

116. (DoD) Please provide documents relating to the DoD SAPRO oversight of progress and completion of the recommendations of the Defense Task Force on Sexual Assault in the Military (DTF-SAMS) (2009) and recommendations of the Government Accountability Office (GAO), including a report of current status through FY13. (See FY12 SAPRO Report, p. 42.)

DoD	<p><b>*RSP Note* All documents provided through the non-publically accessible links have been downloaded and have been attached to the corresponding responses.</b></p> <p>SAPRO provides oversight of progress and completion of the DTF-SAMS and GAO recommendations through various methods which include:</p> <ul style="list-style-type: none"><li>• Tracking the Department's SAPR Strategic Plan (May 6, 2013) <a href="http://www.sapr.mil/public/docs/reports/SecDef_SAPR_Memo_Strategy_Atch_06052013.pdf">http://www.sapr.mil/public/docs/reports/SecDef_SAPR_Memo_Strategy_Atch_06052013.pdf</a></li><li>• SAPRO initially developed and deployed an Oversight Tracker for monitoring each recommendation. This was recently replaced with the SAPR Strategy Tracking Tool on SharePoint. This enhanced capability allows for the following:<ul style="list-style-type: none"><li>o Services can directly input status and upload supporting documentation.</li><li>o SAPR Strategy Tracking Tool can be used to provide periodic updates at the SAPR IPT, before the DoD Inspector General, and to members of Congress.</li><li>o SAPR Strategy Tracking Tool can also receive status updates from the Military services regarding their annual service reports.</li></ul></li><li>• The report of current status for GAO and DTFSAMS is provided at Q#116 by using the following link: <a href="https://pmev2.bah.com/sites/DSAID/Document_Transfer/Forms/AllItems.aspx">https://pmev2.bah.com/sites/DSAID/Document_Transfer/Forms/AllItems.aspx</a></li></ul>
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**Narrative responses have been consolidated by the Response Systems Panel (RSP). Please forgive formatting errors in text and data. Source documents for narrative responses can be obtained by contacting the RSP.**



OFFICE OF THE SECRETARY OF DEFENSE  
**SEXUAL ASSAULT PREVENTION  
AND RESPONSE OFFICE**

# DTFSAMS

## Assessment Background

- ✓ Convened in August 08 with a 10 member panel appointed by the SECDEF
- ✓ Chartered to examine and report on matters relating to sexual assault in cases involving members of the Armed Forces
- ✓ Conducted site visits, interviews and focus groups at 60 military locations
- ✓ Submitted report to SECDEF and Congress on 1 December 2009
  - **91 recommendations** in four sexual assault areas (strategic direction, prevention and training, response to victims, and accountability)

## Director's Takeaway

5 Recommendations remain open

- ✓ All agencies continue to work implementation

## Assessment Status

### POCs and Open Recommendations (5)

#### DoD SAPRO

- Recommendation 7: Review Armed Forces Reserve Component Sexual Assault Prevention and Response Program. **Status: In progress**
- Recommendation 30c: Monitor the implementation of sexual assault prevention and response programs as well as military justice and jurisdiction issues at joint basing locations. **Status: Planned**

#### DoD IG & OGC

- Recommendation IG LTR 1b: Military law enforcement agencies videotape interviews of alleged sexual assault offenders. **Status: In progress**

#### OSD Health Affairs

- Recommendation 26b: Direct that military separation physicals shall include an assessment of sexual trauma, previously disclosed or undisclosed, during active duty service. **Status: In progress**

#### DoD Legal Policy

- Recommendation DUSD (Plans) LTR 3: Update the list of offenses (or require military judges to make a determination) for which a conviction triggers sex offender registration requirements and exclude those offenses for which registration is inappropriate. **Status: In progress**



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GAO

## Assessment Background

- GAO has conducted 5 engagements
  1. Jan 08 - Sexual Harassment and Assault at the Military Academies (3 recommendations)
  2. Aug 08 - SAPR Programs (9 recommendations)
  3. Feb 10 - SAPR Programs (10 recommendations)
  4. Jun 11 - Sexual Assault Investigations & Adjudications (3 recommendations)
  5. Jan 13 – Health Care Services for Sexual Assault Victims (2 recommendations)
- Ongoing GAO engagements
  - Evaluate sexual misconduct prevention at basic and technical training (ECD: April 2014)
  - Review DoD's programs for male victims of sexual assault (ECD: May 30, 2014)
- Forecasted GAO engagement - to evaluate DSAID effectiveness 545 days after certification (February 2014)

## Takeaway

- 2 Recommendations remain open
- All agencies continue to work implementation

## Assessment Status

### POCs and Open Recommendations (2)

#### DoD Inspector General/MCIOs

- Recommendation 25: Develop a plan for leveraging each other's (MCIOs) resources and expertise for investigating and adjudicating alleged sexual assault incidents. **Status: Partially implemented**

#### OSD Health Affairs

- Recommendation 26: Develop and implement department-level guidance on the provision of medical and mental health care to victims of sexual assault victims, whether in the US or in deployed environments. **Status: Partially implemented**

002920



SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000

APR 20 2011

The Honorable Carl Levin  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

I am writing in response to your letter of February 18, 2011, requesting my assessment of the progress made in preventing and responding to sexual assault in the Armed Forces.

The Department has a zero tolerance policy on sexual assault. The Chairman of the Joint Chiefs of Staff, the Joint Chiefs, and the Service Secretaries are continuously and directly engaged in emphasizing the importance of addressing sexual assault. The Department is deeply committed to broad and focused improvements in how we prevent and respond to sexual assault.

On March 15, 2011, the Department presented its Annual Report on Sexual Assault in the Military to Congress. This report is generated from the Sexual Assault Prevention and Response Office with input from the Services. As noted in the Annual Report, advancements have been made. Since 2006, the rate of reported unwanted sexual contact appears to have been reduced. Dozens of investigators, field instructors, prosecutors and lab examiners have been hired and more victims are stepping forward to report assaults.

In addition to the Sexual Assault Prevention and Response Office, the Defense Task Force on Sexual Assault in the Military Services (DTFSAMS) was established to conduct an examination of matters relating to sexual assault in the Armed Forces. As you know, the findings of this Task Force were forwarded to Congress in May 2010. The Department generally agreed with a majority of the 91 recommendations made by the Task Force.

Many of the Task Force's recommendations were either previously implemented, currently in progress, or already under consideration. In 2010, the Department developed a tracking system for prioritizing and implementing the recommended changes. To date, 26 recommendations have been completed or closed, 61 recommendations are working in progress, and action plans have been developed for the remaining 4 recommendations. For example, DTFSAMS recommended that prosecutors receive specialized training, prior to their assignment, regarding trial strategies for sexual assault cases. The Department has made considerable progress in this area by investing over \$1.8 million in the last two years for the Services to train prosecutors. The Services have increased their individual capabilities through diverse training programs and an increase in the number of investigators and prosecutors with specialized training. Earlier this year, the Military Services provided the Department with a status update for



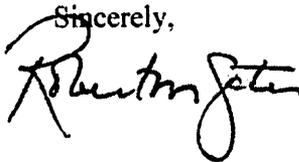
002921

the DTFSAMS recommendations. As requested, a report on the Department's actions-to-date is enclosed.

Separate from the Annual Report and DTFSAMS recommendations, I directed several actions to better position the Department to prevent and respond to sexual assaults. These actions include the continued expansion the Department's victims' advocate program, which has already increased by more than 3,000 advocates now located at every installation, including those in Iraq and Afghanistan. The Department also submitted a proposed Executive Order that would create a Victim Advocate Privilege for cases arising under the Uniform Code of Military Justice. The proposed privilege is modeled after the Department's psychotherapist-patient privilege. If signed by the President, this Order will become part of the Manual for Courts-Martial Military Rules of evidence. Finally, I have directed Dr. Clifford Stanley, Under Secretary of Defense for Personnel and Readiness, to assess the Department's current efforts and provide recommendations to create a more comprehensive, integrated, and uniform approach to sexual assault.

I will continue to keep you updated on the Department's efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. Gates". The signature is written in a cursive style with a large initial "R" and a long, sweeping underline.

Enclosure:  
As stated

**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
1	Place responsibility for Sexual Assault Prevention and Response Office (SAPRO) directly with the Deputy Secretary of Defense (DepSecDef), for at least one year and until the Secretary of Defense apprises Congress that the program has established a strong organizational base.	Green	Secretary of Defense	The SAPRO is appropriately placed in the Department, reporting to the Under Secretary of Defense for Personnel and Readiness. To meet the intent behind this recommendation, the DepSecDef agreed to place the Deputy's Advisory Working Group in the Department of Defense Sexual Assault Prevention and Response (SAPR) Advisory and Oversight Structure.
2	Include the SAPR Program in its Program Objective Memorandum (POM) budgeting process to ensure a separate line of funding be allocated to the Services.	Green	Secretary of Defense	The Department established program element codes to allocate funding to the Services, Reserves and National Guard. However, the Services have chosen to include funding for their SAPR Programs in their Services POM.

002923

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**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
3a	Establish consistent SAPR terminology, position descriptions, minimum program standards, and organizational structures throughout the Military Services.	Yellow	Secretary of Defense	The following terms have been submitted to the Joint Publication 1-02 to be used as SAPR standard terms to include SAPR Program, the SAPRO, Sexual Assault Response Coordinator (SARC), SAPR Victim Advocate (VA), Sexual Assault Forensic Exam (SAFE) Kit, Restricted Reporting, and Unrestricted Reporting. The Joint Publication 1-02 is reissued annually and the SAPR standard terms will be included in the next release. The Department established an Office of the Secretary of Defense-level working group in April 2010 to develop and deliver recommendations on position descriptions, minimum program standards and organizational structures to the Under Secretary of Defense for Personnel and Readiness (USD (P&R)) in December 2010. USD (P&R) approved the recommendations. Implementation of the recommendations is due by December 2011.
3b1	Fund research to identify and validate metrics that can more accurately measure the incidence of sexual assault within and outside the military.	Green	Congress	The Department identified and funded metrics.

002924

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Green: 26 • Yellow: 61 • Red: 4

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
3b2	Conduct a bi-annual gender relations survey of an adequate sample of Service Members to evaluate and manage DoD's SAPR Program.	Yellow	Secretary of Defense	The SAPRO worked with the Defense Manpower Data Center (DMDC) to modify the quadrennial Workplace and Gender Relations Survey of Active Duty Members (WGRA) to include questions on the sexual assault prevention and response program. DMDC conducted the survey in the Spring 2010 and the results of this survey will be included in the FY 2010 Annual Report on Sexual Assault in the Military. This Report was submitted on March 15, 2011. DMDC is exploring the possibility of using a Quick Compass Survey with questions from the WGRA to conduct a survey of Service members on sexual assault prevention and response issues to meet the bi-annual requirement.

002925

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
3c	Set forth clear guidance on the distinct but related issues of sexual harassment and sexual assault, as well as their associated organizational entities.	Yellow	Secretary of Defense	The Department of Defense Instruction for SAPR addresses the distinction between sexual assault and sexual harassment and it is required in training. However, a Working IPT has been established to discuss and further address this recommendation. In the mean time, the SAPR 101 course was added to the Equal Opportunity/Equal Employment Opportunity Advisor training at the Defense Equal Opportunity Management Institute. The SAPRO provided the SAPR 101 course three times to date.
3d	Set forth clear guidance to all commanders that their leadership of their commands' sexual assault prevention and response program is a non-delegable responsibility.	Green	Secretaries of the Military Departments	The Services implemented and provided documentation of completion to close this recommendation.
3e	Establish standards to assess and manage each of the Service's SAPR programs and ensure the Services comply with those standards.	Yellow	Secretary of Defense	Recommendation is under review.

002926

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
4a	Establish a Sexual Assault Advisory Board (SAAB) modeled after other Defense advisory boards such as the Defense Business Board, Defense Policy Board, or Defense Science Board.	Green	Secretary of Defense	In place of the SAAB, the Department established a SAPR Summit to share best practices and discuss trends and new techniques within the defense, civilian, and international communities. Membership includes senior Department of Defense leadership, Departments of Justice, State, Health and Human Services, Veterans Affairs, and Centers for Disease Control and outside civilian experts on criminal law and sexual assault prevention, response and training. The Department is currently planning the first SAPR Summit for Spring 2011.

002927

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
4b	Reorganize and limit the current Sexual Assault Advisory Council (SAAC) to DoD personnel.	Green	Secretary of Defense	The Director, Requirements and Strategic Integration (RSI), approved a new DoD SAPR Advisory and Oversight Structure to address DoD SAPR policy and implementation issues. The new structure consists of the SAPR Integrated Product Team (IPT), chaired by the Director, RSI. Membership is limited to DoD personnel and includes the Secretaries for Manpower and Reserve Affairs for the Army and the Air Force and the Director, Department of the Navy SAPRO. The first SAPR IPT was held in February 2011. Working IPTs will be established on an as needed basis to address a specific issue. Two have been established to date.

002928

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
4c	Create committees at the Service level paralleling the DoD SAAC, if they have not already done so (as recommended and described above.)	Yellow	Secretaries of the Military Departments	The Army implemented the standing program General Officer Steering Committee in April 2008. The Department of the Navy SAAC was established in FY 2009. Since 2004, the Air Force has maintained a "standing" Working Group at the Secretariat/Air Staff level with membership at the O-5/O-6 level. Additionally, an Executive Steering Group meets as necessary to address issues and review the program. Anticipating changes to the new DoD SAPR Advisory and Oversight Structure, the Air Force will formalize a more formal Air Force Service level committee in early 2011.
5a	Proactively engaged in DoD sexual assault policy development and legislation. The Secretary of Defense should ensure that the Military Services and DoD SAPRO consult with one another on policy and legislative efforts that have implications for sexual assault prevention and response.	Yellow	Sexual Assault Prevention and Response Office	Both the Services and SAPRO have the ability to develop and submit for approval a Working IPT work plan to address a legislative or policy issue. The Department expanded this recommendation to include research and effective practices per the Oversight Framework.

002929

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
5b	Ensure the Department's SAPRO structure reflects the expertise and staffing necessary to accomplish the primary missions of prevention, response, training, and accountability.	Yellow	Secretary of Defense	The Department conducted a review of the current organization structure and needs, and developed a new structure to meet those needs. The implementation of this structure is partially completed and on hold due to the Department's Efficiencies Review.
5c	Restructure the SAPRO to be led by a general or flag officer and staffed with at least one uniformed member from each Service, a judge advocate who served as the staff judge advocate in an active general court-martial jurisdiction, and other OSD personnel, to include a VA whose responsibilities include direct communication with victims.	Yellow	Secretary of Defense	Per the recommendation, the SAPRO has already established a VA position and is working towards obtaining direct communication with victims. The Office of the General Counsel provides legal advice to SAPRO. The FY 2011 National Defense Authorization Act requires an officer from each of the Armed Forces in the grade of O-4 or above to be assigned to SAPRO for a minimum tour length of at least 18 months. Also, of the 4 officers assigned to SAPRO, 1 officer shall be in the grade of O-6 or above.

002930

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
6a1	Require that SARCs be full-time Service Members or DoD civilian employees and ensure each military installation or similar organizational level has a SARC.	Yellow	Secretary of Defense	Recommendation is under review. The Air Force has already implemented this recommendation and provided documentation to close. The Army is currently implementing this recommendation but not completed.
6a2	Establish Military Deployable Sexual Assault Response Coordinators (DSARCs) that are appointed and trained on their specific roles and responsibilities prior to deployment. DSARCs should serve as back-up for the SARC when not deployed. Appropriate number of DSARCs should be a function of military population and mission.	Yellow	Secretaries of the Military Departments	The Army, Marine Corps, and Air Force implemented this recommendation and provided documentation of completion to close. A Working IPT has been established to discuss and further address this recommendation.
6a3	Develop standardized SARC and DSARC duty descriptions in the SAPR DoDI to ensure qualified personnel are appointed to fill these critical positions, and to clarify roles and responsibilities.	Yellow	Secretary of Defense	Roles and responsibilities of SARC are outlined in current SAPR Policy. However, a Working IPT has been established to discuss and further address this recommendation.

002931

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
6a4	Ensure that SARCs have direct access to senior commanders and every commander within their areas of responsibility.	Yellow	Secretaries of the Military Departments	The Navy and Air Force implemented and provided documentation completion to close this recommendation. The Army plans to implement this recommendation with a completion date in 2012. In addition, a Working IPT has been established to discuss and further address this recommendation.
6a5	Ensure that the Services discontinue use of Unit Victim Advocates (UVA) and replace UVAs as described below.	Green	Sexual Assault Prevention and Response Office	The Department cannot, as a whole, discontinue use of UVAs. UVAs are a critical resource throughout the Reserve and National Guard components and at geographically dispersed locations within the Army. Embedding properly qualified and trained UVAs in these type of units contributes to improving culture, enhancing commitment to eliminating sexual assault, and provides essential continuity of services in units or locations that otherwise may not have the capability.

002932

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
6a6	Establish VAs, certified by the National Victim Assistance Academy.	Yellow	Secretaries of the Military Departments	<p>All the Services have trained VAs. However, the Department is currently exploring numerous VA certifications to develop a training specific for sexual assault in the military. The Department does not agree with the recommendation to impose minimum grade requirements for VAs. Grade requirements may not be the best indicator of a quality VA. Instead, using proper screening techniques, standardized selection criteria, and developing and implementing specialized training may serve as a more effective means of providing this vital service to victims. The Department is collaborating with the Services to develop meaningful standards that will work within the respective missions and structures of the Services and is reviewing policy to make changes concerning VA certification. Although the certification of a VA in the civilian sector is voluntary, the Department believes that certification brings credibility and professionalism to the role of VAs and will better serve victims of sexual assault. A Working IPT has been established to discuss and address this recommendation.</p>

002933

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
6a7	Establish Military Deployable Victim Advocates (DVAs) certified by the National Victim Assistance Academy who will train with VA on their specific roles and responsibilities in preparation for deployment. DVAs should serve as back-up for the VA when not deployed. Appropriate number of DVAs should be a function of military population and mission.	Yellow	Secretaries of the Military Departments	The Army and the Air Force have established Deployable VA. The Department is currently exploring VA certifications and will collaborate with the Services to develop meaningful standards that will work within the respective missions and structures of the Services and is in the process reviewing policy to make changes concerning VA certification. Although the certification of a VA in the civilian sector is voluntary, the Department believes that certification brings credibility and professionalism to the role of VAs and will better serve victims of sexual assault.
6a8	Direct SAPRO to work with the Services to determine the appropriate number of VAs based on military population and mission.	Yellow	Secretary of Defense	Given the unique mission, force structure, and culture of each Service, it would be appropriate for Services to have input on VA requirements and to retain latitude to modify staffing levels as operational requirements change. The Department will monitor implementation of this recommendation by the Services instead.

002934

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
6b1	Direct the Services to establish two installation-level sexual assault management groups: a Sexual Assault Response Team (SART), responsible for overseeing unrestricted reported cases; and a Sexual Assault Review Board, responsible for installation-level systemic issues.	Yellow	Secretary of Defense	The requirement to establish a Case Management Group, in place of the Sexual Assault Review Board, is under review.
6b2	Establish a SART protocol. At a minimum, this protocol should include that the SART convene within twenty-four hours of a reported sexual assault.	Red	Secretary of Defense	The Department altered this recommendation to meet the intent. It is impractical to mandate a SART meet within 24 hours of a reported sexual assault especially in a deployed environment. Recommendation is under further review.
6b3	Direct the Services to establish a quarterly sexual assault multi-disciplinary group organized as a Sexual Assault Review Board and establish guidelines to include that it be chaired by the senior commander, senior deputy commander, or chief of staff.	Yellow	Secretary of Defense	The roles and responsibilities for the Case Management Group is currently under review.

002935

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
6c1	Ensure the Services include sexual assault prevention and response programs in their IG assessments, using DoD SAPRO metrics and standards. The IG teams should include a member with DoD expertise and knowledge of Service-specific sexual assault prevention and response program policies.	Yellow	Secretary of Defense	The original recommendation was incorrectly directed to the IG and should be directed to the Military Departments. The Army and the Air Force IGs conduct periodic inspections of their Service SAPR programs. The Department developed an action plan to further implement this recommendation at a later date.
6c2	Ensure that IG personnel are not performing SARC duties.	Yellow	Secretary of Defense	The original recommendation was incorrectly directed to the IG and should be directed to the Military Departments. The Army and the Air Force concur with this recommendation and the Department of the Navy discourages this practice. In addition, the Air Force implemented this recommendation in Air Force Instruction 36-6001.
7	Require the Secretary of Defense to review sexual assault prevention and response in the Reserve Components.	Yellow	Congress	The FY 2011 National Defense Authorization Action mandates the Secretary of Defense evaluate the application of the SAPR program to members of the reserve components. The Department plans to officially begin its review of the reserve component SAPR programs and policies in FY 2011.

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002936

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Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
8	Direct that DoD SAPRO collaborate with the Military Services and national leaders to update the 2008 comprehensive sexual assault prevention strategy.	Yellow	Secretary of Defense	The Department is currently refining and updating the Department's Sexual Assault Prevention Strategy. In accordance with the FY 2011 Ike Skelton National Defense Authorization Act, the Department will submit a revised comprehensive policy for the Department of Defense SAPR Program to the congressional defense committees. The Department will also provide a progress report by October 1, 2011.
9	Direct SAPRO to develop and implement an evaluation plan for assessing the effectiveness of the prevention strategy and its intended outcomes at the DoD and Service levels.	Yellow	Secretary of Defense	As part of the 2010 Workplace and Gender Relations Survey of Active Duty Members, the Department evaluated Service members regarding how many received training, their perception of the training and comprehension of prevention topics such as sexual assault prevention and response resources and bystander intervention techniques. The Department will develop the evaluation plan in accordance with the FY 2011 National Defense Authorization Act.

002937

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10	Direct SAPRO to develop training policies and exercise oversight of Military Service sexual assault prevention and response training programs.	Yellow	Secretary of Defense	The Training Subcommittee of the Sexual Assault Advisory Council developed training requirements and are included in the draft SAPR Policy Reissuance scheduled for approval in Spring/Summer 2011. A Working IPT has been established to discuss and address this recommendation in regards to Equal Opportunity Advisors.
11	Establish developmental sexual assault prevention and response training and education curricula for Active Duty, Guard, Reserve, and DoD civilians that supervise military Service members.	Green	Secretaries of the Military Departments	All the Services are in compliance with this recommendation.
12a	Ensure all commanders and senior enlisted leaders are actively involved in sexual assault prevention and response training and awareness programs.	Green	Secretaries of the Military Departments	The Services implemented and provided documentation of completion to close this recommendation.
12b	Ensure that each installation and operational commander assess the adequacy of installation measures to ensure the safest and most secure living and working environments.	Yellow	Secretaries of the Military Departments	The Army and Navy have implemented this recommendation and provided documentation of completion to close. The Air Force's implementation is ongoing.
13	Ensure that all sexual assault prevention and response training emphasizes the importance of immediately contacting the SARC after a sexual assault to ensure preservation of the restricted reporting option and receive guidance on available services and victim care.	Yellow	Sexual Assault Prevention and Response Office	Recommendation is under review.

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002938

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**Green: 26 • Yellow: 61 • Red: 4**

<b>Recommendation Number</b>	<b>Action</b>	<b>Status</b>	<b>DTF-SAMS Tasked To:</b>	<b>Remarks</b>
14	Develop training with the Services on SART protocol, with emphasis on the importance of delivering a coordinated response, and mandate its use throughout the Department of Defense.	Yellow	Sexual Assault Prevention and Response Office	A Working IPT has been established to discuss and address this recommendation.
15	Direct that managers of specialty skills associated with first responders integrate sexual assault response training in their initial and recurring training courses.	Yellow	Sexual Assault Prevention and Response Office	A Working IPT has been established to discuss and address this recommendation.
16	Direct SAPRO to professionalize initial and continuing education requirements for SARCs and VAs.	Yellow	Secretary of Defense	The Navy and the Air Force currently have their SARC certified with a national accreditation. The Army is in process to establish a certification for SARCs. However, a Working IPT has been established to discuss and address this recommendation.
17	Develop and establish peer education programs.	Yellow	Secretaries of the Military Departments	The Army and Navy are in the process of implementing this recommendation. The Air Force is accessing the feasibility of implementing this recommendation.

002939

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**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
18a	Ensure that recruiters are carefully screened and trained, that sexual assault prevention and response program information is effectively disseminated, and that effective oversight is in place to preclude the potential for sexual misconduct.	Yellow	Secretaries of the Military Departments	The Army implemented and provided documentation of completion to close this recommendation. The SARP Office will follow up with the Navy, Marine Corps and Air Force.
18b	Ensure that sexual assault prevention and response awareness campaign materials are available and posted in locations visible to potential and actual recruits.	Green	Secretaries of the Military Departments	The Services implemented and provided documentation of completion to close this recommendation.
19	Ensure that installation commanders, with their SARCs, collaborate with supporting community organizations.	Yellow	Secretaries of the Military Departments	The Army and the Air Force have implemented this recommendation and provided documentation to close. The Navy is reviewing this recommendation.

002940

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
20a	Ensure that each member of the Armed Forces who reports that he or she has been sexually assaulted is given the opportunity to consult with legal counsel qualified in accordance with Article 27(b) UCMJ. The victim will be informed of this opportunity to consult as soon as he or she seeks assistance from a SARC or any other responsible DoD official.	Yellow	Secretary of Defense	Service members are currently informed of their rights by trained VA and Victim/Witness Liaisons (VWL). Law enforcement officials and VWL provide victims with Department of Defense (DD) Form 2701, which summarizes those rights, and DD Forms 2702 and 2703, which list and summarize trial procedures. Service members who are in need of legal advice for issues of collateral misconduct are entitled to the services of a trial defense counsel, depending on the nature of the issue.
20b	Ensure that each member of the Armed Forces who reports that he or she has been sexually assaulted be offered the assistance of a VA who has been certified by the National Victim Assistance Academy and has been recognized by a general court-martial convening authority as qualified to perform VA duties within the Armed Forces.	Yellow	Secretary of Defense	Currently, the Department provides access to a trained VA to all victims of sexual assault. A Working IPT has been established to discuss and further address this recommendation. See remarks from recommendations 6a6.

002941

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
20c	Enact a comprehensive military justice privilege for communications between a VA and a victim of sexual assault.	Yellow	Congress	This matter is under consideration within the Executive Branch.
20d	Ensure that in all courts-martial in which victims of sexual assault testify, victims should, at their request, be provided a verbatim copy of the record of trial at no expense to the victims.	Yellow	Secretaries of the Military Departments	The record of trial will be offered if available pursuant to Rules of Court Martial 1103.

002942

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
 Green: 26 • Yellow: 61 • Red: 4

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
21a	Implement a SARC-led process for victims to "opt out" of participating in the investigative process.	Yellow	Secretary of Defense	While we agree that victims of sexual assault should be able to opt out of continuing with the investigative process, we do not feel the opt-out process should be SARC led. The Naval Criminal Investigative Service has used a Victim Preference Statement (VPS) for many years. This VPS form allows sexual assault victims to indicate, in writing, that they no longer wish to assist with or be involved in a criminal investigation. The Department recommends training to ensure a victim is not indirectly pressured to opt out of an investigation. Department of Defense Form (DD) 2910, "Victim Reporting Preference Statement" can be modified to accommodate this recommendation. The Department is reviewing the feasibility of revising the DD Form 2910.

002943

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
21b	Ensure that sexual assault victims are informed that the services of the SARC and VA are optional and these services may be declined, in whole or in part, at any time.	Yellow	Secretary of Defense	The Department already provides this option however, the Department is reviewing the feasibility of revising the Department of Defense Form 2910.
22a	Ensure appropriate sexual assault prevention and response services are provided to family members, retirees, DoD civilians and contractors. Information on their eligibility for these services must be made available.	Yellow	Secretary of Defense	In accordance with the FY 2011 Ike Skelton National Defense Authorization Act, the Department will submit a report to congressional defense committees evaluating the feasibility of extending department sexual assault prevention and response services to DoD civilian employees and employees of defense contractors who are victims of a sexual assault; and work on or in the vicinity of a military installation or with members of the Armed Forces.

002944

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
22b	Ensure that victims of sexual assault in training environments are provided confidential access to victim support services and afforded time for recovery.	Red	Secretary of Defense	All victims are provided confidential access to victim support services. However, further analysis needs to be given to restricted reporting in the training environment. The Department developed an action plan to implement this recommendation at a later date.
22c	Ensure that SARCs work with supporting medical staff, mental health staff, and chaplains to offer unit counseling options for commanders of units in which either victims or alleged offenders of sexual assaults are assigned.	Yellow	Secretaries of the Military Departments	The Army and Navy implemented this recommendation and provided documentation of completion to close.
23a	Enact a law exempting federal medical personnel from state provisions requiring them to report sexual assaults to civilian law enforcement to ensure all Service Members have the restricted reporting option.	Red	Congress	The Department is exploring options on how to implement this recommendation.

0022945

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
23b	Ensure that a victim of sexual assault reserves the right to make a restricted report despite disclosing to a third party. Victims would lose this right only if they disclose to their direct chain of command or law enforcement, or information regarding the assault independently reaches the chain of command or law enforcement.	Yellow	Secretary of Defense	This recommendation is currently under review.
23c	Direct that Service Members are trained that responsibilities to report sexual assaults are satisfied by informing the SARC, the preferred method of reporting sexual assaults.	Yellow	Secretary of Defense	This recommendation is currently under review.
24	Direct the establishment of protocols for medical care of both male and female victims of sexual assault, including appropriate prophylaxis.	Yellow	Secretary of Defense	This recommendation is currently under review.

002946

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
 Green: 26 • Yellow: 61 • Red: 4

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
25a	Establish a Sexual Assault Forensic Examiner education program at military teaching hospitals and wherever medics and corpsmen are trained.	Yellow	Secretary of Defense	The Department concurs with establishing sexual assault forensic examiner education programs at military teaching hospitals (with the flexibility to use civilian training hospitals as needed) to train licensed medical professionals. Since medics and corpsmen are not qualified licensed medical professionals, they are not authorized to conduct Sexual Assault Forensic Exam Kits. The Department would not recommend the training be provided to these individuals. In the meantime this recommendation is under review.
25b	Ensure SAFE kits are either available or accessible in sufficient time to preserve evidence. The Secretaries should also ensure military personnel have access to qualified medical personnel to conduct evidence collection in a safe, confidential, and gender-unbiased manner, especially in deployed and remote environments.	Green	Secretaries of the Military Departments	The Services implemented and provided documentation of completion to close this recommendation. Also, FY 2010 Annual Report Matrices confirm that there were zero cases in FY 2010 where SAFE kit supplies were not available at the time of the victim's exam.

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002947

**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
26a	Direct that medical records of sexual assault victims are accurate and complete with respect to the physical and emotional injuries resulting from the assault.	Yellow	Secretary of Defense	The Health Affairs Working Group is addressing this issue. Further analysis needs to be given to restricted reporting.
26b	Direct that military separation physicals shall include an assessment of sexual trauma, previously disclosed or undisclosed, during active duty service.	Yellow	Secretary of Defense	The Health Affairs Working Group is addressing this issue. Further analysis needs to be given to restricted reporting.
27	Establish a universal hotline to allow victims to report and be connected with a local SARC in the United States or overseas.	Yellow	Secretary of Defense	The Department developed the DoD Safe Helpline, a new online hotline, telephone hotline, and texting initiative to support victims of sexual assault in the DoD community. The official launch of the website is expected for Spring 2011.

002948

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
28a1	Report separately the number of sexual assaults involving Service member victims and the number of sexual assaults involving Service Member offenders, and refrain from combining these numbers.	Yellow	Secretary of Defense	In accordance with the FY 2011 Ike Skelton NDAA, the Department will update the FY 2012 matrices and separately report the number of sexual assaults involving Service member victims and the number of sexual assaults involving Service member offenders. Due to FY accounting, the Department cannot implement this recommendation until FY 2012.
28a2	Require the Judge Advocates General verify the accuracy of the annual report disposition information including courts-martial data.	Green	Secretaries of the Military Departments	The Judge Advocates General of the Military Departments review the annual report case disposition information, including courts-martial data, before submission to the Under Secretary of Defense for Personnel and Readiness.

002949

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
28a3	Establish a consistent definition of "substantiated" and ensure Military Criminal Investigative Offices only provide synopses for those cases to Secretary of Defense. The Secretary of Defense should provide Congress with case synopses for only substantiated cases organized by offense.	Yellow	Department of Defense Inspector General	The USD (P&R) is working with the DoDIG to develop standardized investigative terms and definitions. The DoDIG stood up a working group to address this issue.
28a4	Establish a policy clarifying whether the report should include data on cases involving domestic violence or child victims, and ensure Services comply with the policy.	Green	Secretary of Defense	This recommendation was closed without action. The requirements for the Annual Report on Sexual Assault in the Military is outlined in numerous National Defense Authorization Acts and is based on current Department Sexual Assault Prevention and Response Policy that does not include domestic violence or child victims. Military Community and Family Policy is required to conduct data collection for domestic violence and child victims.

002950

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
28b1	Ensure that a database on sexual assault incidents in the Armed Forces is implemented in an expedited manner.	Yellow	Secretary of Defense	Implementing the Defense Sexual Assault Incident Database (DSAID) in an expedited manner is a priority to the Department. The Department awarded a contract in August 2010 and provides regular updates on implementation to the congressional defense committees.
28b2	Fund the information database on sexual assault incidents in the Armed Forces that it mandated the Secretary of Defense to implement pursuant to Section 563 of Public Law 110-417 to ensure the database is developed, implemented, and maintained.	Green	Congress	The Defense Sexual Assault Incident Database is funded through FY 2016.
29a	Ensure the Services consistently implement the titling standard.	Red	Secretary of Defense	Military law enforcement organizations adhere to Department of Defense Instruction 5505.7, "Titling and Indexing of Subjects of Criminal Investigations in the Department of Defense." The Department developed an action plan to further implement this recommendation at a later date.

002951

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
29b	Direct that military law enforcement agencies coordinate with local law enforcement authorities and obtain written agreements that clearly state what agency shall be notified and respond to all reports of sexual assault, when the victim or offender is a Service Member. To the greatest extent possible, ensure military law enforcement agencies report and conduct concurrent investigations for cases involving sexual assault.	Yellow	Secretaries of the Military Departments	While we agree that the military law enforcement agencies should report and conduct joint investigations, or monitor investigations with civilian law enforcement agencies for cases involving sexual assault, we do not agree that that military law enforcement agencies should obtain written agreements with local law enforcement agencies that clearly state what agency shall be notified when the victim or offender is a Service member. The recommendation is under review.

002952

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**

**Implementation of Recommendations Status • 24 February 2011**

**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
29c	Direct a follow-up review by military justice experts of the effectiveness of Article 120, Uniform Court of Military Justice (UCMJ).	Green	Secretary of Defense	The Joint Services Committee on Military Justice, which operates under the direction of the DoD General Counsel pursuant to Department of Defense Directive 5500.17, completed a review of Article 120, UCMJ Code of Military Justice, and recommended amendments. The Department submitted them to the Senate Armed Services Committee in June 2010. The proposed amendments were included in the original Senate Armed Services Committee submission for the FY 2011 National Defense Authorization Act.
29d1	Ensure commanders consider the full range of disciplinary actions when acting on allegations.	Green	Secretaries of the Military Departments	The Services implemented and provided documentation of completion to close this recommendation.
29d2	Ensure commanders, after consulting their servicing judge advocates, inform members of their command of case outcomes.	Yellow	Secretaries of the Military Departments	The Army and Air Force implemented this recommendation as allowable by Privacy Act restrictions and provided documentation to close. The Navy is reviewing the recommendation.

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002953

**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
29e	Use military judges from other Services more frequently to ensure expeditious disposition of courts-martial cases.	Green	Secretaries of the Military Departments and the Judge Advocates General	The Services implemented and provided documentation of completion to close this recommendation.
30a	Ensure that sexual assault prevention and response programs are codified and executed, particularly relating to issues that arise in remote and deployed environments, including coalition operations.	Yellow	Secretary of Defense and the Combatant Commanders	In FY 2009, the Department conducted a review of the Combatant Command policies to ensure inclusion. The Department will conduct Policy Assistance Team visits to ensure implementation is compliant with policy.
30b1	Maintain oversight and continue to allow component commanders the opportunity to exercise jurisdiction. On a case-by-case basis, the joint commander may withhold authority to dispose of alleged offenses.	Green	Joint Commanders	Joint and deployed environments present unique challenges for sexual assault response efforts. The Department completed a Combatant Command policy review in FY 2009 to address those challenges.

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002954

**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
30b2	Ensure a subordinate commander exercises general court-martial convening authority in those cases where the joint commander declines to exercise jurisdiction.	Green	Secretaries of the Military Departments	Per Department of Defense doctrine, the joint commander is responsible for discipline and administration of military assigned to the joint command. The Service component is responsible for the internal administration and discipline of that Service's forces. To the extent that the recommendation implies that the subordinate commander must take a particular course of action with regard to the case, such a recommendation would violate the Uniform Code of Military Justice prohibition on unlawful command influence.
30c	Monitor the implementation of sexual assault prevention and response programs as well as military justice and jurisdiction issues at joint basing locations.	Yellow	Secretary of Defense	The Department monitors the implementation of the SAPR Program through the Annual Report on Sexual Assault in the Military. However, the Department developed an action plan to further implement this recommendation at a later date.

002955

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**Implementation of Recommendations Status • 24 February 2011**  
 Green: 26 • Yellow: 61 • Red: 4

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
30d1	Monitor the Department's investigative process and disposition of cases involving foreign national assailants.	Yellow	Secretary of Defense	The Department updated the FY 2010 Annual Report data call to include description of policies, procedures and processes involving a foreign national. The FY 2011 matrices will be updated to include the numbers. The Department is not able to collect adjudication data because it is outside the control and jurisdiction of the Department.
30d2	Summarize substantiated sexual assault cases involving foreign national assailants and identify any gaps in investigating and adjudicating these cases.	Yellow	Secretary of Defense	The Department updated the FY 2010 Annual Report data call to included description of policies, procedures and processes involving a foreign national. The FY 2011 matrices will be updated to include the numbers. The Department is not able to collect adjudication data because it is outside the control and jurisdiction of the Department.

002956

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**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
JAG LTR 1	Convening authorities appoint judge advocates (including active and Reserve Component military judges) as Article 32, UCMJ, hearing officers for sexual assault cases.	Green	Judge Advocate General (Army, Marine Corps, Navy and Air Force)	The Army does not endorse the recommendation to restrict the Services' latitude to select Article 32 investigating officers. However, it is in compliance with the Manual for Courts-Martial (the convening authority must appoint a commissioned officer, major or above, or with legal training as an Article 32 hearing officer). The Marine Corps, Navy and Air Force implemented this recommendation and provided documentation to close.
JAG LTR 2a	Prior to their assignments, prosecutors receive specialized training regarding trial strategies for sexual assault cases, including but not limited to assailant and victim behavior evidence, forensic evidence, alcohol and drug-related issues, and working with traumatized victims.	Green	Judge Advocate General (Army, Marine Corps, Navy and Air Force)	The Services implemented and provided documentation of completion to close this recommendation.
JAG LTR 2b	Before advising special and general court-martial convening authorities, prosecutors complete a memorandum or proof analysis sheet (for internal staff judge advocate use only) setting forth a legal analysis of the evidence before advising a commander regarding a sexual assault case (see Enclosures 1 and 2 for examples). Supervisors of prosecutors should review and retain these documents for five years after case disposition.	Green	Judge Advocate General (Army, Marine Corps, Navy and Air Force)	The Army and Navy implemented and provided documentation of completion to close. The Air Force implemented this recommendations, except for the requirement to retain for 5 years. The Marine Corps does not require this in policy. However, prosecutors maintain documentation in every case for 2 years.

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002957

**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
JAG LTR 2c	Trial counsel provide an assessment to the U.S. Army Criminal Investigation Laboratory (USACIL) regarding examiner testimony to meet accreditation requirements.	Green	Judge Advocate General (Army, Marine Corps, Navy and Air Force)	The Services implemented and provided documentation of completion to close this recommendation.
IG LTR 1a	Military law enforcement agencies have a clear understanding and written documentation delineating the jurisdiction for all areas within their installations and other areas within their responsibility. In addition, local military law enforcement agencies should coordinate with installation commanders to ensure each area is mapped and marked as federal exclusive, concurrent, or proprietary.	Green	Department of Defense Inspector General	It is standard practice for military installation legal departments to coordinate with the local civilian District Attorney's Office and define the legal jurisdiction on the installation and share this information with the installation commander and the Department's law enforcement agencies.
IG LTR 1b	Military law enforcement agencies videotape interviews of alleged sexual assault offenders.	Yellow	Department of Defense Inspector General	This matter under review per recommendation from the Joint Services Committee.

002958

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**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
IG LTR 2a	Direct that, after consultation to determine "best evidence," military criminal investigators submit appropriate forensic evidence from all sexual assault investigations to the USACIL.	Green	Department of Defense Inspector General	The Department of Defense Instruction 5505.14, "Deoxyribonucleic Acid (DNA) Submission Requirements for Criminal Investigations" was issued on May 27, 2010. However, the USACIL Command memorandum dated February 3, 2005 states the following when consent is the main issue in a sexual assault investigation: "For investigations of rape and other sex crimes involving adults, Criminal Investigation Division units will not submit evidence to USACIL for DNA examination when the only issue is whether there was consent or not (i.e. the suspect admits there was sexual contact between himself and the victim, but claims there was consent)."
IG LTR 2b	Work with the Service Secretaries to ensure, as required, DNA is taken from offenders convicted (by general or special courts-martial) of qualifying military offenses, including sex offenders, and that DNA is sent to USACIL.	Green	Department of Defense Inspector General	The Department of Defense Instruction 5505.14, "Deoxyribonucleic Acid (DNA) Submission Requirements for Criminal Investigations" was issued on May 27, 2010. This recommendation was included in this Instruction reissuance.

002959

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**

**Implementation of Recommendations Status • 24 February 2011**

**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
DUSD (Plans) LTR 1a	Ensure prosecutors and Victim and Witness Liaisons (VWLs) provide victims with the opportunity to voice concerns. Prosecutors and VWLs should better educate and prepare victims for the judicial proceedings (including roles of the parties) and manage their expectations regarding potential trial results. After case disposition, either prosecutors or VWLs should discuss the results with victims.	Yellow	Secretaries of the Military Departments	The Department deferred this recommendation to the Secretaries of the Military Departments. The Army and Air Force implemented this recommendation and provided documentation to close.
DUSD (Plans) LTR 1b	Judge Advocates do not serve as both VWLs and trial counsel for the same case.	Yellow	Office of Legal Policy	The Air Force implemented this recommendation and provided documentation to close. The Department developed an action plan to further implement this recommendation at a later date.

096200

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**Implementation of Recommendations Status • 24 February 2011**  
**Green: 26 • Yellow: 61 • Red: 4**

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
DUSD (Plans) LTR 2	Final decision making authority to deny issuing Military Protective Orders in sexual assault cases is the battalion (O5) or equivalent command level in consultation with a judge advocate. We also recommend that you require commanders issuing military protective orders do so by using DD Form 2873 and provide victims and alleged offenders copies of the completed order.	Yellow	Sexual Assault Prevention and Response Office	Military Orders, to include protective orders, issued orally or via memorandum have the same force and effect as the DD Form 2873 and if the commander is out in a remote location or doesn't have the form on hand, he/she should be able to issue the order anyway possible. In addition, the Military Protective Order requirements from FY 2009 and 2010 National Defense Authorization Acts are under review.

0022961

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**Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)**  
**Implementation of Recommendations Status • 24 February 2011**  
 Green: 26 • Yellow: 61 • Red: 4

Recommendation Number	Action	Status	DTF-SAMS Tasked To:	Remarks
DUSD (Plans) LTR 3	Update the list of offenses (or require military judges to make a determination) for which a conviction triggers sex offender registration requirements and exclude those offenses for which registration is inappropriate.	Yellow	Under Secretary of Defense for Personnel and Readiness	The Under Secretary of Defense for Personnel and Readiness issued a memorandum on November 16, 2009 providing guidance on the revised list of offenses that trigger sex offender registration to comply with changes in Federal law and the Uniform Code of Military Justice. This revised list will be included in the reissuance of Department of Defense Instruction 1325.7 "Administration of Military Correctional Facilities and Clemency and Parole." In the meantime, the Air Force implemented this recommendation and provided documentation to close.
DUSD (Plans) LTR 4	The SAPRO coordinate with appropriate DoD offices to add sexual assault questions to the Defense Equal Opportunity Climate Survey.	Yellow	Sexual Assault Prevention and Response Office	A Working IPT has been established to discuss and address this recommendation. In the meantime, the SAPRO is working with the Defense Equal Opportunity Management Institute and the DMDC to incorporate sexual assault questions into the Organizational Climate Survey.

002962

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