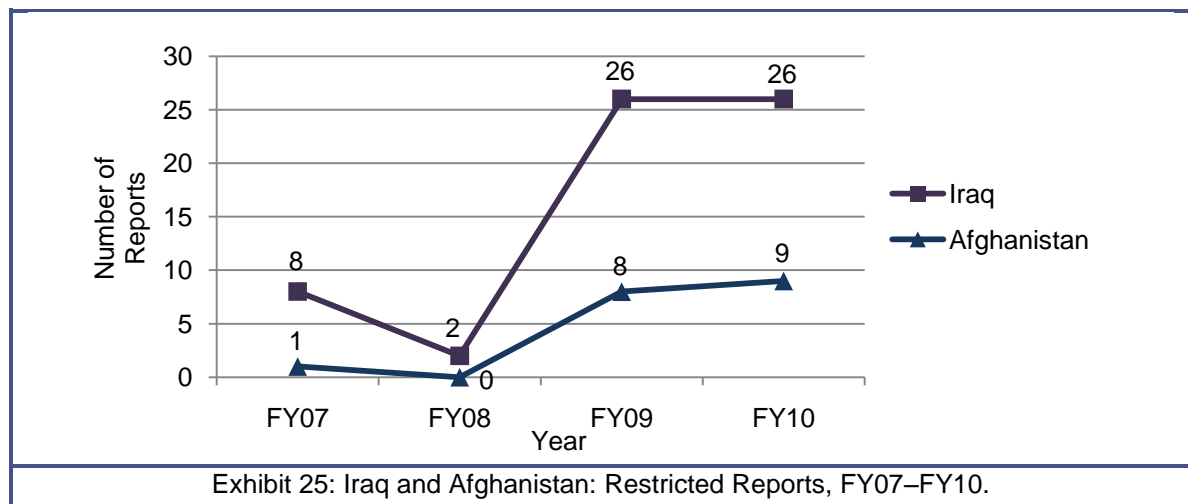


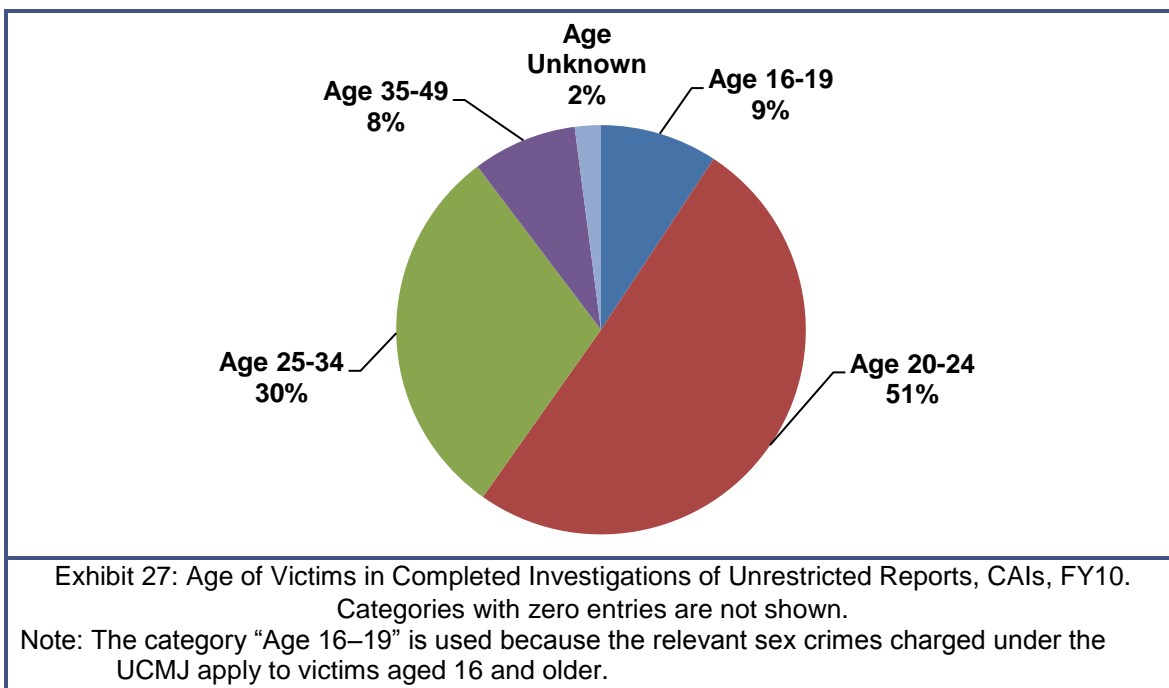
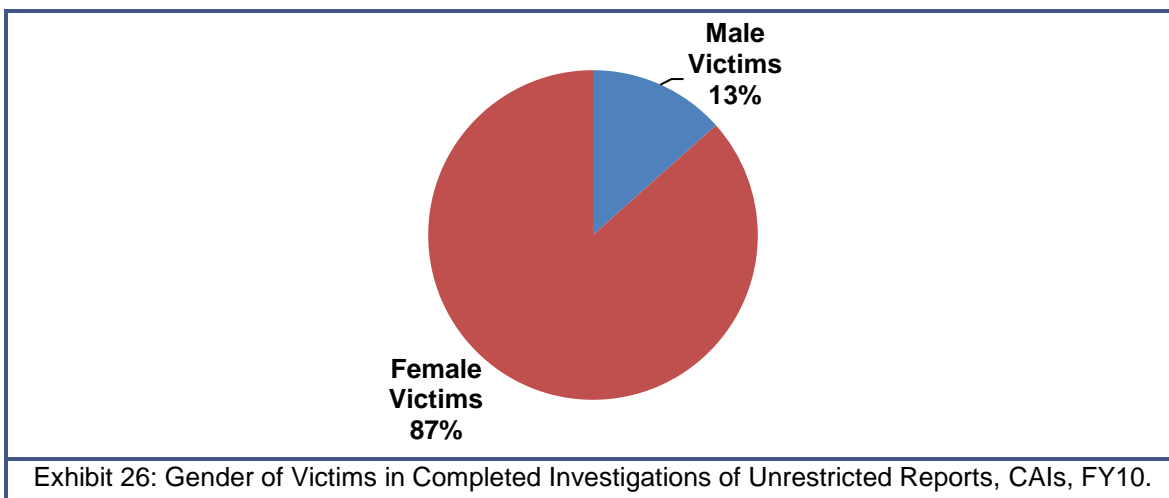
Exhibit 25: Iraq and Afghanistan: Restricted Reports, FY07-FY10.

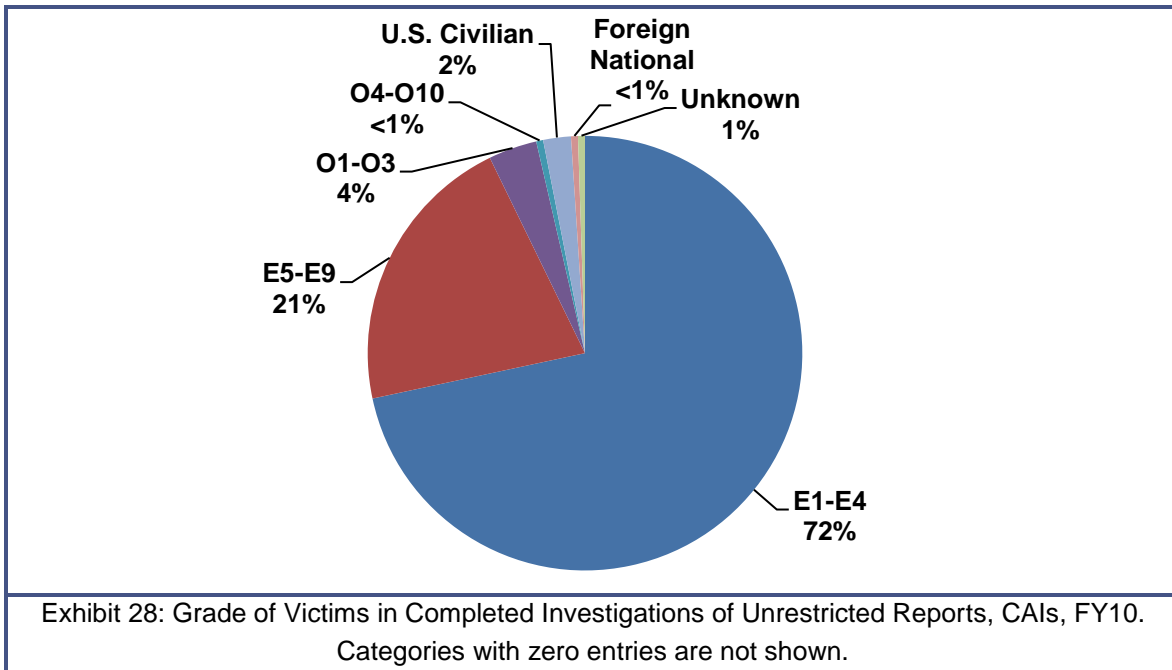
*Demographics of Unrestricted Reports in Combat Areas of Interest*

Demographic information about the Unrestricted Reports made in CAIs was drawn from the investigations opened and closed during FY10. These 187 investigations involved 194 victims and 204 subjects. 15 investigations involved more than 1 victim, more than 1 subject, or multiple victims and subjects.

Victims

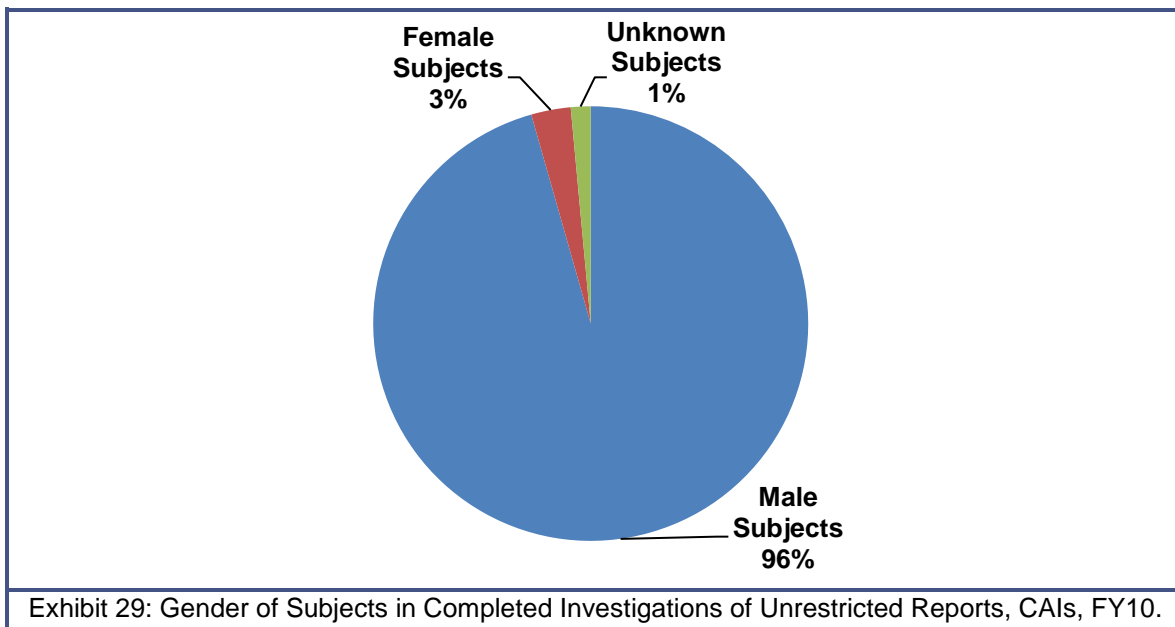
Exhibits 26, 27, and 28 show that victims in CAIs who made Unrestricted Reports are mostly female, under the age of 25, and in a junior enlisted rank, respectively.

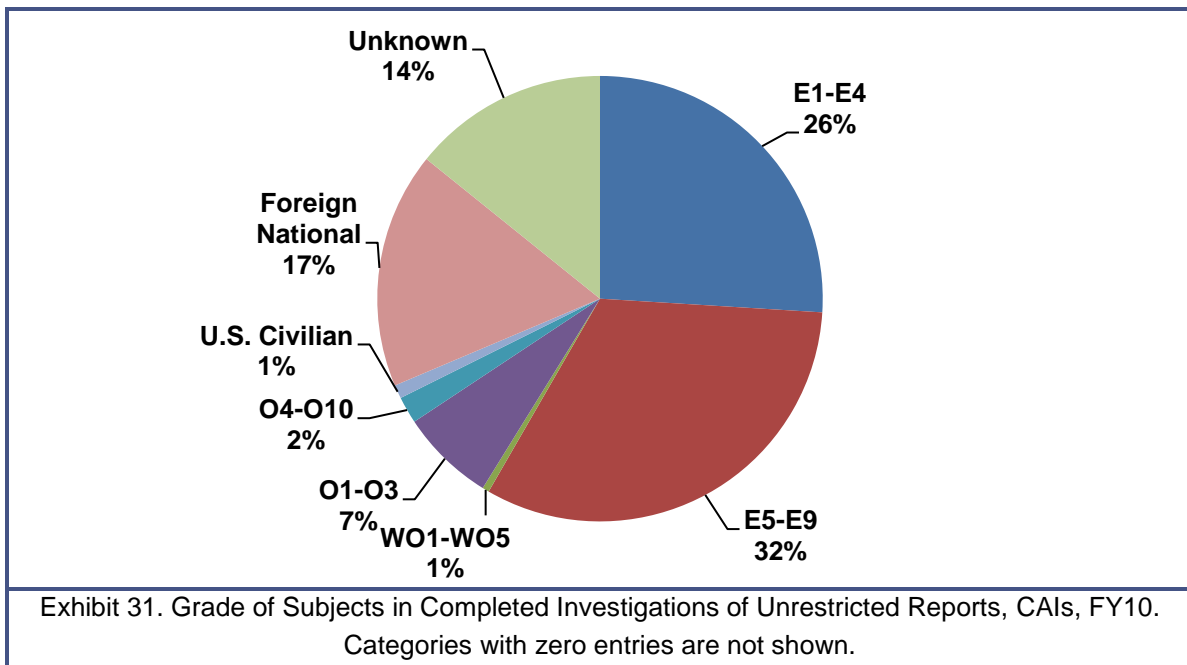
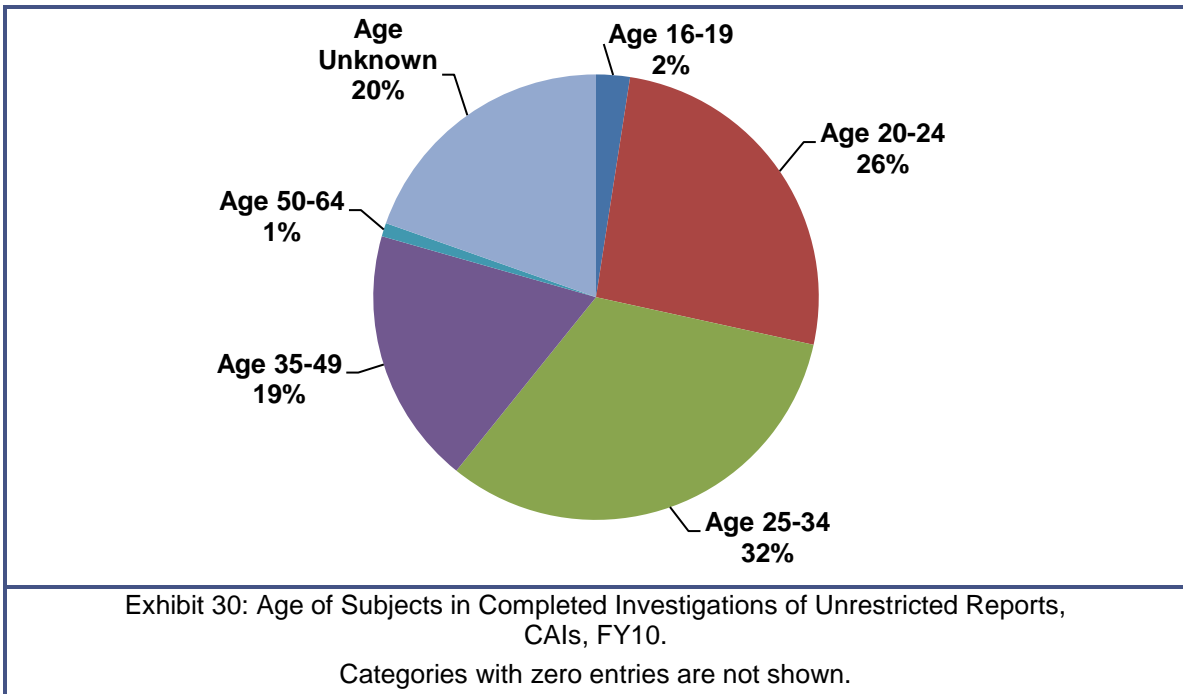




Subjects

Exhibits 29, 30, and 31 show that the vast majority of subjects in Unrestricted Reports made in CAIs tend to be male, under the age of 35, and from an enlisted grade, respectively.

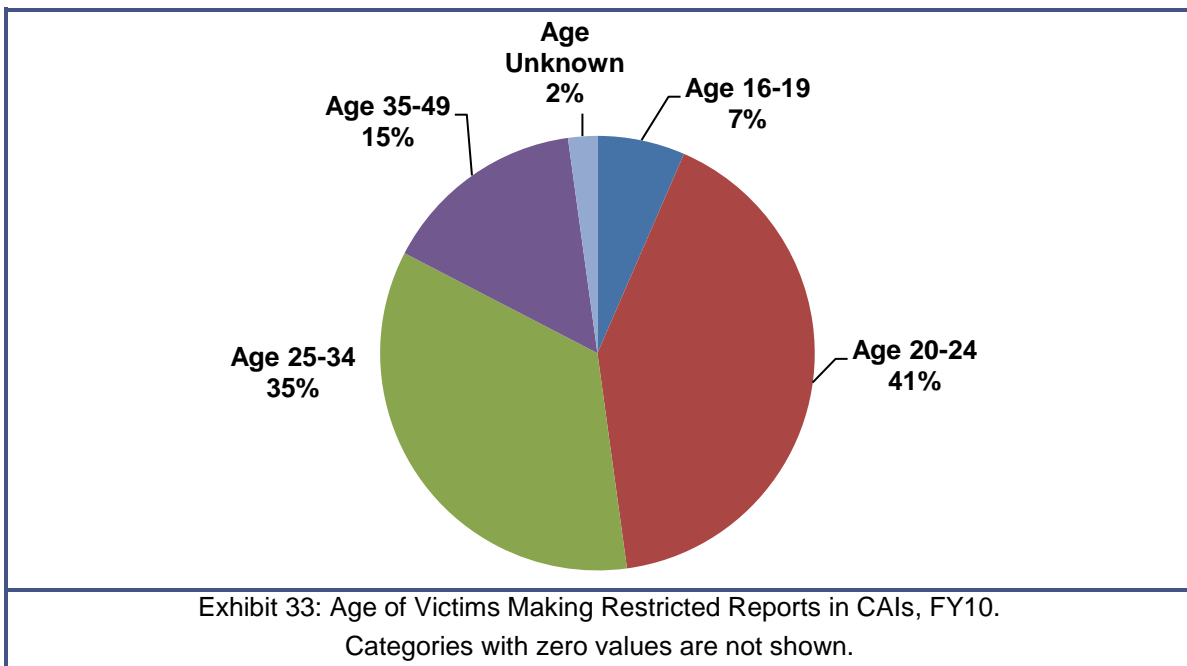
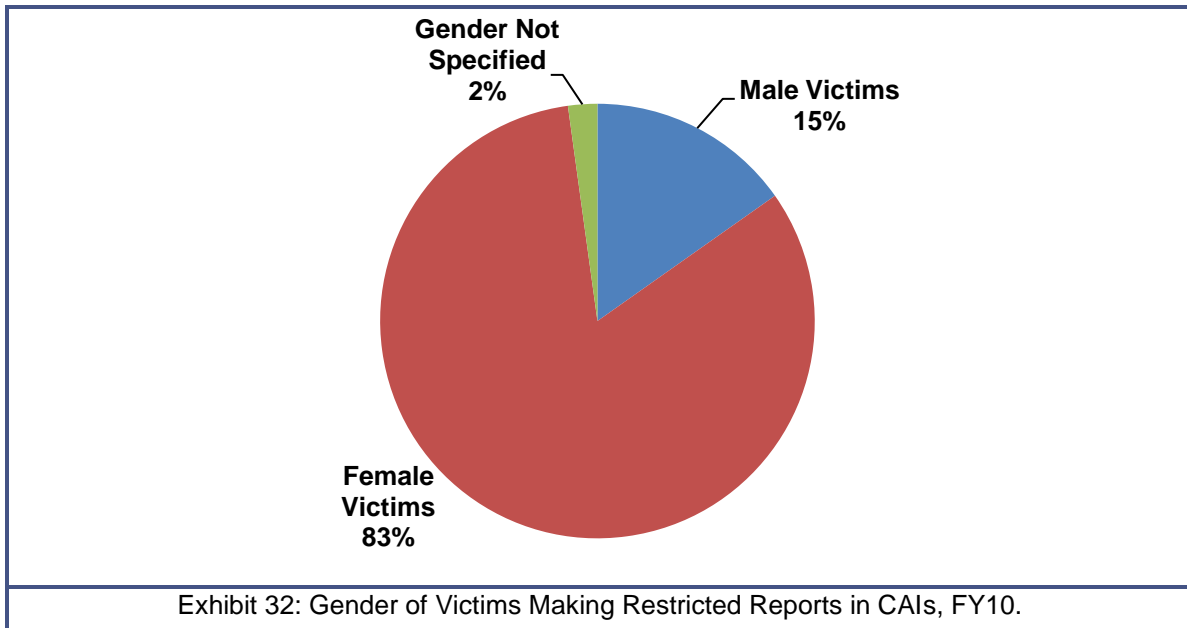


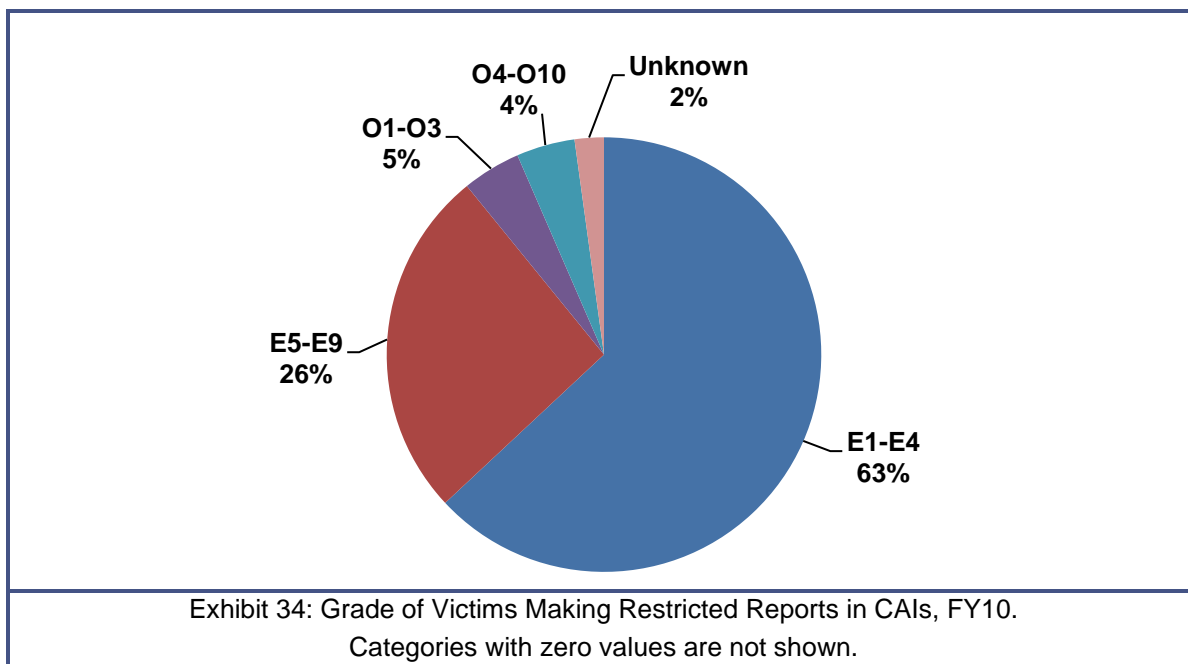




*Demographics of Restricted Reports in Combat Areas of Interest*

Exhibits 32, 33, and 34 show that the 46 victims initially making Restricted Reports of sexual assault in combat areas of interest were mostly female, under the age of 35, and from a junior enlisted rank, respectively.





## FY10 SERVICE REFERRAL INFORMATION

SARCs and SAPR VAs are responsible for ensuring victims have access to medical treatment, counseling, and legal advice. Referrals for these services are made to both military and civilian sources. A referral for service can happen at any time while the victim is receiving assistance from a SARC or SAPR VA and may happen several times throughout the military justice process. This year, SARCs and SAPR VAs made an average of 1.4 service referrals to victims making Unrestricted Reports. For victims making Restricted Reports, SARCs and SAPR VAs provided an average of 1 service referral per case. The Military Services varied in the average number of referrals per victim:

- The USA provided an average of 0.3 referrals per victim making an Unrestricted Report and 0.5 referrals per victim making a Restricted Report.
- The USMC provided an average of 1.8 referrals per victim making an Unrestricted Report and 1.0 referrals per victim making a Restricted Report.
- The USN provided an average of 2.3 referrals per victim making an Unrestricted Report and 1.8 referrals per victim making a Restricted Report.
- The USAF provided an average of 4.2 referrals per victim making an Unrestricted Report and 1.3 referrals per victim making a Restricted Report.

## INTEGRATED ANALYSIS OF SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM PROGRESS

### *Institutionalize Prevention Strategies in the Military Community: Assessment*

The Department seeks to prevent sexual assaults through institutionalized efforts that influence the knowledge, skills, and behaviors of Service members to reduce sexual assaults in the DoD community.

OSD SAPRO worked with DMDC to create and incorporate several questions into the DMDC 2010 WGRA that would help assess the effectiveness of the Department's prevention efforts.<sup>123</sup> New questions in the 2010 survey specifically address the prevention of sexual assault and Service member involvement in sexual assault prevention programs.

### The Incidence of Sexual Assault in the Department of Defense

The Department officially measures the incidence (or occurrence) of sexual assault for a given year using the WGRA. The ability to calculate annual incident rates of unwanted sexual contact is a distinguishing feature of the survey. Like the term "sexual assault," "unwanted sexual contact" refers to a range of activities the UCMJ prohibits, including uninvited and unwelcome completed or attempted sexual intercourse, sodomy (oral or anal sex), penetration by an object, and unwanted touching of genitalia and other sexually related areas of the body.

The 2006 survey found that 6.8 percent of Active Duty women and 1.8 percent of Active Duty men indicated experiencing at least one episode of unwanted sexual contact in the 12 months prior to the survey.<sup>124</sup> In 2010, the survey found that the annual incidence of sexual assault had decreased significantly: 4.4 percent of Active Duty women and 0.9 percent of Active Duty men indicated experiencing an episode of unwanted sexual contact in the year prior to the survey.<sup>125</sup> Using population estimates of each Military Service by gender provided by DMDC, OSD SAPRO is able estimate the number of sexual assaults that occur for the previous year using calculations based on the weighted survey counts. Based on these estimates, the Department believes approximately 14,880 fewer sexual assaults of Active Duty members occurred in 2010 than in 2006. Exhibit 35 illustrates the estimated change in sexual assault incidents.

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<sup>123</sup> DMDC conducts the WGRA every 4 years. The survey measures the incidence of sexual assault within the Department, evaluates aspects of system response, and assesses Service member awareness of SAPR and EO Programs. Because this anonymous survey is designed to represent all Active Duty members, its results give the Department a comprehensive perspective on the progress of the SAPR Program. OSD SAPRO also uses the survey to identify strong programs and those that need improvement.

<sup>124</sup> DoD. (2008). 2006 WGRA. Washington, DC: DMDC. [Online]. Available: [http://www.sapr.mil/media/pdf/research/WGRA\\_OverviewReport.pdf](http://www.sapr.mil/media/pdf/research/WGRA_OverviewReport.pdf).

<sup>125</sup> DoD. (2011). 2010 WGRA. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

The ultimate goal of any sexual assault prevention program is to reduce the number of sexual assaults occurring in a target population. However, most researchers who study prevention acknowledge that measuring progress in this way is extremely challenging, largely because the people whom this crime affects do not live in a controlled laboratory environment. Given all of the competing influences and messages in society, it is difficult to say with any confidence that one particular intervention—or series of interventions—is responsible for reducing sexual assault. With that in mind, the Department is cautious about attributing any change in the sexual assault incidence rate to its prevention programs alone. Many factors likely affected the rate of sexual assault perpetration within the DoD since 2006. Unfortunately, identifying each factor and its contribution to the rate of sexual assault is currently beyond scientific capability.

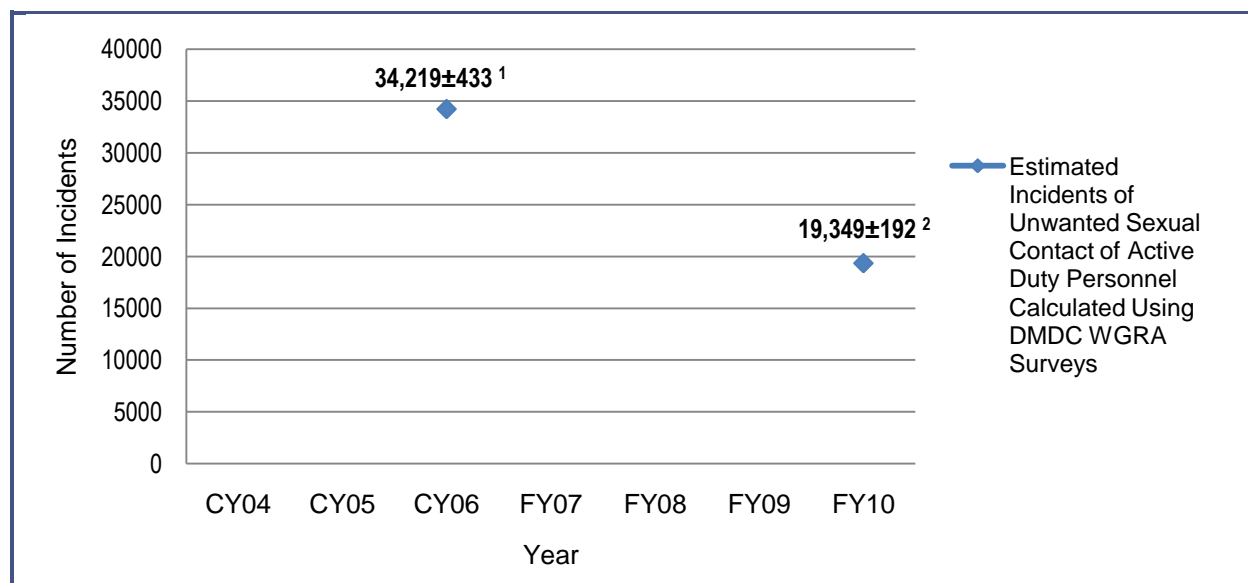


Exhibit 35: The Estimated Incidents of Unwanted Sexual Contact Calculated Using the DMDC Workplace and Gender Relations Survey of Active Duty Members in 2006 and 2010.<sup>126,127</sup>

Notes:

1. This estimate is computed using weighted population estimates of the 6.8 percent of DoD women and 1.8 percent of DoD men who indicated they experienced an incident of unwanted sexual contact in the 12 months prior to the DMDC 2006 WGRA.
2. This estimate is computed using weighted population estimates of the 4.4 percent of DoD women and 0.9 percent of DoD men who indicated they experienced an incident of unwanted sexual contact in the 12 months prior to the DMDC 2010 WGRA.
3. The difference between the point estimates in 2006 and 2010 is 14,880. However, because of the confidence intervals of each estimate, the change in incidents may have been as large as 15,495 and as small as 14,245. Weighted population estimates of each of the Services are found in Table 1 of the Tabulation Volume of each year's survey.

In addition, the overall decrease in sexual assault within the Department may not hold true for all forms of sexual assault. In other words, the occurrence of some crimes may not have decreased as much as other crimes. For example, it is possible that, hypothetically, the crime of rape may not have decreased over the past 4 years as

<sup>126</sup> DoD. (2008). *2006 WGRA, Tabulation Volume*. Washington, DC: DMDC.

<sup>127</sup> DOD. (2011). *2010 WGRA, Tabulation Volume*. Washington, DC: DMDC.

much as the crime of wrongful sexual contact. Data from the *WGRA* suggests that this might have been the case, but the differences between the two surveys in the proportions of criminal behaviors experienced by victims were not statistically significant.<sup>128</sup>

The Department is currently developing interim measures to assess the incidence of sexual assault more frequently than every 4 years. OSD SAPRO and DMDC are evaluating a range of questions for use in existing and proposed surveys to maximize consistency and minimize variance between measurements.

### Service Members' Impressions of DoD Prevention Programs

In 2010, 93 percent of Active Duty men and women indicated on the *WGRA* that they received training during the 12 months preceding the survey on topics related to sexual assault. Of those who received training, 85 percent of women and 88 percent of men indicated their training was at least moderately or very effective in actually reducing or preventing sexual assault.<sup>129</sup> 87 percent of women and 89 percent of men indicated their training taught how to intervene when they witness a situation involving a fellow Service member. In addition, the vast majority of women and men who received sexual assault training indicated their training provided a good understanding of what actions were considered sexual assault (both 92 percent), taught how consumption of alcohol might increase the likelihood of sexual assault (both 92 percent), and taught how to avoid situations that might increase the risk of sexual assault (both 91 percent).<sup>130</sup>

### Service Members and Bystander Intervention

Having the information about how to prevent sexual assault does not necessarily mean an individual knows how to apply the information or is motivated to do so. As a result, the survey asked respondents a variety of questions to identify their intentions about prevention. The survey called on Service members to answer a general question to gauge whether they understand it is their duty to intervene in a social setting when a fellow Service member may receive or engage in harmful behavior. Although the survey question did not specify the type of harm and did not address gender, the majority of women and men (both 93 percent) indicated it was their duty to stop fellow Service members from doing something potentially harmful to themselves or others. As noted earlier in this report, a similar proportion of Service members endorsed this item on the *DMDC 2010 Status of Forces Survey of Active Duty Members*.

The survey also asked Service members what they would do if they saw a female Service member, whom they did not know very well, getting drunk at a party and were told that a guy from their work group was going to lead her off to have sex. Members were provided a list of responses to the scenario that involved intervening (e.g., find someone who knows the woman and can help her, talk to the woman/try to get her out of the situation, stop the guy from leaving with the woman) or not intervening (e.g., do

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<sup>128</sup> Id.

<sup>129</sup> Id.

<sup>130</sup> Id.

nothing or leave to avoid any kind of trouble). Members who indicated they would either do nothing or leave to avoid any kind of trouble were asked why they would not intervene. Respondents could indicate they did not see the situation as a problem, it was none of their business, they could be picked on or made fun of, they would not want to become the focus of the guy's attention, nothing they could do or say would make a difference, or another reason.<sup>131</sup>

The majority of women (93 percent) indicated that they would intervene in the situation. 41 percent of women indicated they would talk to the woman/try to get her out of the situation, 30 percent would stop the guy from leaving, and 22 percent would find someone who knows the woman and could help her. Very few women indicated they would either leave or do nothing (less than 1 percent and 1 percent, respectively). 5 percent indicated they would do something else. Although the majority of men (93 percent) indicated they would step in to stop a fellow Service member from harm in the previous question, when asked specifically about a party situation where a fellow member could be the victim of a sexual assault, the percentage of men who would actively intervene dropped to 83 percent. Specifically, 39 percent of men indicated they would stop the guy from leaving, 30 percent would find someone who knows the woman and could help her, and 14 percent would talk to the woman/try to get her out of the situation. Few men indicated they would either leave or do nothing (1 percent and 5 percent, respectively). 11 percent indicated they would do something else.

Of the 2 percent of women and 6 percent of men who indicated they would either do nothing or leave the party to avoid any kind of trouble, most indicated they would not intervene because it was none of their business or indicated the situation was not a problem.

### [The Impact of Efforts to Institutionalize Prevention Strategies in the Military Community](#)

Since 2007, the Department has invested considerable resources in the prevention of sexual assault. No other institution the size and scope of the Department has implemented such a comprehensive, wide-reaching program. Few other organizations in the world have the U.S. Armed Forces' ability to strategically develop evidence-based curricula, train millions of people, invest resources, and measure outcomes. Every 4 years, the Department officially measures the incidence (or occurrence) of sexual assault in the military using the DMDC WGRA of Active Duty members. In 2006, the survey found that 6.8 percent of women and 1.8 percent of men experienced an incident of unwanted sexual contact in the 12 months prior to the survey.<sup>132</sup> In 2010, the survey found that 4.4 percent of women and 0.9 percent of men experienced unwanted sexual contact in the 12 months prior to the survey.

The survey is designed so that its results accurately represent the Active Duty force. This design allows the Department to roughly estimate the number of sexual assaults

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<sup>131</sup> Id.

<sup>132</sup> Unwanted sexual contact is the survey term for attempted and completed contact sexual crimes against adults prohibited by Articles 120, 125, and 80 of the UCMJ. Like the term sexual assault, unwanted sexual contact refers to a range of crimes, from rape to wrongful sexual contact.

that occur in the years for which data is available. This most recent survey indicates that there were nearly 15,000 fewer incidents of sexual assault in 2010 than there were in 2006.<sup>133</sup> A change this size in the sexual assault incidence rate is welcome news, but it is quite surprising. Consequently, the Department will be looking to measure sexual assault incidence with other, more frequent surveys to more closely monitor how the rate changes over time. However, other supporting findings in the *WGRA* suggest the decrease in sexual assaults is not a mistake. In 2010, 93 percent of the Active Duty force received SAPR training in the prior year, and nearly all who received training indicated that it taught them how to intervene when confronted with a situation where someone was at risk for sexual assault. In addition, most all Service members believed that preventing harm to others was their duty and, when presented with a hypothetical situation, could identify how they would intervene to prevent someone from being sexually assaulted. Consequently, the Department believes its prevention programs are making a difference and contributed, at least in part, to the reduction in sexual assaults against Service members in 2010.

### ***Increase Climate of Victim Confidence Associated With Reporting: Assessment***

The Department seeks to increase victims' confidence in reporting sexual assault by publicizing its two reporting options, identifying and addressing the challenges associated with reporting, and reducing the stigma and other barriers that deter reporting.

Among the performance objectives outlined by the USD(P&R) in the *Office of the Under Secretary of Defense for Personnel and Readiness Strategic Plan for Fiscal Years 2010–12* is the objective of ensuring “an environment where victims of sexual assault feel free to report and know how to report the assault...”<sup>134</sup> To achieve this objective, the *Strategic Plan* calls for surveying Active Duty Service members. In FY10, OSD SAPRO worked with DMDC to develop survey questions that address reporting. These questions were designed to be inserted in existing surveys of Active Duty members.

### **Training on Reporting Options**

In the DMDC *2010 WGRA*, the majority of Active Duty women and men (both 93 percent) indicated they received training during the 12 months preceding the survey on topics related to sexual assault. The percentages of women and men who indicated they received training were significantly higher in 2010 (93 percent) than in 2006 (89

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<sup>133</sup> The 2006 estimate (34,219±433) used weighted population counts of the 6.8 percent of DoD women and 1.8 percent of DoD men who indicated they experienced an incident of unwanted sexual contact in the 12 months prior to the *2006 WGRA*. The 2010 estimate (19,349±192) used weighted population counts of the 4.4 percent of DoD women and 0.9 percent of DoD men who indicated they experienced an incident of unwanted sexual contact in the 12 months prior to the *2010 WGRA*. The rough difference between these two numbers is about 14,880. However, because of the confidence intervals of each estimate, the change in incidents may have been as large as 15,495 and as small as 14,245. Weighted population estimates of each of the Services are found in the Tabulation Volume of each year's survey.

<sup>134</sup> DoD. (2009). *Office of the Under Secretary of Defense for Personnel and Readiness Strategic Plan for Fiscal Years 2010–12*. Performance objective 2.4.4.

percent).<sup>135</sup> The vast majority of men and women indicated the training they received explained the reporting options available if sexual assault occurs (both 91 percent), taught how to obtain medical care following a sexual assault (both 89 percent), identified POCs for reporting sexual assault (both 90 percent), explained the resources available to victims (women: 90 percent; men: 91 percent), and explained the role of the chain of command in handling sexual assaults (women: 88 percent; men: 90 percent).<sup>136</sup>

Most women and men were positive in their assessment of the effectiveness of their training. 91 percent of women and 92 percent of men indicated their training was moderately or very effective in explaining the difference between Restricted and Unrestricted Reporting.

Based on this data, the Department concludes that most Active Duty members receive effective training on sexual assault reporting and the options available to do so.

### Knowledge of Reporting Options

For 2010, a new survey question relates to Restricted Reporting knowledge. With certain exceptions, victims have the choice of Unrestricted or Restricted Reporting.<sup>137</sup> To better understand Service members' current level of knowledge of this option, the Department fielded a survey question to a representative sample as part of the DMDC *2010 Status of Forces Survey of Active Duty Members*.<sup>138</sup> 66 percent of Service member respondents knew that they could decide whether their sexual assault report would go to their commander, depending on which reporting option they chose to elect. DMDC included a similar question in the *2010 WGRA*, which found comparable results: over two-thirds of women and men (67 percent and 65 percent, respectively) were aware that if they told a SARC or SAPR VA they were sexually assaulted, the SARC and SAPR VA are not always required to provide their name to their commander.<sup>139</sup>

The DMDC *2010 WGRA* also found that three-fourths of women and men (76 percent and 74 percent for both types of reports, respectively) indicated they were satisfied with the availability of information on how to file a Restricted or Unrestricted Report of sexual assault. Few women and men (both 4 percent and 3 percent for both types of reports, respectively) were dissatisfied with the availability of information.<sup>140</sup> As previously noted in this section, of the respondents who experienced an incident of unwanted sexual

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<sup>135</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>136</sup> Id.

<sup>137</sup> When there is an immediate safety threat, victims of sexual assault may only file an Unrestricted Report so that law enforcement and command become involved to protect the victim from the subject.

<sup>138</sup> DoD. (2010). *2010 Status of Forces Survey of Active Duty Members*. Washington, DC: DMDC. Available: Office of the Secretary of Defense, Public Affairs, 1400 Defense Pentagon, 2D961, Washington, DC 20301, ATTN: DMDC 2010 Status of Forces Survey.

<sup>139</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

<sup>140</sup> Id.



contact, relatively few Active Duty women (15 percent) and Active Duty men (8 percent) endorsed lack of knowledge about how to report as a reason for not reporting.

Thus, within the 5 years the SAPR Program has been in existence, most Service members have gained the understanding that they have an option in sexual assault reporting. The Department will continue to track this kind of program knowledge to better target education and training resources.

### [Freedom to Report](#)

A key component in building a climate of confidence associated with reporting is that Service members feel free to report without reprisal. In the *DMDC 2010 WGRA*, 65 percent of women and 73 percent of men indicated, to a large extent, that members of their work group would feel free to report sexual assault without fear of reprisals. For women, this perception appears to be growing, as rates of women who endorsed this item increased significantly in 2010 (65 percent) from 2006 (59 percent). However, the same cannot be said for men. Men endorsed this item at a slightly lower rate in 2010 (73 percent) than they did in 2006 (75 percent).

Other factors that may affect one's sense of freedom to report is a perception that privacy, safety, and respect remain intact following a sexual assault report. The majority of women and men indicated that if they were sexually assaulted, they could trust the military to protect their privacy (65 percent of women and 74 percent of men), ensure their safety following the incident (73 percent of women and 80 percent of men), and treat them with dignity and respect (73 percent of women and 80 percent of men). Both women and men were more positive in their assessment of the SAPR Program's ability to keep them safe and treat them with respect than they were in the Program's ability to protect their privacy.

Although the perceptions that are likely to contribute to a member's sense of freedom to report are largely favorable, additional work must be done in this area. Given that over half of women (54 percent) and 27 percent of men who experienced unwanted sexual contact and did not report the situation cite fear of retaliation or reprisals from the perpetrator or his or her friends as a reason for not reporting, it appears victimization may change one's perceptions about the freedom to report, at least for some women and men. Enhanced training about safety and privacy precautions, accompanied by oversight review of systems designed to protect Service members, may encourage more victims to report the crime.

### [Reporting Behavior](#)

Given that most Service members are trained in reporting, know their reporting options, and feel free to make a report, the next area of assessment is to examine how many Service member victims of sexual assault actually report the crime. In civilian society, sexual assault is an underreported crime.<sup>141</sup> Essentially, this means that very few of the

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<sup>141</sup> DOJ. (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992–2000*. Washington, DC: Rennison, Callie Marie.

sexual assaults that occur in a population, usually estimated by an anonymous survey, are ever reported by victims to an authority. In U.S. society, estimates indicate that only 19 percent of rapes, the most serious form of sexual assaults, are reported to police.<sup>142</sup> In younger samples, such as college women, about 12 percent of rapes are reported.<sup>143</sup> This same pattern of underreporting holds true in military society. In 2010, of the 4.4 percent of women and 0.9 percent of men who indicated they experienced unwanted sexual contact, 29 percent of women and 16 percent of men reported the incident to an authority, military, civilian, or both.

As measured by the DMDC 2010 WGRA, there is still marked underreporting of unwanted sexual contact by Service members. However, Unrestricted and Restricted Reports of sexual assault to military authorities (law enforcement and SARCs) have increased substantially since the initiation of the SAPR Program. The reports of sexual assault made to the Department annually show an overall trend for increased reporting by Service member victims since CY04. As illustrated by Exhibit 36, the numbers of Service member victims coming forward in reports of sexual assault to military authorities in FY10 are 105 percent of what they were in CY04. About one-third of the increase in reports each year is a result of the addition of Restricted Reporting in 2005.

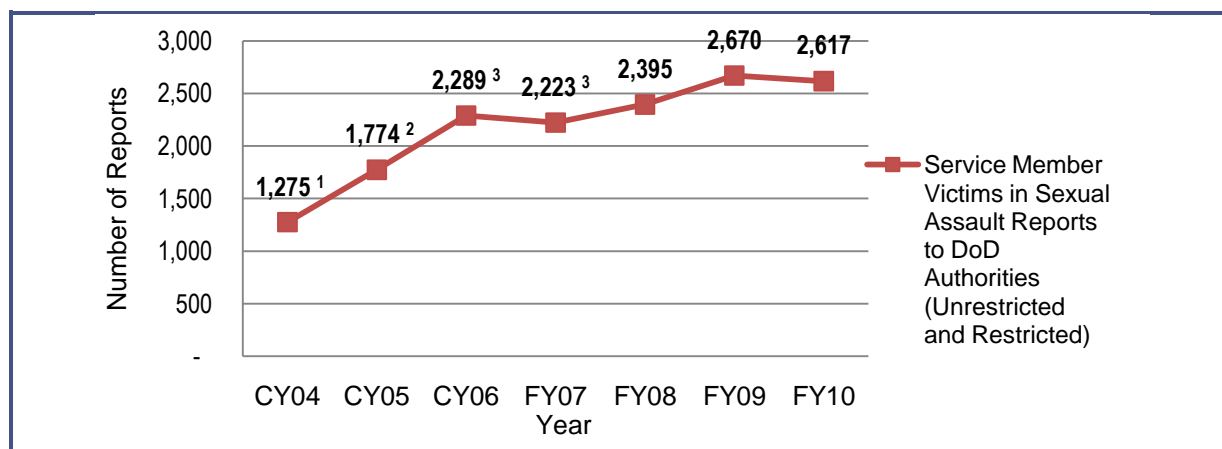


Exhibit 36: Service Member Victims in Sexual Assault Reports to DoD, Including Both Unrestricted and Restricted Reports, CY04–FY10.

Notes:

1. CY04 was prior to the implementation of Restricted Reporting. The 1,275 reports for the year are Unrestricted Reports by Service victims only.
2. The 1,774 reports of sexual assault in CY05 contain both Unrestricted and Restricted Reports by Service member victims; however, Restricted Reporting was initiated in June. Therefore CY05 has only half a year of Restricted Reports.
3. CY06 and FY07 share one quarter's worth of data (October through December 2006) because of the change from CY to FY reporting. For reporting analysis purposes, both CY06 and FY07 contain 12 months' worth of sexual assault reports.

<sup>142</sup> Tjaden, P., & Thoennes, N. *Extent, Nature, and Consequences of Intimate Partner Violence: Findings from The National Violence Against Women Survey*. Washington, DC: DOJ; 2000. Publication No.: NCJ 181867. Available: <http://www.ncjrs.gov/pdffiles1/nij/181867.pdf>.

<sup>143</sup> Kilpatrick, D., Resnick, H., Ruggiero, K., Conoscenti, L., & McCauley, J. *Drug-Facilitated, Incapacitated, and Forcible Rape: A National Study*. Washington, DC: DOJ; 2007. Publication No.: NCJ 219181. [Online]. Available: <http://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf>.

Not only has the number of reports to military authorities increased; in FY10, the Department had visibility over a greater proportion of sexual assaults against military Service victims as well. As Exhibit 37 shows, the 2,289 reports of sexual assault to DoD authorities in CY06 account for approximately 6.7 percent of the 34,000 incidents of unwanted sexual contact estimated to have occurred that year (as calculated using data from the DMDC 2006 WGRA). The 2,617 reports of sexual assault to DoD authorities in FY10, account for approximately 13.5 percent of the 19,000 of incidents of unwanted sexual contact estimated to have occurred that year (as calculated using data from the DMDC 2010 WGRA). In sum, the proportion of sexual assaults reported to the Department grew by nearly 7 percent from CY06 to FY10 (see Exhibit 38). Although this proportion is never expected to approach 100 percent (i.e., reports to military authorities are never expected to approach the number of incidents estimated by the WGRA within a given year), the Department’s goal is to increase the proportion in forthcoming years.<sup>144</sup> Optimally, the proportion of sexual assaults the Department oversees can grow by decreasing the incidents of unwanted sexual contact (e.g., sexual assault) through prevention work and by continuing to encourage victims to report the crime.

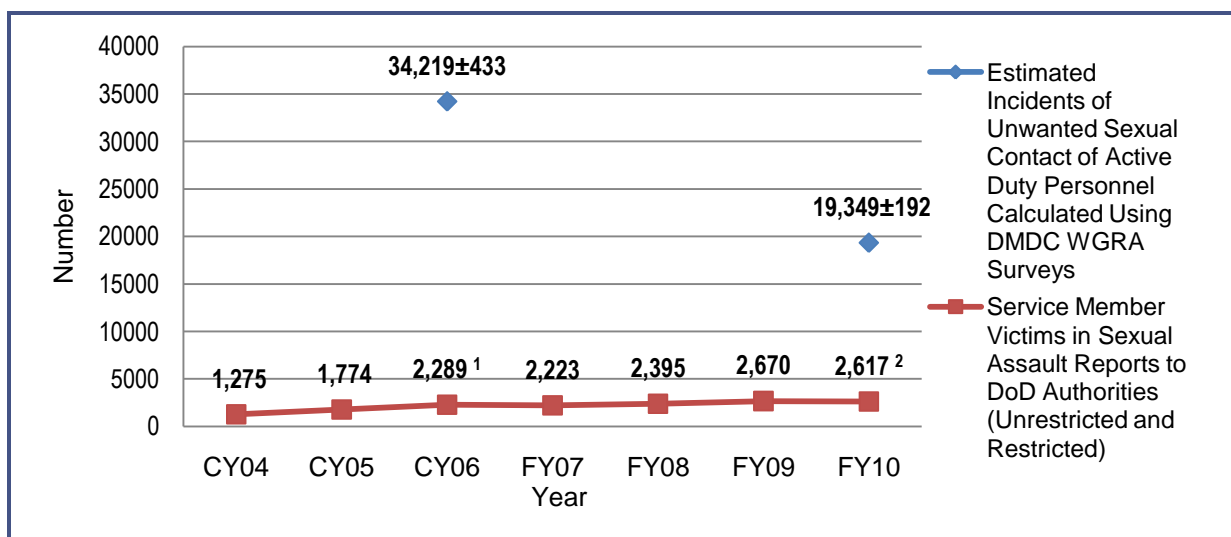
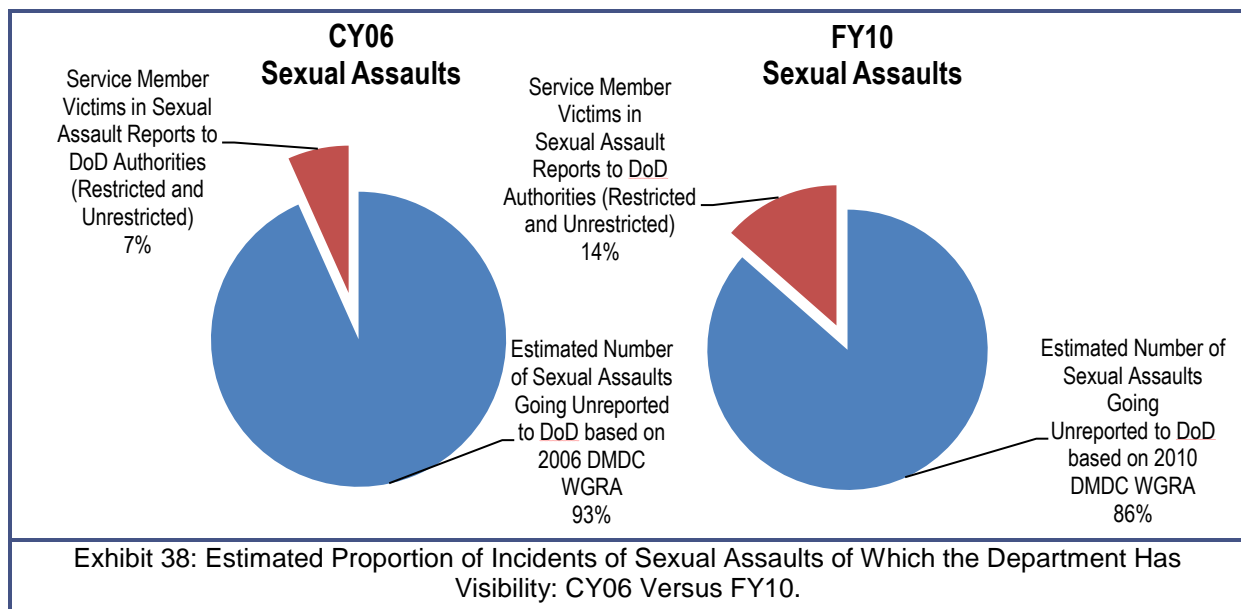


Exhibit 37: Estimated Incidents of Unwanted Sexual Contact from DMDC WGRA and Service Member Victims in Sexual Assault Reports to DoD, Including Both Unrestricted and Restricted Reports, CY04–FY10.

Notes:

1. The 2,289 reports of sexual assault to DoD authorities by Service member victims (Restricted and Unrestricted) in CY06 account for approximately 6.7 percent of the number of incidents of unwanted sexual contact (34,219±433) estimated to have occurred that year, as calculated using data from the DMDC 2006 WGRA.
2. The 2,617 reports of sexual assault to DoD authorities by Service member victims (Restricted and Unrestricted) in FY10 account for approximately 13.5 percent of the number of incidents of unwanted sexual contact (19,349±192) estimated to have occurred that year, as calculated using data from the DMDC 2010 WGRA.

<sup>144</sup> DoD. (2009). *Office of the Under Secretary of Defense for Personnel and Readiness Strategic Plan for Fiscal Years 2010–12*. Performance objective 2.4.4.



### [The Impact of Efforts to Increase the Climate of Victim Confidence Associated With Reporting](#)

The Department has employed policy changes, education, and messaging to encourage more victims to report sexual assault. Given that most sexual assaults in military and civilian society are not brought to the attention of authorities, the Department identified improved reporting as the key to better visibility of the crime, improved victim care, and better accountability of perpetrators. *WGRA* data indicates that, in the past year, most Active Duty members received effective training on sexual assault reporting, the options available to do so, and the resources available for victims. Two-thirds of Service members could identify their options about sexual assault reporting, and just about as many felt that members of their work group would feel free to report sexual assault without fear of reprisal. However, it appears victimization may change one's perceptions about the freedom to report, at least for some women and men. Enhanced training about safety and privacy precautions, accompanied by oversight review of systems designed to protect Service members and their privacy, may encourage greater victim reporting of the crime.

With the launch of the Restricted Reporting option in 2005, reports by Service member victims the following year increased by nearly 30 percent. Except for a small decrease in FY10, Service member victim reports have grown steadily. Not only have the number of reports to military authorities increased but also in FY10 the Department had visibility over a greater proportion of sexual assaults against military Service victims. In 2006, reports to DoD authorities accounted for about 7 percent of the sexual assaults estimated to have occurred that year.<sup>145</sup> In 2010, reports by victims accounted for about

<sup>145</sup> Based on the number of reports accounted for in the *DoD FY06 Annual Report on Sexual Assault in the Military Services* and the number of incidents accounted for in the *DMDC 2006 WGRA*.

14 percent of the sexual assaults estimated to have occurred.<sup>146</sup> Although reports to DoD authorities will never capture all of the sexual assaults in a given year, it is the Department's intent to reduce the underreporting of sexual assault in the military community.

The DoD SAPR Program has contributed to the increased total reporting of the crime by 86 percent in 6 years. The SAPR Program has also expanded the Department's visibility over a greater proportion of the sexual assaults that occur each year. Despite these accomplishments, much remains to be done to improve reporting. The majority of sexual assaults against Service members each year remain unreported. The Department must continue its efforts to knock down barriers that prevent victims from reporting and work toward the goal of eliminating the stigma that accompanies victimization.

### ***Improve Sexual Assault Response: Assessment***

The Department seeks sexual assault response improvements through programs, policies, and activities that advance victim care and enhance the military criminal justice process. SARCs and SAPR VAs are responsible for referring victims of sexual assault to medical, counseling, and legal support services.

### ***Victim Referrals for Support Services***

As noted above, in FY10, the Military Services reported that SARCs and SAPR VAs made an average of 1.4 support service referrals for victims making Unrestricted Reports and an average of 1 support service referral for victims making Restricted Reports. The number of referrals made to victims this year is down slightly from those made in FY09 (1.8 referrals per Unrestricted Report; 1.4 service referrals per Restricted Report). The Military Services have a differential capability to collect and report SARC and VA referrals for victims. In FY11, the Department will establish additional reporting guidelines for collecting and reporting this data. In the future, referral data will be incorporated into DSAID.

The DMDC *2010 WGRA* provides information about victim service referrals and other assistance provided to victims by the Department. However, results are only reportable for women because there were too few male respondents in this category (i.e., males who experienced unwanted sexual contact, reported the matter, and received services from the DoD). Of the women who experienced unwanted sexual contact and reported to a DoD authority, 65 percent were offered counseling services, 57 percent were offered sexual assault advocacy services, 50 percent were offered legal services, and 46 percent were offered medical services.<sup>147</sup>

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<sup>146</sup> Based on the number of reports accounted for in the *DoD FY10 Annual Report on Sexual Assault in the Military Services* and the number of incidents accounted for in the *DMDC 2010 WGRA*.

<sup>147</sup> DoD. (2011). *2010 WGRA*. Washington, DC: DMDC. [Online]. Available: <http://www.sapr.mil/index.php/research>.

### Victim Satisfaction With Response Services

Of the women on the DMDC 2010 WGRA who experienced unwanted sexual contact and reported it to a DoD authority, about a half or more were satisfied with the quality of sexual assault advocacy service, counseling services, and medical care they received (50 percent, 57 percent, and 57 percent, respectively). Less than one-third were satisfied with the amount of time the investigation took and how well they were kept informed about the progress of their case (28 percent and 27 percent, respectively). 44 percent of these women were satisfied with the reporting process overall. Of the women who made either an Unrestricted Report or converted report, 49 percent were satisfied with the VA assigned to them and 27 percent were dissatisfied. 51 percent of women were satisfied with the SARC assigned to them and 19 percent were dissatisfied.<sup>148</sup>

### Victim Perceptions of Retaliation From Others

Of the women on the DMDC 2010 WGRA who experienced unwanted sexual contact and made an Unrestricted Report to a DoD authority, 38 percent indicated they experienced no retaliation, either professional or social, or administrative action against them. Less than a quarter (23 percent) experienced a combination of administrative action, professional retaliation, and social retaliation. 9 percent of women experienced administrative action only, 3 percent experienced professional retaliation only, and 27 percent experienced social retaliation only. For more information about victim perceptions of retaliation, see the DMDC 2010 WGRA.<sup>149</sup>

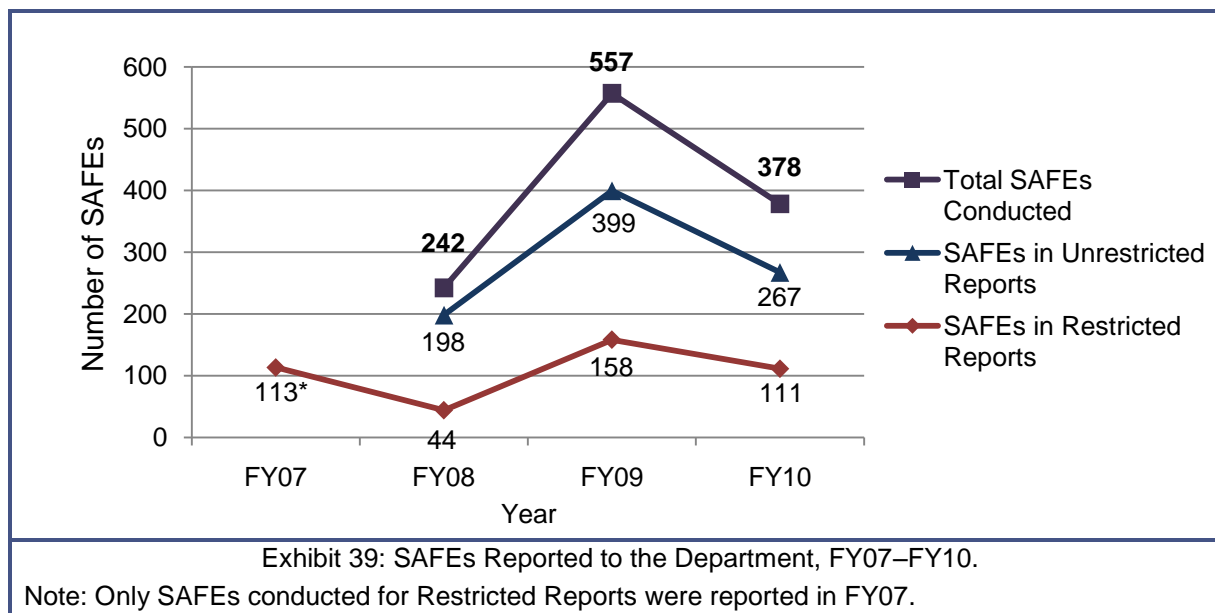
### Sexual Assault Forensic Examinations Performed

The Department has required the Military Services to report the number of SAFEs performed annually for both Unrestricted and Restricted Reports since FY08. This year, 378 SAFEs were performed in support of sexual assaults reported to the Department. Exhibit 39 shows the SAFEs performed both in FY10 and prior years. The decision to undergo a SAFE lies solely with the victim.

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<sup>148</sup> Id. Caution should be taken in interpretation of these numbers because of a large margin of error.

<sup>149</sup> Id. Caution should be taken in interpretation of these numbers because of a large margin of error.



### Victim Participation in the Military Justice System

Another indicator of improved system response is the tendency of victims to stay involved in the military justice system following their report to law enforcement. Ultimately, without continued victim participation in justice actions, perpetrators of sexual assault are unlikely to be held accountable. In FY10, victims participated in military justice actions such that commanders found sufficient evidence to take action against 983 subjects of investigation.

In FY09, the Department implemented case disposition definitions to provide greater visibility over sexual assault case outcomes. There are a variety of reasons command action against a subject may be precluded or declined (see Exhibit 7 for a full list of reasons action may be precluded or declined against a subject). One reason is that the victim has declined to participate in the military justice system. In FY09, the Military Services reported that, of the cases where command action against a subject was precluded or declined, 21 percent of these cases involved victims who had declined to participate in the military justice system. In FY10, 37 percent of action precluded or declined cases involved victims who had declined to participate in the military justice system. It is reasonable to expect that some victims who make Unrestricted Reports of sexual assault find continued participation in the military justice system too challenging. However, it is the Department's intent that the response system facilitates the participation of victims and supports them through justice actions. The Department will continue to monitor victim participation in the military justice system and declinations in forthcoming years.

### Areas in Need of Further Measurement

As indicated by all of the efforts to improve system response, the Department is committed to providing victims of sexual assault the best response possible. However,

the measurement points discussed above do not capture many of the improvement efforts underway. In addition, the Department has not assessed the proficiency of professionals in applying their training to the real world. In FY11, the Department will conduct a Military Sexual Assault Victim Experience Study to better assess victim satisfaction with the SAPR Program. The Department will use the results of this study to develop best practices and measurements for:

- Medical and mental healthcare;
- Investigator interactions with victims;
- Trial counsel interactions with victims;
- Victim support by SARCs and SAPR VAs; and
- Spiritual support.

### [The Impact of Efforts to Improve Sexual Assault Response](#)

The Department has substantially increased the training and resources of military professionals working in sexual assault response since launching the SAPR Program. Each year, thousands of investigators, attorneys, healthcare providers, chaplains, commanders, SARCs, and SAPR VAs participate in state-of-the-art training about how to best engage and care for sexual assault victims. In areas for which the Department has data, the majority of female victims who have used SAPR Program services have rendered mostly favorable opinions about the services' quality. Although most victims of sexual assault who make an Unrestricted Report participate in the military justice process, a few hundred each year ultimately decline to participate in the military justice process. In addition, most female victims surveyed still report some kind of retaliation or administrative action against them associated with their reporting the sexual assault. The Department has improved its response system substantially, but it must continue to improve the professionalism, capabilities, and resources of all who support victims seeking support. In addition, the Department must continue its endeavor to create a culture where victims of crime are treated fairly by those with whom they serve.

### ***[The Impact of Efforts to Improve Knowledge and Understanding of Sexual Assault Prevention and Response: Assessment](#)***

The Department's goal is to educate its stakeholders about progress in SAPR programs and policies. Greater stakeholder knowledge results when military and civilian leadership communicate SAPR Program successes and challenges, disseminate SAPR-specific research drawn from the military environment, and deploy effective messaging through a variety of outreach channels.

### [Service Member Awareness of Outreach Modalities](#)

In the DMDC 2010 WGRA, respondents were asked about their awareness of three of the Department's resources for preventing and responding to sexual assault. 31 percent of women and 40 percent of men indicated they were aware of the "My Strength Is for Defending" social marketing campaign. 48 percent of women and 57 percent of men indicated they were aware of the SAPR website ([www.myduty.mil](http://www.myduty.mil)). 60 percent of



women and 64 percent of men indicated they were aware of their installation's SAAM programs.<sup>150</sup>

### [Service Member Assessment of the Problem of Sexual Assault](#)

#### ***Sexual Assault in the Military***

In the DMDC 2010 WGRA, Active Duty members reported their perception of the prevalence of sexual assault in the military and in the nation in 2010. Although there are no norms or standards available from the private sector, the items in this section of the survey provide information about Active Duty members' perception of sexual assault in the military and the nation today compared to 4 years ago. Active Duty members who had been in the military for 4 years or more were asked if sexual assault in the military had become more or less of a problem over the last 4 years.

Of women who had been in the military for at least 4 years, nearly one-third of them (32 percent) indicated that sexual assault is more of a problem than 4 years ago. The percentage of women who indicated that sexual assault in the military was more of a problem today than 4 years ago was higher in 2010 than in 2006 (32 percent vs. 25 percent). Of men who had been in the military for at least 4 years, 21 percent of men indicated that sexual assault is more of a problem than 4 years ago. The percentage of men who indicated that sexual assault in the military was more of a problem today than 4 years ago was higher in 2010 than in 2006 (21 percent vs. 15 percent).<sup>151</sup>

Service member opinions about sexual assault in the military being more of a problem now than 4 years ago are concerning. However, the Department believes that, given the other findings of the WGRA and the FY10 statistical data, these opinions reflect greater awareness of sexual assault as a problem. Factors that likely contributed to this greater awareness are the SAPR Program annual training, SAPR Program outreach events, DoD social marketing messaging, and media accounts of sexual assault in the military.

#### ***Sexual Assault in the Nation***

Service members were also asked on the DMDC 2010 WGRA if sexual assault in our nation has become more or less of a problem over the last 4 years.

42 percent of women indicated that sexual assault in our nation is more of a problem today than 4 years ago. The percentage of women who indicated that sexual assault in the nation is more of a problem today than 4 years ago was higher in 2010 than in 2006 (42 percent vs. 39 percent). Nearly one-third of men (31 percent) indicated that it is more of a problem today than 4 years ago. The percentage of men who indicated that sexual assault in the nation is more of a problem today than 4 years ago was higher in 2010 than in 2006 (31 percent versus 28 percent).

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<sup>150</sup> Id.

<sup>151</sup> Id.

Although the percentage of women and men who indicated that sexual assault was more of a problem in the military and the nation today than four years ago was higher in 2010 than in 2006, Service members were more positive overall in their assessment of the climate in the military than in the nation. One interpretation of this finding is that military women and men have greater confidence in the ability of the military to effectively address the problem of sexual assault.

### [The Impact of Efforts to Improve Knowledge and Understanding of SAPR](#)

In 2010, the Department used every communications channel available to it to inform stakeholders of the progress being made in the SAPR Program. Given this year's survey findings, it appears the program is effectively reaching its greatest stakeholders—Service members. One of the most well-known communication channels appears to be an installation's SAAM observance. As a result, the Department should continue to prepare and disseminate materials for use at these events. However, this finding also suggests that base-level events at other times of the year may be equally useful in reaching Service members.

In 2010, the Department also communicated SAPR Program information in a variety of venues, including congressional hearings and briefings, press interviews, PSAs, and organizational meetings. However, improvements in stakeholder knowledge as a result of these activities are more difficult to assess because the recipients of the information are currently outside the Department's measurement authority.

For the first time, this annual report integrates both programmatic accomplishments and military research findings to highlight program strengths and areas for improvement. Consequently, this year's report, as an oversight tool, will be used to drive progress in all five strategic program priorities and future research into the problem of sexual assault in the military. External reviews of the SAPR Program have recommended that the Department use the *Annual Report on Sexual Assault in the Military* as its chief resource for communication with external stakeholders. However, as the Department further develops its Oversight Framework, other more concise methods may be developed to improve stakeholder knowledge of the SAPR Program.

## **WAY AHEAD**

FY11 will provide many opportunities for the Department to make further progress on each of the five priorities outlined in the *DoD-Wide SAPR Strategic Plan*. The following sections highlight some of the efforts the Department plans to undertake.

For details regarding the Military Services' plans for FY11, please refer to the individual reports of the Department of the Army, Department of the Navy, and Department of the Air Force in Enclosures 1, 2, and 3, respectively.

## FY11 PLANS TO INSTITUTIONALIZE PREVENTION STRATEGIES IN THE MILITARY COMMUNITY

Recognizing the detrimental impact the crime of sexual assault has on victims, the Department's core values, and unit mission readiness, the Department will continue to implement the *DoD Sexual Assault Prevention Strategy*. Utilizing valuable input from the Military Services, OSD SAPRO will work to further develop key messaging components. Specifically, OSD SAPRO expects to roll out a jointly produced training video, new PSAs, and Military Service-specific prevention campaign posters in FY11.

## FY11 PLANS TO INCREASE A CLIMATE OF VICTIM CONFIDENCE ASSOCIATED WITH REPORTING

In FY11, the Department will continue to engage leadership and utilize innovative media channels to publicize reporting options and reduce the stigma associated with reporting. The Department also will continue to refine and clarify training to ensure all Service members and first responders understand the difference between Restricted and Unrestricted Reporting. In addition, the reissuance of the SAPR Policy will further explain the services and protections associated with the two reporting options.

## FY11 PLANS TO IMPROVE SEXUAL ASSAULT RESPONSE

The Department will also work to further improve its response capability and address the unique challenges associated with providing care in joint and deployed environments. The updated DD Form 2911, *Forensic Medical Report: Sexual Assault Examination* and its accompanying instructions will be issued in FY11, thus ensuring victims are aware of their rights to all SAPR services from the servicing SARC. Another significant program enhancement to improve response to victims of sexual assault will be the launch of the DoD Safe Helpline, which is expected to take place in the spring of 2011. In FY11, the broad outreach campaign for this initiative will include a variety of launch events with congressional and senior government officials in interested organizations. OSD SAPRO also plans to implement Phase II of its *Strengthening Military-Civilian Community Partnership to Response to Sexual Assault* initiative with PCAR, which will involve designing a regional training program for civilian partners to be conducted by DoD SAPR Program SARCs and civilians.<sup>152</sup> Also in FY11, OSD SAPRO will help DEOMI incorporate SAPR training into EEO counselor, EEO specialist, and EOA courses by identifying SMEs and providing guest speakers to present additional "SAPR 101" courses. Lastly, and in addition to the benefits listed above, the SAPR Policy reissuance will clarify that the SAPR policy is victim focused and will require sexual assault victims to be considered a priority for emergency care.

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<sup>152</sup> Any reference to any non-federal entity is not intended to be an endorsement of that entity by the Department of Defense

## FY11 PLANS TO IMPROVE SYSTEM ACCOUNTABILITY

In FY10, OSD SAPRO engaged several internal and external oversight activities. The Department will continue efforts to improve system accountability and program effectiveness in FY11. Specifically, OSD SAPRO will continue collaborating with GAO to provide information for GAO's review of the Military Services' sexual assault investigation and adjudication processes and for GAO's 2011 brief to Congress on GAO's findings. In early FY11, OSD SAPRO also expects to receive the Military Services' responses regarding implementation of the DTF-SAMS recommendations. The Department plans to officially begin its review of the Reserve component SAPR programs and policies as recommended by DTS-SAMS. As part of the new SAPR Program oversight structure, the DoD SAPR Summit body will begin meeting in FY11 to discuss sexual assault-related topics and best practices in the military, civilian, and international community. Finally, OSD SAPRO will continue to work with the Military Services and other stakeholders to further develop DSAID in FY11.

## FY11 PLANS TO IMPROVE STAKEHOLDER KNOWLEDGE AND UNDERSTANDING OF THE SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM AND POLICY

The Department will also continue to expand its communications efforts to reach a greater variety of stakeholder groups and increase Service members' and the public's knowledge of the SAPR Program. Having begun the conversion of its newsletter from hard copy to electronic format, OSD SAPRO plans to launch the *SAPR Source* in early FY11. The *SAPR Source* will help OSD SAPRO inform a larger audience of both public and private organizations about its efforts. As a result of briefing the NGB SAPRAC, OSD SAPRO plans to increase outreach to the Reserve component community in the next FY. Finally, as detailed in the Improve Stakeholder Knowledge and Understanding of the SAPR Program and Policy section of this report, the Department participated in briefings, conferences, and workshops with several organizations in FY10 and will continue to foster further education of and collaboration with key stakeholders in FY11.

## CONCLUSION

Many of the cultural attitudes and pressures that allow sexual assault to continue and that stigmatize military victims are the same as those that affect U.S. society as a whole. However, sexual assault in the military is particularly detrimental because it undermines core values and degrades mission readiness. For this reason, the Department remains dedicated to preventing sexual assault, supporting victims with appropriate and timely care, and executing effective system accountability.

One sexual assault in the military is too many. To reduce the number of victimized Service members, the Department developed its five strategic SAPR priorities to address the crime of sexual assault on multiple fronts: institutionalizing prevention, encouraging reporting, improving response, enhancing system accountability, and increasing SAPR understanding and awareness. Achieving the necessary shift in attitudes, beliefs, and behaviors embedded in the Armed Forces and society requires

substantial effort and resources. Nonetheless, the Department stands committed to its goal of ensuring military readiness by establishing a culture free of sexual violence. The men and women of the Armed Forces deserve nothing less.

# FY10 AGGREGATE STATISTICAL MATRICES



## FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULT—PART 1

<b>DoD FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY</b>	
<b>A. FY10 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Service Members.</b>	<b>FY10 Totals</b>
<b># VICTIMS in FY10 Unrestricted Reports</b>	<b>2579</b>
# Service Member victims	1870
# Non-Service Member victims	709
<b># Unrestricted Reports in the following categories</b>	<b>2410</b>
# Service Member on Service Member	1,358
# Service Member on Non-Service Member	691
# Non-Service Member on Service Member	104
# Unidentified Subject on Service Member	257
<b># Unrestricted Reports of sexual assault occurring</b>	<b>2410</b>
# On military installation	1362
# Off military installation	957
# Unidentified location	91
<b># Investigations Initiated (From FY10 Unrestricted Reports)</b>	<b>2410</b>
# Investigations pending completion as of 30-SEP-10	796
# Completed Investigations as of 30-SEP-10	1614
<b># Restricted Reports</b>	<b>882</b>
# Converted from Restricted Report to Unrestricted Report*	134
<b># FY10 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>748</b>
<b>B. DETAILS OF UNRESTRICTED REPORTS IN FY10</b>	<b>FY10 Totals</b>
<b>Length of time between sexual assault and Unrestricted Report</b>	<b>2410</b>
# Reports made within 3 days of sexual assault	1033
# Reports made within 4 to 30 days after sexual assault	619
# Reports made within 31 to 365 days after sexual assault	521
# Reports made longer than 365 days after sexual assault	155
# Unknown	82
<b>Time of sexual assault</b>	<b>2410</b>
# Midnight to 6 am	682
# 6 am to 6 pm	436
# 6 pm to midnight	667
# Unknown	625
<b>Day of sexual assault</b>	<b>2410</b>
# Sunday	439
# Monday	263
# Tuesday	185
# Wednesday	204
# Thursday	260
# Friday	320
# Saturday	509
# Unknown	230
<b>C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN FY10)</b>	<b>FY10 Totals</b>
<b># Investigations initiated and completed during FY10</b>	<b>1614</b>
# Investigations with more than one victim, subject, or both	238
<b># SUBJECTS in the completed investigations</b>	<b>1759</b>
# Service Member Subjects Investigated by their Own Service	1424
# Service Member Subjects Investigated by Another DoD Military Service	49
# Non-Service Member Subjects in DoD Investigations	94
# Unidentified Subjects in DoD Investigations	192
<b># VICTIMS in the completed investigations</b>	<b>1741</b>
# Service Member Victims In Own Service Investigations	1253
# Service Member Victims In Other DoD Military Service Investigation	50
# Non-Service Member Victims in DoD Investigations	438
# Unknown Victims in DoD Investigations	0

## FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULT—PART 2

D. FINAL DISPOSITIONS FOR SUBJECTS IN FY10 INVESTIGATIONS	FY10 Totals
<b># SUBJECTS in FY10 completed investigations</b>	<b>1759</b>
<b>DoD Action Precluded:</b>	<b>399</b>
# Unknown Subjects	83
# Unfounded by Investigative Agency	243
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ	32
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	41
<b># Total Command Action Precluded or Declined for Sexual Assault</b>	<b>459</b>
# Probable cause for only non-sexual assault offense	78
# Subject deceased or deserted	4
# Victim deceased	3
# Victim declined to participate in the military justice action	176
# Insufficient evidence of any offense	145
# Statute of limitations had expired	2
# Unfounded by Command	9
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	42
<b># Subjects still awaiting command action as of 30-SEP-10</b>	<b>433</b>
<b># Subjects for whom command action was completed as of 30-SEP-10</b>	<b>468</b>
<b># Evidence Supports Command Action for the following FY10 Sexual Assault Subjects</b>	<b>468</b>
# Courts-martial charge preferred (Initiated)	187
# Nonjudicial punishments (Article 15 UCMJ)	163
# Administrative discharges	54
# Other administrative actions	64
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-FY10 INVESTIGATIONS (Prior year investigations completed in FY10)	FY10 Totals
<b># Total Number of Investigations from CY04 to FY09 pending completion at the end of FY09 (30-Sep-09)</b>	<b>1025</b>
# Pre-FY10 Investigations STILL PENDING completion as of 30-SEP-10	45
<b># Pre-FY10 Investigations completed of 30-SEP-10</b>	<b>980</b>
<b># SUBJECTS from Pre-FY10 Investigations Pending Action</b>	<b>1464</b>
<b># Final DISPOSITIONS Rendered in FY10 for SUBJECTS from Pre-FY10 Investigations</b>	<b>1464</b>
<b>DoD Action Precluded:</b>	<b>270</b>
# Unknown Subjects	74
# Unfounded by Investigative Agency	101
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ	47
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	48
<b># Total Command Action Precluded or Declined for Sexual Assault</b>	<b>451</b>
# Probable cause for only non-sexual assault offense	45
# Subject deceased or deserted	6
# Victim deceased	0
# Victim declined to participate in the military justice action	158
# Insufficient evidence of any offense	190
# Statute of limitations had expired	1
# Unfounded by Command	18
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	33
<b># Pre-FY10 subjects still awaiting command action as of 30-SEP-10</b>	<b>186</b>
<b># Pre-FY10 subjects for whom command action was completed as of 30-SEP-10</b>	<b>557</b>
<b># Evidence Supports Command Action for the following Pre-FY10 Sexual Assault Subjects</b>	<b>557</b>
# Courts-martial charge preferred (Initiated)	342
# Nonjudicial punishments (Article 15 UCMJ)	93
# Administrative discharges	55
# Other administrative actions	67
* Restricted Reports that convert to Unrestricted Reports are counted with the total number of Unrestricted Reports.	





FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULT—DEMOGRAPHICS PART 2

6. REPORTS SERVING ASSAULTS INVOLVING SERVICE MEMBERS (Or ex-ADJUTANT Service Members) IN THE MILITARY: CONSIDERED FOR ANALYSIS (EXCEPT CATEGORY 609)		2-Step (Oct. 1-09)	Indirect Assault (Oct. 1-09)	Non-consensual (Oct. 1-09)	Attempted Contact (Oct. 8-09)	Rate (Oct. 1-09)	Approved Sexual Assault (Oct. 1-09)	Approved Sexual Assault (Oct. 1-09)	Abusive Sexual Assault (Oct. 1-09)	Wrongful Sexual Assault (Oct. 1-09)	Non-consensual (Oct. 1-09)	Attempted Contact (Oct. 8-09)	2-Step (Oct. 1-09)	Approved Sexual Assault (Oct. 1-09)	Approved Sexual Assault (Oct. 1-09)	Abusive Sexual Assault (Oct. 1-09)	Wrongful Sexual Assault (Oct. 1-09)	Non-consensual (Oct. 1-09)	Attempted Contact (Oct. 8-09)	FY10 PTD Rate
<b>REPORTING OFFICERS ON SUBJECTS IN COMPLETE FY10 INVESTIGATIONS</b>																				
Grade of SUBJECTS		19	6	7	0	76	63	7	13	53	23	1	332	443	31	58	416	123	6	1,729
# Active		16	0	0	0	64	71	3	11	46	16	1	282	432	31	58	416	123	6	1,729
# Retired		3	6	7	0	11	11	4	2	7	7	0	50	11	0	0	0	0	0	0
<b>Area of SUBJECTS</b>		14	6	7	0	76	63	7	13	53	23	1	332	443	31	58	416	123	6	1,729
# Active		14	6	7	0	76	63	7	13	53	23	1	332	443	31	58	416	123	6	1,729
# Retired		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Age of SUBJECTS</b>		11	3	4	0	40	33	3	11	27	12	1	170	146	22	45	202	55	0	272
# 18-24		3	1	1	0	11	9	1	3	4	4	0	42	33	4	7	33	8	0	20
# 25-34		3	1	1	0	13	10	1	3	6	3	0	57	42	3	10	27	11	0	111
# 35-44		4	1	1	0	23	16	0	3	13	7	0	82	58	3	12	131	33	0	414
# 45-54		1	0	0	0	6	4	0	0	1	0	0	8	6	0	0	6	0	0	12
# 55 and Older		1	0	0	0	10	3	0	0	0	0	0	8	0	0	0	2	0	0	27
<b>Grade of SUBJECTS</b>		19	6	7	0	76	63	7	13	53	23	1	332	443	31	58	416	123	6	1,729
# E-1-E4		2	0	0	0	24	21	3	1	12	6	0	129	248	18	30	218	88	1	804
# E-5 and Older		17	6	7	0	52	42	4	12	41	17	1	203	195	13	28	198	35	5	925
<b>Branch of SUBJECTS</b>		16	2	0	0	26	28	0	0	0	0	0	151	140	11	13	132	28	0	1,010
# Army		16	2	0	0	26	28	0	0	0	0	0	151	140	11	13	132	28	0	1,010
# Air Force		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Navy		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Marine		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Coast Guard		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Service of SUBJECTS</b>		11	3	4	0	40	33	3	11	27	12	1	170	146	22	45	202	55	0	272
# Active		11	3	4	0	40	33	3	11	27	12	1	170	146	22	45	202	55	0	272
# Retired		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Frequency of SUBJECTS</b>		11	3	4	0	40	33	3	11	27	12	1	170	146	22	45	202	55	0	272
# First Sexual Assault		11	3	4	0	40	33	3	11	27	12	1	170	146	22	45	202	55	0	272
# Recurrent Sexual Assault		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Status of SUBJECTS</b>		19	6	7	0	76	63	7	13	53	23	1	332	443	31	58	416	123	6	1,729
# Active Duty		14	5	7	0	54	45	4	12	46	14	1	248	318	24	52	342	86	3	1,394
# Reserve (Active)		2	0	0	0	1	1	0	0	0	0	0	2	2	0	0	0	0	0	0
# Reserve (Inactive)		1	0	0	0	1	1	0	0	0	0	0	1	1	0	0	0	0	0	0
# National Guard		2	0	0	0	1	1	0	0	0	0	0	2	2	0	0	0	0	0	0
# Civilian/Retiree		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Spouse/Dependent		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Family Member		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown		1	0	0	0	1	1	0	0	0	0	0	1	1	0	0	0	0	0	0

## FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT—PART 1

<b>DoD FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY</b>	
<b>A. FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)</b>	<b>FY10 TOTALS</b>
<b># VICTIMS in Restricted Reports</b>	<b>882</b>
# Converted from Restricted Report to Unrestricted Report*	134
<b># FY10 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>748</b>
<b># Reported sexual assaults AGAINST Service Member victims in the following categories</b>	<b>882</b>
# Service Member on Service Member	352
# Non-Service Member on Service Member	115
# Unidentified subject on Service Member	415
<b># Reported sexual assaults occurring</b>	<b>882</b>
# On military installation	341
# Off military installation	516
# Unidentified location	25
<b>B. INCIDENT DETAILS</b>	<b>FY10 TOTALS</b>
<b>Length of time between sexual assault and Restricted Report</b>	<b>882</b>
# Reports made within 3 days of sexual assault	335
# Reports made within 4 to 30 days after sexual assault	178
# Reports made within 31 to 365 days after sexual assault	191
# Reports made longer than 365 days after sexual assault	98
# Unknown	80
<b>Time of sexual assault incident</b>	<b>882</b>
# Midnight to 6 am	338
# 6 am to 6 pm	97
# 6 pm to midnight	328
# Unknown	119
<b>Day of sexual assault incident</b>	<b>882</b>
# Sunday	119
# Monday	64
# Tuesday	51
# Wednesday	78
# Thursday	72
# Friday	132
# Saturday	216
# Unknown	150
<b>C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION</b>	<b>FY10 TOTALS</b>
<b># VICTIMS</b>	<b>882</b>
# Army victims	327
# Navy victims	169
# Marines victims	51
# Air Force victims	287
# Coast Guard	4
# Unknown	44

## FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT—PART 2

D. DEMOGRAPHICS FOR FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY10 TOTALS
<b>Gender of VICTIMS</b>	<b>882</b>
# Male	114
# Female	739
# Unknown	29
<b>Age of VICTIMS</b>	<b>882</b>
# 16-19	191
# 20-24	392
# 25-34	188
# 35-49	49
# 50-64	0
# 65 and older	0
# Unknown	62
<b>Grade of VICTIMS</b>	<b>882</b>
# E1-E4	600
# E5-E9	145
# WO1-WO5	0
# O1-O3	38
# O4-O10	9
# Cadet/Midshipman	23
# US Civilian	1
# Unknown	66
<b>Status of VICTIMS</b>	<b>882</b>
# Active Duty	733
# Reserve (Activated)	24
# National Guard (Activated)	49
# Cadet/Midshipman	23
# US Civilian	6
# Unknown	47
* The Restricted Reports reports that converted to Unrestricted Reports are counted in the total number of Unrestricted Reports listed in Worksheet 1a, Section A.	

## FY10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT

<b>DOD FY10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY</b>	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made.</i>	
<b>A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:</b>	<b>FY10 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>2,156</b>
# Medical	691
# Counseling	970
# Legal	495
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>528</b>
# Medical	139
# Counseling	323
# Legal	66
<b># Cases where SAFEs were conducted</b>	267
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0
<b># Military Victims making an UR that received service referrals for an incident that occurred prior to military service</b>	11
<b>B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:</b>	<b>FY10 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>640</b>
# Medical	263
# Counseling	347
# Legal	30
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>142</b>
# Medical	44
# Counseling	93
# Legal	5
<b># Cases where SAFEs were conducted</b>	111
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0
<b># Military Victims making a RR that received service referrals for an incident that occurred prior to military service</b>	75
<b>C. SUPPORT SERVICE REFERRALS TO NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:</b>	<b>FY10 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>376</b>
# Medical	120
# Counseling	122
# Legal	134
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>359</b>
# Medical	90
# Counseling	189
# Legal	80
<b># Cases where SAFEs were conducted</b>	145
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	1
<b>D. FY10 MILITARY PROTECTIVE ORDERS (MPO)*</b>	<b>FY10 TOTALS</b>
<b># Military Protective Orders issued due to an FY10 Unrestricted Report of Sexual Assault</b>	<b>262</b>
<b># Reported MPO Violations in FY10 Completed Investigations</b>	<b>0</b>
# Reported MPO Violations by Subjects	0
# Reported MPO Violations by Victims of Sexual Assault	0
<i>*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim.</i>	

## FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULT: CAIs—PART 1

DoD COMBAT AREAS OF INTEREST FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY	
<b>A. FY10 REPORTS OF SEXUAL ASSAULT IN COMBAT AREAS OF INTEREST (CAI) (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING SERVICE MEMBERS (BY or AGAINST Service Members).</b>	<b>FY10 Totals</b>
<b># VICTIMS in FY10 Unrestricted Reports in Combat Areas of Interest</b>	<b>251</b>
# Service Member victims	244
# Non-Service Member victims	7
<b># Unrestricted Reports in the following categories</b>	<b>238</b>
# Service Member on Service Member	156
# Service Member on Non-Service Member	7
# Non-Service Member on Service Member	35
# Unidentified Subject on Service Member	40
<b># Unrestricted Reports of sexual assault occurring</b>	<b>238</b>
# On military installation	219
# Off military installation	18
# Unidentified location	1
<b># Investigations (From FY10 Unrestricted Reports)</b>	<b>238</b>
# Pending completion as of 30-SEP-10	51
<b># Completed as of 30-SEP-10</b>	<b>187</b>
<b># Restricted Reports in Combat Areas of Interest</b>	<b>46</b>
# Converted from Restricted Report to Unrestricted Report*	16
<b># FY10 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>30</b>
<b>B. FY10 DETAILS OF UNRESTRICTED REPORTS IN COMBAT AREAS OF INTEREST</b>	<b>FY10 Totals</b>
<b>Length of time between sexual assault and Unrestricted Report</b>	<b>238</b>
# Reports made within 3 days of sexual assault	96
# Reports made within 4 to 30 days after sexual assault	66
# Reports made within 31 to 365 days after sexual assault	59
# Reports made longer than 365 days after sexual assault	16
# Unknown	1
<b>Time of sexual assault</b>	<b>238</b>
# Midnight to 6 am	35
# 6 am to 6 pm	61
# 6 pm to midnight	57
# Unknown	85
<b>Day of sexual assault</b>	<b>238</b>
# Sunday	18
# Monday	26
# Tuesday	25
# Wednesday	20
# Thursday	33
# Friday	20
# Saturday	29
# Unknown	67
<b>C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN FY10) IN CAI</b>	<b>FY10 Totals</b>
<b># Investigations initiated and completed during FY10</b>	<b>187</b>
# Investigations with more than one victim, subject, or both	15
<b># SUBJECTS in the completed investigations</b>	<b>204</b>
# Service Member Subjects Investigated by their Own Service	134
# Service Member Subjects Investigated by Another DoD Military Service	8
# Non-Service Member Subjects in DoD Investigations	37
# Unidentified Subjects in DoD Investigations	25
<b># VICTIMS in the completed investigations</b>	<b>194</b>
# Service Member Victims In Own Service Investigations	182
# Service Member Victims In Other DoD Military Service Investigation	7
# Non-Service Member Victims in DoD Investigations	5
# Unknown Victims in DoD Investigations	0

## FY10 UNRESTRICTED REPORTS OF SEXUAL ASSAULT: CAIs—PART 2

D. FINAL DISPOSITIONS FOR SUBJECTS IN FY10 INVESTIGATIONS IN COMBAT AREAS OF INTEREST	FY10 Totals
<b># SUBJECTS in FY10 completed investigations</b>	<b>204</b>
<b>DoD Action Precluded:</b>	<b>25</b>
# Unknown Subjects	16
# Unfounded by Investigative Agency	6
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ	0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	3
<b># Total Command Action Precluded or Declined for Sexual Assault</b>	<b>48</b>
# Probable cause for only non-sexual assault offense	1
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	5
# Insufficient evidence of any offense	22
# Statute of limitations had expired	0
# Unfounded by Command	19
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	1
# Subjects pending completion of command action as of 30-SEP-09	41
<b># Subjects for whom command action was completed as of 30-SEP-10</b>	<b>90</b>
<b># Evidence Supports Command Action for the following FY10 Sexual Assault Subjects</b>	<b>90</b>
# Courts-martial charge preferred (Initiated)	14
# Nonjudicial punishments (Article 15 UCMJ)	33
# Administrative discharges	1
# Other administrative actions	42
<b>E. FINAL DISPOSITIONS FOR PRE-FY10 SUBJECTS IN COMBAT AREAS OF INTEREST (From investigations opened prior to FY10 that were completed in FY10)</b>	<b>FY10 Totals</b>
<b># Total Number of Investigations from CY04 to FY09 pending completion at the end of FY09</b>	<b>51</b>
# Pre-FY10 Investigations STILL PENDING completion as of 30-SEP-10	0
<b># Pre-FY10 Investigations completed of 30-SEP-10</b>	<b>51</b>
<b># SUBJECTS from Pre-FY10 investigations completed as of 30-SEP-10</b>	<b>83</b>
<b># Final DISPOSITIONS Rendered in FY10 for SUBJECTS from Pre-FY10 Investigations</b>	<b>83</b>
<b>DoD Action Precluded:</b>	<b>13</b>
# Unknown Subjects	10
# Unfounded by Investigative Agency	1
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ	0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	2
<b># Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section</b>	<b>14</b>
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	9
# Statute of limitations had expired	0
# Unfounded by Command	5
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	0
<b># Pre-FY10 subjects still awaiting command action as of 30-SEP-10</b>	<b>11</b>
<b># Pre-FY10 subjects for whom command action was completed as of 30-SEP-10</b>	<b>45</b>
<b># Evidence Supports Command Action for the following Pre-FY10 Sexual Assault Subjects</b>	<b>45</b>
# Courts-martial charge preferred (Initiated)	16
# Nonjudicial punishments (Article 15 UCMJ)	13
# Administrative discharges	2
# Other administrative actions	14
* Restricted Reports that convert to Unrestricted Reports are counted with the total number of Unrestricted Reports.	







**FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT: CAIs—PART 1**

DOD COMBAT AREAS OF INTEREST (CAI) FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
<b>A. FY10 COMBAT AREAS OF INTEREST - RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)</b>	<b>FY10 Totals</b>
<b># Restricted Reports in Combat Areas of Interest</b>	<b>46</b>
# Converted from Restricted Report to Unrestricted Report*	16
<b># FY10 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>30</b>
<b># Reported sexual assaults AGAINST Service Member victims in the following categories</b>	<b>46</b>
# Service Member on Service Member	14
# Non-Service Member on Service Member	1
# Unidentified subject on Service Member	31
<b># Reported sexual assaults occurring</b>	<b>46</b>
# On military installation	36
# Off military installation	9
# Unidentified location	1
<b>B. CAI INCIDENT DETAILS</b>	<b>FY10 TOTALS</b>
<b>Length of time between sexual assault and Restricted Report</b>	<b>46</b>
# Reports made within 3 days of sexual assault	11
# Reports made within 4 to 30 days after sexual assault	10
# Reports made within 31 to 365 days after sexual assault	17
# Reports made longer than 365 days after sexual assault	5
# Unknown	3
<b>Time of sexual assault incident</b>	<b>46</b>
# Midnight to 6 am	20
# 6 am to 6 pm	9
# 6 pm to midnight	13
# Unknown	4
<b>Day of sexual assault incident</b>	<b>46</b>
# Sunday	3
# Monday	4
# Tuesday	7
# Wednesday	5
# Thursday	8
# Friday	4
# Saturday	10
# Unknown	5
<b>C. CAI RESTRICTED REPORTS - VICTIM SERVICE AFFILIATION</b>	<b>FY10 TOTALS</b>
<b># VICTIMS</b>	<b>46</b>
# Army	35
# Air Force	8
# Navy	2
# Marines	0
# Coast Guard	0
# Unknown	1

**FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT: CAIs—PART 2**

D. CAI DEMOGRAPHICS FOR FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY10 TOTALS
<b>Gender of VICTIMS</b>	<b>46</b>
# Male	7
# Female	38
# Unknown	1
<b>Age of VICTIMS</b>	<b>46</b>
# 16-19	3
# 20-24	19
# 25-34	16
# 35-49	7
# 50-64	0
# 65 and older	0
# Unknown	1
<b>Grade of VICTIMS</b>	<b>46</b>
# E1-E4	29
# E5-E9	12
# WO1-WO5	0
# O1-O3	2
# O4-O10	2
# Cadet/Midshipman	0
# US Civilian	0
# Unknown	1
<b>Status of VICTIMS</b>	<b>46</b>
# Active Duty	34
# Reserve (Activated)	2
# National Guard (Activated)	9
# US Civilian	0
# Cadet/Midshipman	0
# Unknown	1
* The Restricted Reports reports that converted to Unrestricted Reports are counted in the total number of Unrestricted Reports listed in Worksheet 4a, Section A.	

## FY10 RESTRICTED REPORTS OF SEXUAL ASSAULT: CAIs—LOCATION OF RESTRICTED REPORTS

DoD COMBAT AREAS OF INTEREST - LOCATION OF FY10 RESTRICTED REPORTS	
E. TOTAL # FY10 COMBAT AREAS OF INTEREST -RESTRICTED REPORTS OF SEXUAL ASSAULT	FY10 Totals
<b>TOTAL RESTRICTED ASSAULTS IN COMBAT AREAS OF INTEREST</b>	<b>46</b>
<b>Arabian Peninsula, Iraq &amp; Red Sea</b>	
Bahrain	1
<b>Iraq</b>	<b>26</b>
Jordan	0
Lebanon	0
Syria	0
Yemen	0
Djibouti	2
Egypt	0
Kuwait	3
Oman	0
Qatar	3
Saudi Arabia	0
United Arab Emirates	1
<b>Central and South Asia</b>	
Iran	0
Kyrgyzstan	1
Pakistan	0
<b>Afghanistan</b>	<b>9</b>

## FY10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT: CAIs

DoD COMBAT AREAS OF INTEREST: FY10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made.</i>	
<b>A. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN UNRESTRICTED REPORTS:</b>	<b>FY10 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>61</b>
# Medical	26
# Counseling	26
# Legal	9
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>1</b>
# Medical	1
# Counseling	0
# Legal	0
<b># Cases where SAFEs were conducted</b>	7
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0
<b># Military Victims in UR that received service referrals for an incident that occurred prior to military service</b>	2
<b>B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:</b>	<b>FY10 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>30</b>
# Medical	17
# Counseling	13
# Legal	0
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>0</b>
# Medical	0
# Counseling	0
# Legal	0
<b># Cases where SAFEs were conducted</b>	2
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0
<b># Military Victims in RR that received service referrals for an incident that occurred prior to military service</b>	0
<b>C. SUPPORT SERVICE REFERRALS FOR NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:</b>	<b>FY10 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>1</b>
# Medical	1
# Counseling	0
# Legal	0
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>0</b>
# Medical	0
# Counseling	0
# Legal	0
<b># Cases where SAFEs were conducted</b>	0
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0
<b>D. FY10 MILITARY PROTECTIVE ORDERS (MPO)*</b>	<b>FY10 TOTALS</b>
<b># Military Protective Orders issued due to an FY10 Unrestricted Report of Sexual Assault</b>	<b>10</b>
<b># Reported MPO Violations in FY10 Completed Investigations</b>	<b>0</b>
# Reported MPO Violations by Subjects	0
# Reported MPO Violations by Victims of Sexual Assault	0
*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim.	