



## Appendix F: Domestic Abuse-Related Sexual Assault



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The Family Advocacy Program (FAP) is the congressionally mandated Department of Defense (DoD) program responsible for providing clinical assessment, support, and treatment services in response to reported incidents of domestic abuse in military families. Sexual assault occurring within the context of a marriage or intimate partner relationship (sexual abuse) is a subset of domestic abuse.

### Oversight Responsibilities

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Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, DoD FAP has broad responsibility for promoting public awareness and prevention of domestic abuse and child abuse and neglect, providing victims of domestic abuse with the option for making a Restricted Report, and coordinating comprehensive advocacy, clinical intervention, safety and risk assessment, and other support to victims.

### Definition of Domestic Abuse

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DoD Instruction 6400.06, “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel,” defines “domestic abuse” as “...[d]omestic violence or a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person who is:

- A current or former spouse; or
- A person with whom the abuser shares a child in common; or
- A current or former intimate partner with whom the abuser shares or has shared a common domicile.”<sup>1</sup>

Sexual assault occurring within the context of domestic abuse is referred to FAP for comprehensive safety planning, victim advocacy and support, and treatment when appropriate.

### Data

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Comprehensive data and analysis of all domestic abuse is included in the *Report on Child Abuse and Neglect and Domestic Abuse in the Military for Fiscal Year 2021*, released September 2022, in accordance with Section 574 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017 (Public Law 114-328), as amended by Section 549 of the NDAA for FY 2022 (Public Law 117-81).

### Data Collection

FAP incident data are tracked by the Military Departments and reported to the Department through the FAP Central Registry maintained by the Defense Manpower Data Center. The FAP Central Registry contains information pertaining to incidents that met criteria for abuse. In this context, “met criteria” means that the incident met the DoD definition of abuse set forth by a

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<sup>1</sup> DoD Instruction 6400.06, “DoD Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel,” December 15, 2021, includes an updated definition of domestic abuse. The definition cited in-text was in place for the period covered by this report.

standardized algorithm that indicates the need for more rigorous treatment, intervention, support, safety planning, and protection.

### Victim Characteristics

FAP Central Registry data indicate that in FY 2021, there were 390 unique victims of adult sexual abuse who received FAP services. Figure 1 shows the number of unique victims of adult sexual abuse who received FAP services since FY 2016, the first year FAP provided DoD Sexual Assault Prevention and Response Office (SAPRO) with domestic abuse-related sexual assault data. Following a relatively consistent number of unique victims from FY 2016 to FY 2019, the number of victims of adult sexual abuse increased from FY 2019 to FY 2020, and then increased more dramatically from FY 2020 to FY 2021. These periods of increase correspond to the coronavirus pandemic—a period marked by increases in domestic abuse nationally.<sup>2</sup>

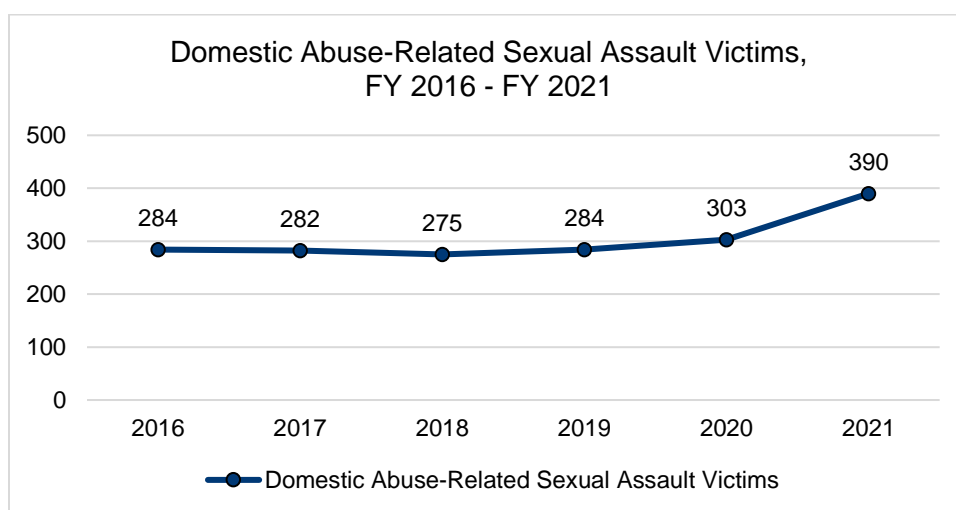


Figure 1. Domestic Abuse-Related Sexual Assault Victims, FY 2016 – FY 2021

Of the 390 victims, 374 (95.9 percent) were female and 16 (4.1 percent) were male. Of the 390 victims, 225 (57.7 percent) were family members, 130 (33.3 percent) were Service members, 33 (8.5 percent) were non-beneficiaries, and 2 (0.5 percent) were civilian non-DoD beneficiaries (e.g., retired Service members or government contractors).

### Alleged Offender Characteristics

There were 380 alleged offenders of adult sexual abuse: 366 (96.3 percent) were male and 14 (3.7 percent) were female. Of the 380 alleged offenders, 313 (82.4 percent) were Service members; 57 (15.0 percent) were family members; 8 (2.1 percent) were non-beneficiaries represented; and 2 (0.5 percent) were civilian non-DoD beneficiaries (e.g., retired Service members or government contractors).

<sup>2</sup> Piquero, A. R., Jennings, W. G., Jemison, E., Kaukinen, C., & Knaul, F. M. (2021, March). *Domestic Violence During COVID-19: Evidence from a Systematic Review and Meta-Analysis*. Washington, D.C.: Council on Criminal Justice. Retrieved from: <https://counciloncj.org/impact-report-covid-19-and-domestic-violence-trends/>

Of the 313 alleged offenders who were Service members, 307 (98.1 percent) were active duty members and 6 (1.9 percent) were members of the Reserves or National Guard. Of the 313 Service members, 281 (89.8 percent) were enlisted members, 30 (9.6 percent) were officers, and 2 (0.6 percent) were warrant officers.

## Accountability

The mission and scope of FAP is to provide comprehensive clinical assessment and support services to individuals and families impacted by domestic abuse and child abuse and neglect. FAP's primary focus is to assess the risk to, and safety of, victims and families; provide support and clinical services for the victim; and provide treatment and rehabilitation of the alleged offender, when appropriate. By responsibilities set forth in DoD Manual 6400.01, Volume 1, "Family Advocacy Program (FAP): FAP Standards," FAP reports all Unrestricted Reports of domestic abuse to law enforcement within 24 hours. As part of the Coordinated Community Response model employed by DoD, first responder law enforcement (military or civilian, depending on jurisdiction) and military criminal investigative personnel have responsibility for investigating reports of alleged domestic abuse. Investigation, command action, and legal adjudication, as appropriate, are addressed by other organizations outside of FAP.

FAP social workers, prevention specialists, victim advocates, and nurses provide critical clinical and support services to families impacted by these often complex incidents and are bound ethically to promote the well-being of clients and support their self-determination. Responsibility for holding alleged offenders appropriately accountable and tracking associated outcomes falls to command and applicable law enforcement and civilian or military justice systems, as appropriate.

## Survey Estimates

A new feature of the 2021 *Workplace and Gender Relations Survey (WGR)* is the ability to estimate the prevalence of intimate partner involved unwanted sexual contact incidents for the Active and Reserve Components. It is important to note that although the survey respondent population was only military members, FAP also provides services to civilian spouses and civilian intimate partners, and therefore the 2021 *WGR* estimates do not capture the civilian victim population.

In the 2021 *WGR*, the estimated rate of past year intimate partner-related unwanted sexual contact was 0.9 percent for active duty Service member women and 0.1 percent for active duty Service member men. Intimate partner involved incidents account for 11 percent of unwanted sexual contacts experienced by active duty Service women and 9 percent of incidents experienced by active duty Service men. More information can be found in Annex 1 of the FY 2021 *DoD Annual Report on Sexual Assault in the Military*.