

117. (ALL) Section 575 of the FY13 NDAA mandated the Services to include specific additional information in the case synopses portion of their annual reports to Congress. Please provide the status of implementation for this requirement, and all additional information for FY12 and FY13 Unrestricted Reports of sexual assault.

DoD	<p>All requirements pertaining to the case synopses mandated in the FY13 NDAA were included in the FY13 Annual Report Data Call (September 25, 2013) package. A copy of the Acting USD (P&R) memorandum directing the Military Services to provide the data along with the case synopsis portion of the data call is provided at Q#117 by using the following link: https://pmev2.bah.com/sites/DSAID/Document_Transfer/Forms/AllItems.aspx</p> <ul style="list-style-type: none"> • The FY13 case synopsis includes: <ul style="list-style-type: none"> o If charges are dismissed following an investigation conducted under section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), the case synopsis shall include the reason for the dismissal of the charges. (See column P of) o A member of the Armed Forces accused of committing a sexual assault was administratively separated or, in the case of an officer, allowed to resign in lieu of facing a court-martial, the case synopsis shall include the characterization (honorable, general, or other than honorable) given the service of the member upon separation. (See column AA) o Indicate whether a member of the Armed Forces accused of committing a sexual assault was ever previously accused of a substantiated sexual assault or was admitted to the Armed Forces under a moral waiver granted with respect to prior sexual misconduct. (See columns G and H) o Indicate the branch of the Armed Forces of each member accused of committing a sexual assault and the branch of the Armed Forces of each member who is a victim of a sexual assault. (See columns D and I) o If non-judicial punishment, the case synopsis shall explicitly state the nature of the punishment. (See columns R through AB) o Indicate whether alcohol was involved in any way in a substantiated sexual assault incident. (See column AC)
USA	<p>The Army will be in full compliance with the additional requirements imposed under the Fiscal Year 13 NDAA for the synopses reports on the Annual Report to Congress on Sexual Assault in the Army. This includes information about the involvement of alcohol in every allegation, whether or not a subject received a moral waiver for a sexual assault to access into the Army, whether or not a subject had a prior substantiated sexual assault offense, and whether or not the subject will be required to register as a sex offender.</p>
USAF	<p>The Air Force is diligently working towards providing all required information for the FY12/13 reports.</p>
USN	<p>This requirement has been implemented during FY13, specifically as it relates to the following portions of Section 575 of the FY13 NDAA outlined below.</p> <p>(a) GREATER DETAIL IN CASE SYNOPSES PORTION OF REPORT.— Section 1631 of the</p>

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.

Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection: (f) ADDITIONAL DETAILS FOR CASE SYNOPSES PORTION OF REPORT.—The Secretary of each military department shall include in the case synopses portion of each report described in subsection (b)(3) the following additional information:

(1) If charges are dismissed following an investigation conducted under section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), the case synopsis shall include the reason for the dismissal of the charges.

NCIS records this information in the synopsis as reported in the Report of Investigation;
this information is also coordinated with the Office of the Judge Advocate General (OJAG).

(2) If the case synopsis states that a member of the Armed Forces accused of committing a sexual assault was administratively separated or, in the case of an officer, allowed to resign in lieu of facing a court-martial, the case synopsis shall include the characterization (honorable, general, or other than honorable) given the service of the member upon separation.

NCIS records this information in the synopsis as reported in the Report of Investigation;
this information also is coordinated with OJAG.

(3) The case synopsis shall indicate whether a member of the Armed Forces accused of committing a sexual assault was ever previously accused of a substantiated sexual assault or was admitted to the Armed Forces under a moral waiver granted with respect to prior sexual misconduct.

This information is reported in the investigative file, as criminal history checks of subjects and victims are required in an NCIS investigation.

(4) The case synopsis shall indicate the branch of the Armed Forces of each member accused of committing a sexual assault and the branch of the Armed Forces of each member who is a victim of a sexual assault.

This information is included in the NCIS case title and in the investigation synopsis.

(5) If the case disposition includes non-judicial punishment, the case synopsis shall explicitly state the nature of the punishment.

This information is included in the case synopsis of an NCIS Report of Investigation.

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.

	<p>(6) If alcohol was involved in any way in a substantiated sexual assault incident, the case synopsis shall specify whether the member of the Armed Forces accused of committing the sexual assault had previously been ordered to attend substance abuse counseling. Participation in substance abuse counseling is tracked through the Navy’s Alcohol and Drug Management Information and Tracking System. This requirement is in the process of being implemented.</p> <p>(7) The number of applications submitted under section 673 of title 10, United States Code, during the year covered by the report for a permanent change of station or unit transfer for members of the Armed Forces on active duty who are the victim of a sexual assault or related offense, the number of applications denied, and, for each application denied, a description of the reasons why the application was denied. This requirement has been implemented.</p> <p>(8) An analysis and assessment of trends in the incidence, disposition, and prosecution of sexual assaults by units, commands, and installations during the year covered by the report, including trends relating to prevalence of incidents, prosecution of incidents, and avoidance of incidents. This requirement is in the process of being implemented.</p> <p>(9) An assessment of the adequacy of sexual assault prevention and response activities carried out by training commands during the year covered by the report. This requirement is in the process of being implemented.</p> <p>(10) An analysis of the specific factors that may have contributed to sexual assault during the year covered by the report, an assessment of the role of such factors in contributing to sexual assaults during that year, and recommendations for mechanisms to eliminate or reduce the incidence of such factors or their contributions to sexual assaults. NCIS currently tracks factors such as alcohol involvement, relationship between the suspect and victim, and the location of the incident in unrestricted reports of sexual assault within the USN/USMC. NCIS provides the results of tracking these factors to DON SAPRO for inclusion in the <i>Fiscal Year 2013 Department of Defense Annual Report on Sexual Assault in the Military</i>. As a result of these findings/trends, and those discovered through surveys, polls, and other measurement instruments, Navy’s Executive Agent for SAPR, in consult with DON SAPRO, will recommend mechanisms to eliminate or reduce the incidence of such factors to the Chief of Naval Operations for implementation Navy-wide.</p>
USMC	This requirement is being met by the submission of case synopsis [Tab 7] in the matrices of the DoD Annual Report of Sexual Assault in the Military, as

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	<p>compiled by NCIS and reviewed by JA. These synopses contain information on:</p> <ul style="list-style-type: none"> • If charges have been dismissed, the reasons for the dismissal of the charges. <p>Characterization of the service of the member upon separation (i.e., honorable, general, or other than honorable).</p> <p>Previous accusations of a substantiated sexual assault or whether the accused member was admitted to the Armed Forces under a moral waiver granted with respect to prior sexual misconduct.</p> <ul style="list-style-type: none"> • The branch of the Armed Forces of the accused member and of the victim. • The nature of the punishment if the case disposition includes a non-judicial punishment • Whether or not alcohol was involved in any way.
USCG	<p>Although the Coast Guard was not included in the referenced section of NDAA 13, alignment is met whenever possible. The Coast Guard submits an Annual Report to Congress per the CGAA of 2010, not the NDAA. The Coast Guard Annual Reports for FY 12 and FY 13 do include specific additional information on case synopses. The reports for FY 2010, FY 2011, and FY 2012 are attached as Enclosure 5 (FY 13 has not been released yet).</p>

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.



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

SEP 25 2013

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHIEF OF THE NATIONAL GUARD BUREAU

SUBJECT: Data Call for the Fiscal Year 2013 Department of Defense Annual Report on Sexual Assault in the Military

In preparation for the Fiscal Year (FY) 2013 Department of Defense (DoD) Annual Report on Sexual Assault in the Military, I request your assistance in obtaining data on sexual assaults within your respective Military Departments that were reported to military officials during FY13, for submission to this office. I request the Secretary of the Navy prepare separate reports for the Navy and Marine Corps. The Chief, National Guard Bureau (NGB) is requested to provide his review of the NGB Sexual Assault Prevention and Response (SAPR) program, as it is funded in part by the Office of the Secretary of Defense.

The DoD Annual Report on Sexual Assault in the Military is required by the Ike Skelton National Defense Authorization Act (NDAA) for FY11. Pursuant to section 1631 of the NDAA, the Secretary of each Military Department shall submit to the Secretary of Defense a report on the sexual assaults involving members of the Armed Forces under the jurisdiction of that Secretary during the preceding year. The Secretary of Defense shall forward the reports, together with an assessment of the results conducted under the evaluation plan required by section 1602(c) of the NDAA, and any such assessments on the reports as the Secretary of Defense considers appropriate, to the Committees on Armed Services of the Senate and House of Representatives. Public Laws 111-84, 109-163, and 112-239 establish additional reporting elements to be included in the report.

This data call is designed to comply with these statutory requirements and provide transparency on the Department's oversight efforts of the SAPR program. In preparation of the annual report, I am requesting you provide both a draft and a final submission of all items requested to allow the Secretary of Defense to better capture and assess the Military Departments' SAPR programs, statistics, and case synopses. The draft submissions allow the Department of Defense the required time to review and validate the information the Services ultimately plan to include in their annual reports.

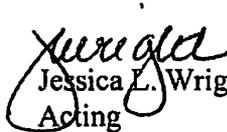
Each Service will provide a description of its programmatic efforts, its sexual assault report data in the reporting matrices, and its sexual assault case synopses. The first submission will be draft versions of these materials, all of which will be delivered to the Sexual Assault Prevention and Response Office (SAPRO) no later than January 15, 2014. In accordance with the statutory requirement, the second submission will be final versions of these materials, which will be delivered to my office and copied to SAPRO no later than March 1, 2014. For both draft and final versions, please submit all information using the attached templates; do not modify or deviate from these templates.

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I request that the NGB directly submit its draft and final SAPR program review on the same schedule described in the preceding paragraph. Sexual assault report data and case synopses pertaining to NGB members who were on Title 10 orders when they were involved as a victim or subject in a sexual assault will be included in the sexual assault report data and case synopses provided by the Secretaries of the Army and Air Force.

As the single point of responsibility for sexual assault prevention and response policy matters, SAPRO is responsible for preparing the FY13 DoD Annual Report. However, this responsibility does not extend to the legal processes provided under the Uniform Code of Military Justice and Manual for Courts-Martial, which are assigned to the Judge Advocates General (JAG) of the Military Departments. Accordingly, I request that the Military Departments coordinate data regarding the results of disciplinary actions in sexual assault cases with their respective JAG's for verification, completeness, and explanations, as appropriate.

Prior to submission of the final version on March 1, 2014, I further request that each Military Department be prepared to brief its planned FY13 report. Major General Gary Patton, Director, SAPRO, is the point of contact for this action. He may be reached by telephone at (571) 372-2643, or via email at Gary.Patton@mail.mil. Your cooperation in this matter is sincerely appreciated.


Jessica L. Wright
Acting

Attachments:
As stated

Fiscal Year (FY) 2013 Sexual Assault Prevention and Response (SAPR) Program Review Data Call: Instructions and Template

Purpose: The purpose of this report is to capture congressionally required content and describe the programmatic initiatives, capabilities, oversight activities, changes, and challenges supported or experienced by your Service or Component SAPR program during FY13. Also included are outcomes of Secretary of Defense Initiatives (SDI), the Joint Chiefs of Staff Strategic Direction (JCD) to the Joint Force on SAPR (2012), and the 2013 DoD SAPR Strategic Plan (SP) implemented in FY13. This year's report will organize SAPR program accomplishments and activities by the five Lines of Effort (LOEs) outlined in the DoD SAPR SP. The following data call reflects this structure.

Instructions: Each submission must include a completed Executive Summary Template, not to exceed 1000 words, and a completed FY13 SAPR Program Review Data Call Template. The final document must have a title of "FY13 DoD Sexual Assault Prevention and Response Program Review: (insert your Service or Component)", Arial font, size 12, sans watermarks, such as *DRAFT* or *FOUO*. The final document should be submitted in PDF format no later than March 1, 2014. Required changes will be made by your Service or Component.

Unless otherwise indicated, only include activities or accomplishments undertaken in FY13 (October 1, 2012 through September 30, 2013.) Where possible, please identify how an activity or accomplishment promotes the LOE under which it is listed. Please avoid repeating activities or accomplishments, or duplicating examples across the five LOEs. The term "Component" in this template refers to the National Guard Bureau.

Executive Summary
<p>The following Executive Summary Template should be used to capture a summary of your Service or Component FY13 SAPR Program Review. This overview should include information such as:</p> <ul style="list-style-type: none">• Authorizing regulations and/or instructions and dates of publication.• General organizational structure of your SAPR program and personnel (e.g., Brigade, Installation, Regional, and/or Major Command Sexual Assault Response Coordinator [SARC] and SAPR Victim Advocate [VA] structure, mid-level program management [if any], and program management) as well as a brief description of how this structure changes in deployed and joint environments.• Other personnel involved and their respective roles in your SAPR program.• A summary of the progress made and principal challenges confronted by your SAPR program in FY13.

1. Line of Effort (LOE) 1—Prevention—The objective of prevention is to “deliver consistent and effective prevention methods and programs.”
1.1 Summarize your Service or Component’s efforts to achieve the Prevention Endstate: “cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault is not tolerated, condoned, or ignored.”
1.2 Identify the ways you are changing organizational prevention-based practices.
1.3 Describe your efforts to comply with DoD SAPR core competencies for all SAPR training to ensure consistency. Include Professional Military Education, Pre-Command, and Senior Enlisted training.
1.4 Describe your progress in implementing the findings and recommendations from the SAPR Initial Military Training reviews. Include your efforts to enhance accession training by including SAPR policies and implementation of SAPR training within 14 days of entrance to active duty.
1.5 Identify specific SAPR monitoring, measures, and education that impart individual skills associated with bystander intervention and appropriate risk reduction that does not blame victims.
1.6 Describe your efforts to establish policies that create and sustain safe environments free of sexual assault. Include policies and practices that address alcohol consumption and barracks/dormitories visitation.
1.7 Describe progress, assessment, efforts, and/or approved plans for requiring commanders to conduct an organizational climate assessment within 120 days of assuming command and annually thereafter. Include policy for providing results to the next level in the chain of command.
1.8 Describe collaboration efforts concerning prevention with external experts, federal partners (e.g. NATO), advocacy organizations, and educational institutions, to include prevention subject matter experts. Describe results and/or implementations of lessons learned from collaboration efforts.

1.9 Describe your efforts to establish and implement policies that prevent individuals convicted of a Federal or State offense of rape, sexual abuse, sexual assault, incest, or other sexual offenses, from being provided a waiver for commissioning or enlistment in the Armed Forces.
1.10 Describe your plans for FY14 that pertain to delivering consistent and effective prevention methods and programs, including how these efforts will help your Service plan, resource, and make progress in your SAPR program.
2. LOE 2—Investigation—The objective of investigation is to “achieve high competence in the investigation of sexual assault.”
2.1 Summarize your Service or Component’s efforts to achieve the Investigation Endstate: “investigative resources yield timely and accurate results.”
2.2 Describe your Service or Component’s implementation plan for the establishment of a Special Victim Capability (SVC), comprised of specially trained investigators, judge advocates, administrative paralegal support, and victim-witness assistance personnel.
2.3 Describe your efforts to enhance training and/or plans for enhanced training for investigators of sexual violence. Include your measures of effectiveness or means by which you are measuring enhancements.
2.4 Describe your Service’s efforts to participate in Defense Enterprise Working Group of Military Criminal Investigation Organizations and Defense Criminal Investigative Services to assess and validate joint investigative technology, best practices, and resource efficiencies benchmarked against external law enforcement agencies.
2.5 Describe your Military Criminal Investigative Organization’s (MCIO) progress on establishment of a Working Group to review initial baseline, periodic refresher, and advanced sexual assault investigation training in order to establish common criteria, measures of effectiveness, and leverage training resources and expertise. If already in progress or completed, briefly describe recommendations, results, and ongoing efforts.

2.6 Describe and provide documentation of your Service or Component's implementation of policy for retention of sexual assault documentation (e.g. DD Forms 2910 and 2911). Documentation should be included as an appendix.
2.7 Describe your efforts to review and implement policies and procedures that ensure all Unrestricted Reports of sexual assault (and attempts) against adults will be immediately reported to the MCIO, regardless of the severity of the allegation.
2.8 Describe efforts, policies, and/or programmatic changes undertaken to improve Service member confidence and/or victim participation in the investigative and military justice process, as well as how you are addressing the number of victims declining to participate. Include rate of conversion from Restricted to Unrestricted reporting.
2.9 Describe your plans for FY14 that pertain to the achievement of high competence in the investigation of sexual assault.
3. LOE 3—Accountability—The objective of accountability is to “achieve high competence in holding offenders appropriately accountable.”
3.1 Summarize your Service or Component's efforts to achieve the Accountability Endstate: “perpetrators are held appropriately accountable.”
3.2 Describe your efforts to enhance training and/or plans for enhanced SAPR training for attorneys and military judges. Include your efforts to monitor training requirements to ensure the optimal number receive enhanced SAPR training and your measures of effectiveness.
3.3 Describe your Service's efforts to conduct an assessment of DoD Pilot Program for Special Victims Counsel. If an assessment has been completed, explain findings and recommendations.
3.4 Describe your efforts to expand the availability, sequencing, and scope of commander's legal courses. Include your measures of effectiveness.

<p>3.5 Describe your efforts to assess the effectiveness of the policy to elevate initial disposition authority to a Special Court Martial Convening Authority in the grade of O-6 or higher. Provide documentation in the appendix. If assessment complete, briefly describe results and recommendations.</p>
<p>3.6 Describe any treatment or rehabilitation programs implemented by your Service or Component for those members who have been convicted of a sexual assault. Include any pertinent referrals such as drug and alcohol counseling, or other types of counseling or intervention.</p>
<p>3.7 List updates or efforts to update policies requiring the processing for administrative separation of any member convicted of a sexual assault. Include documentation in the appendix.</p>
<p>3.8 Describe your plans for FY14 that pertain to the achievement of high competence in holding offenders appropriately accountable.</p>
<p>4. LOE 4—Advocacy/Victim Assistance--The objective of advocacy/victim assistance is to “deliver consistent and effective victim support, response, and reporting options.”</p>
<p>4.1 Summarize your Service or Component’s efforts to achieve the Advocacy/Victim Assistance Endstate: “DoD provides high quality services and support to instill confidence and trust, strengthen resilience, and inspire victims to report.”</p>
<p>4.2 List the total number of full-time SARC/SAPR VAs serving at brigade or equivalent level. If not at 100%, describe your efforts to achieve 100% fill.</p>
<p>4.3 List the total number SARCs and SAPR VAs certified in FY13. If not at 100%, describe your efforts to achieve 100% certified.</p>
<p>4.4 Describe your efforts to develop victim continuity of care protocol in collaboration with the Department of Veterans Affairs and external Veterans Service Organizations.</p>

4.5 Describe your efforts to improve the portability and availability of victim services in deployed environments, ensuring continuity of victim care. Include a description of the steps taken during that year to ensure that trained personnel, appropriate supplies, and transportation resources are accessible to deployed units in order to provide an appropriate and timely response in any case of reported sexual assault in a deployed unit, location, or environment.

4.6 Describe revised policies and/or procedures developed that allow Reserve Component Service members who are victims of sexual assault while on active duty to remain on active duty status to obtain the treatment and support afforded active duty members. Include documentation in the appendix.

4.7 Describe your efforts to enhance sexual assault training for health care providers. Include requirements that ensure training conforms to "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents"; how to handle a Restricted Report; and how to conduct the SAFE exam.

4.8 Describe sexual assault related health care initiatives undertaken by your Service in FY13. Include mental health treatment programs and follow-up procedures that are gender-responsive, culturally competent, and recovery-oriented.

4.9 List the number of victims, if any, whose care was hindered due to lack of SAFE kits or timely access to appropriate laboratory testing resources and describe the measures you took to remedy the situation.

4.10 List initiatives and programs implemented to reduce the stigma and overcome barriers associated with reporting sexual assault.

4.11 Describe what measures have been taken by your Service to ensure that Service members are informed in a timely manner of the member's option to request a Military Protective Order (MPO) from the command of assignment. Include documentation that requires law enforcement agents to document MPOs in their investigative case files, to include documentation for Reserve Component personnel in title 10 status.

4.12 Describe and provide documentation of your Service or Component's expedited victim transfer request policy, including measures taken to ensure victims are informed in a timely manner of their right to request an expedited transfer. Documentation should be included as an appendix.

4.12.1 Pertaining to temporary and/or permanent local expedited transfers (a different location within their assigned command or installation), provide:

- The number requested
- The number approved as the victim requested
- The number approved different than the victim requested
- The number denied and a summary of why
- The number moved within 30 days of approval
- The number moved after 30 days of approval

4.12.2 Pertaining to permanent requested expedited transfers (from their assigned command or installation), provide:

- The number requested
- The number approved as the victim requested
- The number approved different than the victim requested
- The number denied and a summary of why
- The number moved within 30 days of approval
- The number moved after 30 days of approval

4.13 Describe your plans for FY14 that pertain to delivering consistent and effective victim support, response, and reporting options.

5. LOE 5—Assessment—The objective of assessment is to “effectively standardize, measure, analyze, assess, and report program progress.”

5.1 Summarize your Service or Component's efforts to achieve the Assessment Endstate: “DoD incorporates responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of the SAPR program.”

5.2 Describe oversight activities during FY13 that assess the SAPR program effectiveness. Include frequency, methods used, findings and recommendations, corrective action taken (e.g., program management review and Inspector General inspections), and other activities. Include documentation of published reports in appendix.

5.3 Describe any and all implementations of Government Accountability Office (GAO) and Defense Task Force-Sexual Assault in the Military Services (DTF-SAMS) recommendations. Include any assessments of implementation.
5.4 Describe your efforts to ensure integrity of data collected in the Defense Sexual Assault Incident Database.
5.5 Describe any measures your Service or Component has established to assess and manage your SAPR program. If you have begun assessing your program based on these measures, describe your findings thus far and actions taken.
5.6 Provide a summary of your research and data collection activities conducted in FY13. Include documentation in the appendix.
5.6.1 Describe your efforts to develop and harmonize sexual assault focused survey efforts to align with DoD and other Services.
5.7 Describe your plans for FY14 that pertain to effectively standardizing, measuring, analyzing, assessing, and reporting program progress.
6. Overarching Tenet: Communication and Policy
6.1 Summarize your Service or Component's efforts to synchronize and standardize the SAPR program across the Joint Force (from Joint/Service basing to forward stationed deployed units worldwide).
6.2 Describe your efforts to post and widely disseminate sexual assault information (e.g., hotline phone numbers and internet websites) to Service members, eligible dependents, and civilian personnel of the DoD.
6.3 Describe your development and implementation of specialized medical and mental health care policy for sexual assault victims. Include a copy of your implementation plan in the appendix.

6.4 Describe your efforts to review, revise, update, and issue policy pertaining to:

- The record of dispositions of unrestricted reports.
- General education for correction of military records when victims experience retaliation.

Provide documentation in the appendix.

6.5 Describe your efforts to establish policy for General or Flag officer review of and concurrence in adverse administrative actions and separation of victims making an Unrestricted Report of sexual assault in FY13.

6.6 Describe your plans for FY14 that pertain to synchronizing and standardizing the SAPR program across the Joint Force (from Joint/Service basing to forward stationed and deployed units worldwide).

7. Secretary of Defense Initiatives

7.1 Enhancing Commander Accountability—Describe your efforts thus far to develop methods to assess the performance of military commanders in establishing command climates of dignity and respect and incorporating SAPR prevention and victim care principles in their commands, and hold them accountable.

7.2 Improving Response and Victim Treatment—Describe your efforts thus far to implement and monitor methods to improve victim treatment by their peers, co-workers, and chains of command.

7.3 Ensuring Safety—Describe your efforts to improve the effectiveness of SAPR programs in recruiting organizations, Military Entrance Processing Stations, and the Reserve Officer Training Corps. These assessments will include: 1) the selection, SAPR training, and oversight of recruiters; 2) the dissemination of SAPR program information to potential and actual recruits; and 3) the prevention and education programs in ROTC environments and curricula.

7.4 Ensuring Appropriate Command Climate—Describe your efforts to ensure DoD facilities promote an environment of dignity and respect and are free from materials that create a degrading or offensive work environment. Include findings and actions taken from regular visual inspections.



PERSONNEL AND
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OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, DC 20301-4000

OCT 07 2010

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (M&RA)
ASSISTANT SECRETARY OF THE AIR FORCE (SAF/MR)
DIRECTOR OF THE DEPARTMENT OF THE NAVY SEXUAL
ASSAULT PREVENTION AND RESPONSE OFFICE

SUBJECT: Implementation of the Defense Task Force on Sexual Assault in the Military
Services Recommendations by the Military Departments

In December 2009, the Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS) issued a report with recommendations. Several of these recommendations were directed to the Military Departments.

In our oversight role, we are requesting that each Military Department complete the attached input template to provide the Sexual Assault Prevention and Response Office (SAPRO) with an update on the implementation of these DTF-SAMS recommendations. Instructions to complete the template are included within the document.

Please ensure that your Department's response, using the attached template, is provided to SAPRO 60 days from the date on this memorandum. SAPRO will use your responses to provide updates to oversight bodies, when requested, and in the FY10 Annual Report on Sexual Assault in the Military Services.

My point of contact is Dr. Kaye Whitley, Director for SAPRO. Dr. Whitley is available to provide additional information as needed and can be reached at (703) 696-9422.

Laura Stubbs, Ph.D.
Director, Requirements and Strategic
Integration

Attachments:
As stated

002975





Sexual Assault in the U.S. Coast Guard for FY 2010

Fiscal Year 2010 Annual Report to Congress
February 16, 2011



Homeland Security

United States Coast Guard

Foreword

FEB 16 2011

The Coast Guard presents the following report, "Sexual Assault in the U.S. Coast Guard for FY 2010."

The Coast Guard is committed to ensuring victims of sexual assault are protected, treated with dignity and respect, and provided appropriate ongoing support. In addition, the Coast Guard is dedicated to ensuring that persons who commit crimes are held accountable. To achieve these dual objectives, the Coast Guard has adopted new policies, provided additional reporting options for victims, and undertaken several new initiatives to expand and improve our sexual assault prevention and response programs.



The *Coast Guard Authorization Act of 2010* (Pub. L. 111-281), Section 217, directs the Coast Guard to annually report on sexual assaults involving members of the Coast Guard. Pursuant to Congressional requirements, this report is being provided to the following members of Congress:

The Honorable John D. Rockefeller IV
Chairman, Senate Commerce, Science and Transportation Committee

The Honorable Kay Bailey Hutchinson
Ranking Member, Senate Commerce, Science and Transportation Committee

The Honorable John L. Mica
Chairman, House Transportation and Infrastructure Committee

The Honorable Nick J. Rahall II
Ranking Member, House Transportation and Infrastructure Committee

The Honorable Peter T. King
Chairman, House Homeland Security Committee

The Honorable Bennie G. Thompson
Ranking Member, House Homeland Security Committee

I am happy to answer any further questions you may have, or your staff may contact my Senate Liaison Office at (202) 224-2913 or House Liaison Office at (202) 225-4775.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. J. Papp, Jr.", written over a circular stamp or seal.

R. J. Papp, Jr.
Commandant, U.S. Coast Guard

Executive Summary

The *Coast Guard Authorization Act of 2010*, Section 217, directs the Coast Guard to report annually on sexual assaults involving members of the Coast Guard. This report covers the period from October 1, 2009 through September 30, 2010 (FY 2010).

The purpose of the USCG Sexual Assault Prevention and Response (SAPR) Program is to establish policy and prescribe procedures for Coast Guard personnel regarding sexual assault incidents. The ultimate objective of this program is to achieve zero tolerance of sexual assault within the Coast Guard by creating a culture of prevention, education, accountability and victim support through better training, reporting procedures, and response capabilities.

FY 2010 is the first year the Coast Guard has been mandated to report sexual assaults to Congress. However, the Coast Guard has reported this information to the Department of Defense (DOD) Sexual Assault Prevention and Response Office (SAPRO) on an annual basis since FY 2008.

The Coast Guard had 60 alleged cases of sexual assault that involved members of the Coast Guard during FY 2010; some of these cases involved more than one victim or offender. The Coast Guard also received five "Restricted Reports" during this period (a restricted report is made when a victim chooses to receive support and treatment, but does not want to engage the command or the investigative process). It should be noted that research shows a majority of victims do not report their sexual assault.¹

The Coast Guard joined DOD in creating a more effective Sexual Assault Program by offering the Restricted Reporting option in December of 2007.

Since 2008, the Coast Guard has increased funding for the SAPR Program each year. In September of 2008, the Coast Guard hired a dedicated Program Manager to lead the Coast Guard-wide SAPR Program. During FY 2010, the Coast Guard conducted two Sexual Assault Response Coordinator (SARC) Training programs (one on the West Coast and one on the East Coast), as well as three Victim Advocate (VA) Training programs (Miami, Seattle, and Norfolk).

These training sessions, in conjunction with updated policies, promote a command climate of prevention. Such efforts increase mutual respect and trust, highlight appreciation for diversity, and affirm the contributions of all personnel. Prevention of sexual assault incidents is a primary objective of the Coast Guard's SAPR Program. In addition, the Coast Guard is dedicated to ensuring that persons who commit crimes are held accountable and victims of incidents receive the appropriate support.

¹ According to the Department of Justice, 41.6 percent of rapes are reported to authorities. See U.S. Department of Justice, Office of Justice Programs, "National Crime Victimization Survey: Criminal Victimization, 2007 (Dec 2008), 7. Available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/cv07.pdf> Other studies suggest that the report rate may be lower than 25 percent.



Sexual Assault in the U.S. Coast Guard for FY 2010

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I. Legislative Requirement

This report responds to the legislative language in the *Coast Guard Authorization Act of 2010* (Pub. L. 111-281), which states:

SEC. 217. REPORTS ON SEXUAL ASSAULTS IN THE COAST GUARD.

(a) **IN GENERAL.**—Not later than January 15 of each year, the Commandant of the Coast Guard shall submit a report on the sexual assaults involving members of the Coast Guard to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) **CONTENTS.**—The report required under subsection (a) shall contain the following:

(1) The number of sexual assaults against members of the Coast Guard, and the number of sexual assaults by members of the Coast Guard, that were reported to military officials during the year covered by such report, and the number of the cases so reported that were substantiated.

(2) A synopsis of, and the disciplinary action taken in, each substantiated case.

(3) The policies, procedures, and processes implemented by the Secretary concerned during the year covered by such report in response to incidents of sexual assault involving members of the Coast Guard concerned.

(4) A plan for the actions that are to be taken in the year following the year covered by such report on the prevention of and response to sexual assault involving members of the Coast Guard concerned.

II. Background

The Coast Guard's core values of Honor, Respect, and Devotion to Duty provide the foundation upon which all members of the Coast Guard are expected to live their lives, personally and professionally.

Although not mandated to implement a Sexual Assault Prevention and Response (SAPR) Program as DOD is required to do, the Coast Guard recognized that sexual assault is an issue among all the armed forces and across society. For that reason, the Coast Guard began following DOD's policy regarding SAPR and, as of December 2007, offered a Restricting Reporting option for sexually assaulted active duty service members.

In response to the Government Accountability Office (GAO) Report, Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges (GAO-08-924), released in August of 2008 on DOD's and the Coast Guard's sexual assault programs, the Coast Guard hired a dedicated SAPR Program Manager at Coast Guard Headquarters in September 2008.

Since September 2008, the Coast Guard has trained field personnel to perform the duties of a Sexual Assault Response Coordinator (SARC). The Coast Guard does not employ full-time, dedicated SARCs; Coast Guard personnel perform these duties in addition to regularly assigned duties. The Coast Guard Academy, however, does have a dedicated SARC billet that is anticipated to be filled by the spring of 2011. The SARC training included the field personnel serving as primary SARCs as well as secondary SARCs. The primary SARCs for the Coast Guard are the Employee Assistance Program Coordinators (EAPC) located in each Health, Safety and Work-Life Field Office; they are referred to as EAPC/SARCs to align with the DOD's mandate to use the same acronym of "SARC" throughout all the armed services. This ensures that any service member from any branch can find the support they may need in the event of a sexual assault.

Additionally, the SAPR Annual Mandated Training has been standardized throughout the Coast Guard, and a scenario-based on-line version is now in use as well. Victim Advocate (VA) Training curriculum was developed specifically for the Coast Guard, and several VA Trainings are scheduled in various locations each year to train active-duty personnel as advocates to assist sexual assault victims. Since September 2008 over 150 new VAs have been trained throughout the Coast Guard.

The Coast Guard's major accessions points, the Coast Guard Academy and Cape May Training Center, are well into the process of updating, editing, or adopting programs to effectively train cadets and recruits on sexual assault prevention and response.

The Commandant policy on the SAPR Program is currently in the final stages of revision before release. It reflects best practices among the armed services as well as clear, concise direction on managing sexual assault reports. Guidance on prevention and response initiatives and processes within the Coast Guard is also included. In the interim until the revised SAPR Program Manual is released, several policy changes have been implemented via ALCOAST messages to all Coast

Guard personnel, including a new training definition for sexual assault and the ability for members assigned to afloat units to request a restricted report.

An electronic database to capture data and track sexual assaults within the Coast Guard is in the early implementation phases and became operational in January 2011.

III. Data Report

During FY 2010, there were 60 alleged sexual assault cases involving members of the Coast Guard. Some of those cases had more than one offender or more than one victim. The 60 cases are categorized as "Service Member on Service Member," "Service Member on Non-Service Member," "Non-service Member on Service Member," and "Unidentified Subject on Service Member."

Of those 60 alleged cases, 50 alleged assaults were against members of the Coast Guard, and the remaining 10 cases were against either civilians or members of other services.

Of those 60 alleged cases, there were 47 alleged sexual assaults that were committed by Coast Guard members. The remaining 13 were alleged to have been committed by civilians, members of other services or unidentified offender(s).

Below is a list of the different categories and the actions taken by the Coast Guard.

Number of sexual assaults against members of the Coast Guard – 50

1. Disposition of substantiated cases:
 - (a) Non-Judicial Punishment – 1
 - (b) Other Admin Action – 2
 - (c) Courts Martial – 0
2. Disposition of remaining cases:
 - (a) Pending Adjudication – 43
 - (b) Offender Under Civilian/Foreign Authority – 1
 - (c) Unidentified offender – 2
 - (d) Other Admin Action – 1

Number of sexual assaults by members of the Coast Guard – 47

1. Disposition of substantiated cases:
 - (a) Non-Judicial Punishment – 2
 - (b) Other Admin Action – 2
 - (c) Courts Martial – 0
 - (d) Discharge in Lieu of Courts Martial – 1
2. Disposition of remaining cases:
 - (a) Pending Adjudication – 41
 - (b) Other Admin Action – 1

During FY 2010, five Restricted Reports were received.

IV. Plan of Action

The ultimate goal of the Coast Guard's SAPR Program is prevention, but when prevention initiatives, including training, do not work, appropriate victim response must be sensitive and timely.

The SAPR Program policy, outlined by COMDTINST 1754.10C, has been revised and is scheduled to be released as a manual by the Spring of 2011. Policy drives the program, and the revised policy is clear, concise, and demonstrates best practice among the armed services and appropriate civilian entities. In the interim, two official messages to all Coast Guard personnel were released to outline significant policy changes.

The policy changes include the following: a new definition for sexual assault; a change to the title of "Victim Support Person" to "Victim Advocate (VA)" to more accurately portray this important and trained role; the new option of allowing members assigned to afloat units to choose the Restricted Reporting option; and the extension of the restricted reporting option for sexual assault to spouses sexually assaulted by their active-duty spouse.

In FY 2011, SAPR Program initiatives include ongoing Victim Advocate training sessions to uniformed members across the Coast Guard, hiring and training a dedicated SARC at the Coast Guard Academy (the Headquarters SAPR Program Manager is currently the only dedicated SAPR position), and updating the SAPR curriculum taught to the new recruits at Training Center Cape May, NJ.

A significant resource for assisting sexual assault victims that will be available in FY 2011 is the DOD SAfe Helpline. This DOD SAfe Helpline is a new sexual assault victim assistance initiative for the military community, and the DOD Sexual Assault Prevention and Response Office (SAPRO) has agreed to include the Coast Guard. Expected to launch in early 2011, the SAfe Helpline will allow users to "click, call or text" for access to 24/7, worldwide sexual assault assistance. Services are free, confidential and anonymous for all members of the Armed Forces community to include Active Duty, Guard and Reserve members, DOD contractors and civilians, the families of Service members, and veterans. Users will be connected with specially trained experts of the Rape, Abuse & Incest National Network (RAINN), the nation's largest not-for-profit anti-sexual violence organization.

Sexual Assault Awareness Month (SAAM) is observed in April of each year by DOD and related civilian counterparts. FY 2010 was the first year the Coast Guard formally observed SAAM. A pro-active, positive social media campaign was launched, and during that entire month different aspects of SAPR Program issues were highlighted. These highlights included interviews and blogs with a vice president from the organization Men Can Stop Rape, a Coast Guard Legal Officer (JAG) who had participated in several sexual assault trials, and with the President and Vice President of the Coast Guard Academy's Cadets Against Sexual Assault (CASA) organization. Additionally, as part of the Coast Guard's collaborative work with the DOD SAPRO this year, their "Hurts One, Affects All" campaign was advertised throughout the Coast Guard with posters and related information. SAAM will further implement the "Hurts One,

Affects All” campaign in FY 2011 and will offer CG-specific posters with appropriate wording geared towards Coast Guard personnel, such as “We Respect Our Shipmates.” Much of what is marketed during SAAM is information and preferences gleaned from Coast Guard focus groups that were held early in FY 2010 specifically for this project.

Coast Guard Investigative Service (CGIS) is an integral part of the SAPR Program’s effectiveness, as dealing with law enforcement is one of the issues that most often intimidates victims from coming forward. CGIS appointed one of their Senior Special Agents as their Sex Crimes Program Manager, and that Agent works closely with the Coast Guard’s SAPR Program Manager.

CGIS Agents are trained in accordance with the requirements set forth by Commandant Instructions with regard to their response to reported sexual assaults by or against “covered persons.”² CGIS Agents are trained to contact CG Work-Life staff when they are notified about a sexual assault and are encouraged to communicate and liaise with their respective Work-Life offices (i.e., EAPC/SARCs and VAs) to discuss expectations of what may occur during a victim interview, especially when the victim may choose to have a VA present.

When CGIS field offices are notified about a sexual assault and the reported victim wishes to have a restricted report, CGIS Agents are trained to explain to the victim that because the report was made to law enforcement, restricted reporting is no longer available. CGIS Agents may encourage the victim to participate in the investigation, but respect that it is the victim's choice to participate and provide information regarding the alleged sexual assault. CGIS Agents also inform victims regarding their rights as victims of crime. Victims are provided with victim services contact information in the event they have additional information or questions regarding their case and are encouraged to utilize all services available.

Primary Coast Guard objectives remain to increase prevention efforts and create a culture of trust in which victims will report sexual assault incidents and gain intervention assistance. Inherent in this process is our effort to ensure that persons who commit these crimes are held accountable.

Further initiatives for FY 2011 include developing of a Senior Leadership Conference focused on sexual assault and prevention (similar to that already held within DOD services), and creating specific SAPR training for Chaplains, JAGs, and middle-management supervisors.

² A “covered person” is defined by Commandant Instruction 5520.5 as a member of the Coast Guard who is an active duty member, a reserve member on active duty, a civilian employee, Public Health Service officer assigned to the Coast Guard, or DoD personnel assigned to the Coast Guard.

V. Appendices

Appendix A: ALCOAST Message 209/09; SAPR Policy Revisions

R 101947Z APR 09 ZUI ASN-A00100000020
FM COMDT COGARD WASHINGTON DC//CG-11//
TO ALCOAST
BT

UNCLAS //N01754//
ALCOAST 209/09
COMDTNOTE 1754

SUBJ: SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM POLICY REVISIONS

A. SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM, COMDTINST 1754.10 (SERIES)

B. COAST GUARD FAMILY ADVOCACY PROGRAM, COMDTINST 1750.7 (SERIES)

1. THIS ALCOAST UPDATES POLICY IN REF A AND REF B. THIS INFORMATION HAS RECENTLY BEEN PROVIDED TO FAMILY ADVOCACY SPECIALISTS (FAS) AND EMPLOYEE ASSISTANCE PROGRAM COORDINATORS (EAPC) WHO ACT IN THE CAPACITY OF SEXUAL ASSAULT RESPONSE COORDINATORS (SARC).

2. THE TITLE VICTIM SUPPORT PERSON (VSP) IS CHANGED TO VICTIM ADVOCATE (VA) TO REFLECT THE PROFESSIONAL ASSISTANCE THAT A TRAINED ADVOCATE PROVIDES TO VICTIMS.

3. THE TERM RAPE/SEXUAL ASSAULT IS CHANGED TO SEXUAL ASSAULT AS RAPE IS A SUBCATEGORY OF SEXUAL ASSAULT AND INCLUDES SEXUAL ASSAULTS BETWEEN RELATED PEOPLE WITHIN FAMILIES AS WELL AS SEXUAL ASSAULTS BETWEEN NON-RELATED PEOPLE.

4. THE DEFINITION OF SEXUAL ASSAULT HAS BEEN CLARIFIED. SEXUAL ASSAULT IS INTENTIONAL SEXUAL CONTACT, CHARACTERIZED BY USE OF FORCE, THREATS, INTIMIDATION, ABUSE OF AUTHORITY, OR WHEN THE VICTIM DOES NOT OR CANNOT CONSENT. SEXUAL ASSAULT INCLUDES RAPE, FORCIBLE SODOMY, AND OTHER UNWANTED SEXUAL CONTACT (E.G., KISSING) THAT IS AGGRAVATED, ABUSIVE, OR WRONGFUL (TO INCLUDE UNWANTED AND INAPPROPRIATE SEXUAL CONTACT), OR ATTEMPTS TO COMMIT THESE ACTS. CONSENT MEANS WORDS OR OVERT ACTS INDICATING A FREELY GIVEN AGREEMENT TO THE SEXUAL CONDUCT AT ISSUE BY A COMPETENT PERSON. AN EXPRESSION OF REFUSAL OR LACK OF CONSENT THROUGH WORDS OR CONDUCT MEANS THERE IS NO CONSENT (E.G., NO MEANS NO). LACK OF VERBAL OR PHYSICAL RESISTANCE OR SUBMISSION RESULTING FROM THE ACCUSED'S USE OF FORCE, THREAT OF FORCE, PLACING ANOTHER PERSON IN FEAR, OR ABUSE OF RANK OR AUTHORITY DOES NOT CONSTITUTE CONSENT. THE VICTIM'S LACK OF VERBAL OR PHYSICAL RESISTANCE OR SUBMISSION RESULTING FROM INTOXICATION, FROM UNCONSCIOUSNESS DUE TO SLEEP OR ALCOHOL CONSUMPTION, OR FROM ANY OTHER CONDITION WHICH RENDERS THE PERSON

SUBSTANTIALLY INCAPACITATED OR SUBSTANTIALLY INCAPABLE OF UNDERSTANDING THE NATURE OF THE SEXUAL ACT, DECLINING PARTICIPATION IN THE ACT, OR COMMUNICATING UNWILLINGNESS TO ENGAGE IN THE SEXUAL ACT DOES NOT CONSTITUTE CONSENT. A CURRENT OR PREVIOUS DATING RELATIONSHIP BY ITSELF SHALL NOT CONSTITUTE CONSENT. THE MANNER OF DRESS OF THE VICTIM SHALL NOT CONSTITUTE CONSENT. SPECIFIC DEFINITIONS OF THE ELEMENTS OF THE SEXUAL ASSAULT AND SEXUAL CONTACT OFFENSES ARE FOUND IN ARTICLE 120, UNIFORM CODE OF MILITARY JUSTICE.

5. RESTRICTED REPORTING IS AVAILABLE TO ACTIVE DUTY VICTIMS OF SEXUAL ASSAULT (OR A SPOUSE SEXUALLY ASSAULTED BY ACTIVE DUTY SPOUSE) PROVIDING THE SEXUAL ASSAULT IS DISCLOSED ONLY TO AN EMPLOYEE ASSISTANCE PROGRAM COORDINATOR (EAPC), A FAMILY ADVOCACY SPECIALIST (FAS), VICTIM ADVOCATE (VA) OR HEALTH CARE PROVIDER (HCP).

6. EAPCS/SARCS SHALL SUBMIT INITIAL, MONTHLY AND FINAL REPORTS TO MS. SHAWN WREN, SAPR PROGRAM MANAGER, COMDT (CG-1112) ON ALL ALLEGED SEXUAL ASSAULT CASES INVOLVING NON-FAMILY MEMBERS. EAPCS/SARCS SHALL SHARE WITH THE SERVICING FAS ANY SEXUAL ASSAULT REPORTS BETWEEN RELATED FAMILY MEMBERS. EAPCS/SARCS SHALL USE THE REVISED REPORT FORMAT FOR UNRESTRICTED AND RESTRICTED REPORTS THAT HAS ALREADY BEEN PROVIDED BY COMDT (CG-1112). THE REPORTS SHALL BE SUBMITTED BY EMAIL AND SHALL BE PASSWORD PROTECTED. A VICTIM REPORTING PREFERENCE STATEMENT (VRPS) MUST BE SIGNED BY ALL ACTIVE DUTY VICTIMS AND MAINTAINED IN THE CASE FILE FOR EACH SEXUAL ASSAULT INCIDENT.

7. THE FAMILY ADVOCACY PROGRAM IS ACCEPTING RESTRICTED REPORTS FOR SEXUAL ASSAULTS BETWEEN RELATED ADULT FAMILY MEMBERS, WHETHER THEY ARE THE ACTIVE DUTY SERVICE MEMBER OR SPOUSE. FAS SHALL SHARE WITH THE SERVICING EAPC/SARC ANY SEXUAL ASSAULT CASES BETWEEN NON-RELATED ADULTS. FAMILY ADVOCACY PROGRAM CASES WHICH INVOLVE RESTRICTED REPORTS SHALL BE MANAGED BY THE FAS IN THE SAME MANNER AS UNRESTRICTED REPORTS WITH THE FOLLOWING EXCEPTIONS: 1) THE VICTIMS COMMAND WILL NOT BE NOTIFIED, 2) THE ALLEGED OFFENDER WILL NOT BE CONTACTED, 3) ONLY AN INITIAL FORM CG-5488 IS REQUIRED, AS THE CASE IS NOT PRESENTED TO THE INCIDENT DETERMINATION COMMITTEE AND NO INCIDENT STATUS DETERMINATION IS MADE, AND 4) CASE RECORDS INVOLVING RESTRICTED REPORTS ARE MAINTAINED IN A SEPARATE LOCATION FROM UNRESTRICTED REPORTS. FOR ALLEGED SEXUAL ASSAULT INCIDENTS BETWEEN RELATED ADULT FAMILY MEMBERS WHICH ARE INITIALLY REPORTED TO THE FAS, THE FAS SHALL SUBMIT AN INITIAL RESTRICTED OR UNRESTRICTED SEXUAL ASSAULT REPORT IN THE REVISED REPORT FORMAT ALREADY PROVIDED BY COMDT (CG-1112) TO THE SAPR PROGRAM MANAGER IN COMDT (CG-1112). THESE REPORTS SHALL BE SENT BY EMAIL AND SHALL BE PASSWORD PROTECTED. A VICTIM REPORTING PREFERENCE STATEMENT (VRPS) SHALL BE SIGNED BY ALL VICTIMS OF SEXUAL ASSAULT AND MAINTAINED IN THE CASE FILE FOR EACH SEXUAL ASSAULT INCIDENT.

8. THESE POLICY CHANGES WILL BE REFLECTED IN UPCOMING REVISIONS TO REFS A AND B.

9. POC: MS. SHAWN WREN, COMDT (CG-1112), 202-475-5163 OR
EMAIL: SHAWN.M.WREN(AT)USCG.MIL.

10. RELEASED BY RADM MARK TEDESCO, DIRECTOR OF HEALTH, SAFETY AND WORK-LIFE.

11. INTERNET RELEASE AUTHORIZED.

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Appendix B: ALCOAST Message 346/10; SAPR Policy Revisions

R 011440Z JUL 10

FM COMDT COGARD WASHINGTON DC//CG-11//

TO ALCOAST

BT

UNCLAS //N01754//

ALCOAST 346/10

COMDTNOTE 1754

SUBJ: SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM
POLICY REVISIONS

A. SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM (SAPRP),
COMDTINST 1754.10 (SERIES)

1. THIS ALCOAST UPDATES POLICY IN REF A.
2. ALL PERSONNEL FULFILLING THE ROLE OF A SEXUAL ASSAULT RESPONSE COORDINATOR (SARC), (E.G., EMPLOYEE ASSISTANCE PROGRAM COORDINATORS(EAPC) AND FAMILY ADVOCACY SPECIALISTS (FAS)), MUST RECEIVE, AT A MINIMUM, AN INITIAL TWENTY-FOUR HOURS OF COAST GUARD SPECIFIC SARC TRAINING WITHIN ONE YEAR OF THIS POLICY CHANGE OR THEIR HIRING, AND A MINIMUM OF EIGHT HOURS ANNUALLY THEREAFTER. ALL SARCS MUST ALSO COMPLETE A COAST GUARD SPECIFIC VICTIM ADVOCATE (VA) TRAINING WITHIN ONE YEAR OF THIS POLICY CHANGE OR THEIR HIRING. CERTIFICATES OF COMPLETION FOR BOTH OF THESE COURSES ARE REQUIRED IN ORDER FOR THE SARC TO BE QUALIFIED TO FACILITATE VA TRAININGS.
3. RESTRICTED REPORTING IS ONLY AN OPTION WHEN THE ASSAULT IS DISCLOSED TO AN EAPC/SARC OR FAS FROM THE HEALTH, SAFETY AND WORK-LIFE (HSWL) FIELD OFFICE, A VA OR A HEALTH CARE PROVIDER (HCP). CHAPLAINS MAINTAIN THE SAME PRIVILEGE (ABSOLUTE AND TOTAL CONFIDENTIALITY) THEY HAVE ALWAYS HAD AND DO NOT MANAGE PAPERWORK OR CASES. IF A SEXUAL ASSAULT IS DISCLOSED TO ANY OTHER ACTIVE DUTY SERVICE MEMBER OR TO LAW ENFORCEMENT, THE REPORT MUST BE UNRESTRICTED. CIVILIAN FAMILY AND FRIENDS MAY ACT AS A NATURAL SUPPORT SYSTEM BUT MUST UNDERSTAND THAT THE INCIDENT CANNOT BE DISCLOSED TO ANYONE OTHER THAN THE AFOREMENTIONED. UNRESTRICTED REPORTING ALLOWS FOR COMMAND PROTECTIONS AND INVESTIGATION OF THE CRIME, BUT VICTIMS ALWAYS HAVE THE OPTION OF NOT PARTICIPATING WITHAN INVESTIGATION TO PURSUE PROSECUTION.
4. RESTRICTED REPORTING IS NOW AN OPTION FOR MEMBERS ASSIGNED TO AFLOAT UNITS. A VICTIM NO LONGER HAS TO BE IN THEIR HOME PORT OR HAVE A MEDICAL OFFICER (MO) ON BOARD IN ORDER TO HAVE A RESTRICTED REPORT. THE TYPE OF AFLOAT UNIT THE MEMBER IS ASSIGNED TO MAY AFFECT THE MEDICAL AND EMOTIONAL SUPPORT AVAILABLE, AS NOT ALL AFLOAT UNITS HAVE AN MO, INDEPENDENT DUTY HEALTH SERVICES TECHNICIAN (IDHS) OR VA ONBOARD. FOR THIS REASON IT IS STRONGLY RECOMMENDED THAT ALL AFLOAT UNITS HAVE A TRAINED VA ON BOARD. AN MO OR IDHS ARE HCPS AND ARE THEREFORE ABLE TO ACCEPT RESTRICTED REPORTS (SAME AS SARCS AND

VICTIM ADVOCATES), BUT ONLY MEDICAL OFFICERS ARE ABLE TO COLLECT FORENSIC EVIDENCE. IF ASSIGNED TO AN AFLOAT UNIT THAT DOES NOT HAVE AN MO, A VICTIM MIGHT PREFER TO CHOOSE UNRESTRICTED REPORTING IN ORDER TO BE REMOVED FROM THE UNIT SO FORENSIC EVIDENCE CAN BE OBTAINED FOR POTENTIAL PROSECUTION. A VICTIM HAS THE OPTION OF REQUESTING A RESTRICTED REPORT UPON A PORT ARRIVAL IF THEIR AFLOAT UNIT DOES NOT HAVE A TRAINED VA, MO, OR IDHS, BUT THAT CHOICE MAY AFFECT THE ABILITY TO COLLECT FORENSIC EVIDENCE IN A TIMELY FASHION (OR TO RECEIVE OTHER SERVICES) AS THE COMMAND WILL NOT KNOW ABOUT THE SEXUAL ASSAULT.

5. THESE POLICY CHANGES WILL BE REFLECTED IN UPCOMING REVISIONS TO REF A.

6. POC: MS. SHAWN WREN, COMDT (CG-1112), 202-475-5163 OR EMAIL: SHAWN.M.WREN(AT)USCG.MIL.

7. RELEASED BY RADM MARK TEDESCO, DIRECTOR OF HEALTH, SAFETY AND WORK-LIFE.

8. INTERNET RELEASE AUTHORIZED.

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Sexual Assault in the U.S. Coast Guard in FY 2011

Fiscal Year 2012 Annual Report to Congress
February 03, 2012



Homeland
Security

United States Coast Guard

501752

Foreword

FEB 03 2012

The Coast Guard presents the following report, "Sexual Assault in the U.S. Coast Guard in FY 2011."

The Coast Guard is committed to ensuring victims of sexual assault are protected, treated with dignity and respect, and provided appropriate ongoing support. The Coast Guard is dedicated to ensuring that persons who commit crimes are held accountable. To achieve these dual objectives, the Coast Guard chartered a Task Force, adopted new policies, provided additional reporting options for victims, and undertook several new initiatives to expand and improve our sexual assault prevention and response program.



The *Coast Guard Authorization Act of 2010* (Pub. L. 111-281), Section 217, directs the Coast Guard to annually report on sexual assaults involving members of the Coast Guard. Pursuant to Congressional requirements, this report is being provided to the following members of Congress:

The Honorable John D. Rockefeller IV
Chairman, Senate Commerce, Science and Transportation Committee

The Honorable Kay Bailey Hutchinson
Ranking Member, Senate Commerce, Science and Transportation Committee

The Honorable John L. Mica
Chairman, House Transportation and Infrastructure Committee

The Honorable Nick J. Rahall II
Ranking Member, House Transportation and Infrastructure Committee

The Honorable Peter T. King
Chairman, House Homeland Security Committee

The Honorable Bennie G. Thompson
Ranking Member, House Homeland Security Committee

I am happy to answer any further questions you may have, or your staff may contact my Senate Liaison Office at (202) 224-2913 or House Liaison Office at (202) 225-4775.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. J. Papp, Jr.", written over a faint, circular official seal or stamp.

R. J. Papp, Jr.
Admiral, U. S. Coast Guard
Commandant

Executive Summary

The *Coast Guard Authorization Act of 2010*, Section 217, directs the Coast Guard to report annually on sexual assaults involving members of the Coast Guard. This report covers the period from October 1, 2010 through September 30, 2011 (FY 2011).

The purpose of the Coast Guard Sexual Assault Prevention and Response (SAPR) Program is to establish policy and prescribe procedures for Coast Guard personnel regarding sexual assault incidents. The ultimate objective of this program is to eliminate sexual assault within the Coast Guard by creating a culture of prevention, education, accountability and victim support through better training, reporting procedures, and response capabilities.

In Fiscal Year (FY) 2011, the Coast Guard had 75 alleged cases of sexual assault that included 83 Unrestricted Reports from individual Coast Guard members. A single case or investigation may involve multiple Unrestricted Reports. The Coast Guard also received five Restricted Reports during this period. A Restricted Report is generated when the victim chooses to receive support and treatment, but is not willing to engage the command or initiate the investigative process. As such, these reports are not included in the case figures. It should be noted that research shows a majority of victims do not report their sexual assault.¹

Since 2008, the Coast Guard has increased funding for the SAPR Program each year. In September 2008, the Coast Guard hired a dedicated Program Manager to lead the Coast Guard-wide SAPR Program. Since that time, all Coast Guard field staffs have a trained Sexual Assault Response Coordinator (SARC), and several hundred Victim Advocates (VA) throughout the Coast Guard have been trained, which increases the availability of VAs to assist victims of sexual assault.

In FY 2011, an SAPR Task Force was chartered by the Vice Commandant of the Coast Guard and co-chaired by the Deputy Commandant for Mission Support and the Master Chief Petty Officer of the Coast Guard. The Task Force will provide recommendations to improve policy, doctrine, communications, education, training, investigation, prosecution, workforce climate, and culture aspects that pertain to sexual assault.

Promoting a culture of prevention is integral to the success of the Coast Guard SAPR Program and is consistent with the Commandant's Guiding Principle of "Respecting Our Shipmates." Senior leadership focus on individual and family support programs has directly impacted the workforce culture and prevention of sexual assault incidents. The increased use of "Bystander Intervention" training reinforces the message that preventing sexual assault is everyone's duty. The Coast Guard is dedicated to ensuring that victims of incidents receive the appropriate support, and persons who commit crimes are held accountable.

¹ According to the Department of Justice, 41.6 percent of rapes are reported to authorities. See U.S. Department of Justice, Office of Justice Programs, "National Crime Victimization Survey: Criminal Victimization, 2007 (Dec 2008), 7. Available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/cv07.pdf> Other studies suggest that the report rate may be lower than 25 percent.



Sexual Assault in the U.S. Coast Guard in FY 2011

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I. Legislative Requirement

This report responds to the language in section 217 of the *Coast Guard Authorization Act of 2010* (Pub. L. 111-281), which directs the Coast Guard to report on the number of sexual assaults involving members of the Coast Guard as per the following:

SEC. 217. REPORTS ON SEXUAL ASSAULTS IN THE COAST GUARD.

(a) **IN GENERAL.**—Not later than January 15 of each year, the Commandant of the Coast Guard shall submit a report on the sexual assaults involving members of the Coast Guard to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) **CONTENTS.**—The report required under subsection (a) shall contain the following:

(1) The number of sexual assaults against members of the Coast Guard, and the number of sexual assaults by members of the Coast Guard, that were reported to military officials during the year covered by such report, and the number of the cases so reported that were substantiated.

(2) A synopsis of, and the disciplinary action taken in, each substantiated case.

(3) The policies, procedures, and processes implemented by the Secretary concerned during the year covered by such report in response to incidents of sexual assault involving members of the Coast Guard concerned.

(4) A plan for the actions that are to be taken in the year following the year covered by such report on the prevention of and response to sexual assault involving members of the Coast Guard concerned.

II. Data Report

During Fiscal Year (FY) 2011, the Coast Guard had 75 cases/investigations that included 83 Unrestricted Reports of sexual assault.² Coast Guard Investigative Services (CGIS) tracks and maintains sexual assault data by “cases” or “investigations,” as well as by the number of victims and offenders (“subjects”). In FY 2011, there were several cases/investigations that involved multiple victims and/or offenders. Each Unrestricted Report accounts for one victim per report.

During FY 2011, five Restricted Reports were also received. Since Restricted Reporting does not engage the command or the investigative process (per the member’s request), these reports are not included in the case/investigation data.

The 75 cases are categorized as “Service Member on Service Member,” “Service Member on Non-Service Member,” “Non-service Member on Service Member,” and “Unidentified Subject on Service Member.”

Breakdown of Unrestricted Investigations in FY 2011

Service Member on Service Member	40
Service Member on Non-Service Member	18
Non-Service Member on Service Member	3
Unidentified Subject on Service Member*	14
Total Unrestricted Investigations	75

*12 of these cases are still "Open"

Disposition Status of Unrestricted Investigations in FY 2011

Number of Investigations	Sexual assaults AGAINST members of the USCG	Sexual assaults BY members of the USCG
Disposition of Substantiated ("Closed") Investigations:	7	5
Non-Judicial Punishment	5	3
Other Administrative Action	2	2
Courts-Martial	0	0
Discharge in Lieu of Courts-Martial	0	0
Disposition of Remaining Investigations:	50	53
Pending Adjudication	47	53
Offender Under Civilian/Foreign Authority	1	0
Unidentified Offender(s)	2	0
Total Number of Investigations*	57	58

* Though there are 75 unrestricted investigations in FY 2011, there are 115 separate disposition statuses as 40 investigations involve two Coast Guard members.

² Sexual assault includes the following offenses: rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses.

III. Plan of Action

Sexual Assault Prevention and Response (SAPR) Program policy, outlined by COMDTINST 1754.10C, has been revised and is scheduled to be released as a comprehensive manual in 2012. The revised policy is clear and concise and captures best practices among the Armed Services and civilian agencies. In the interim, policy messages to all Coast Guard personnel were released to promulgate important changes.

The policy changes include the following: a new definition for sexual assault; a change to the title of "Victim Support Person" to "Victim Advocate (VA)" to more accurately portray this important and trained role; the new option of allowing members assigned to afloat units to choose the Restricted Reporting option; and the extension of the Restricted Reporting option for sexual assault to spouses sexually assaulted by their active-duty spouse.

In FY 2012, SAPR Program initiatives include ongoing VA training sessions to uniformed members across the Coast Guard, scheduling another Sexual Assault Response Coordinator (SARC) training for newly hired employees, and updating the SAPR curriculum taught to new recruits at Training Center Cape May, NJ. The Coast Guard Academy will also offer training to the "Cadets Against Sexual Assault (CASA)" organization to allow trained cadets to maintain some confidentiality and accompany a victim to a VA in the event another cadet discloses a sexual assault to them. Advanced VA Refresher Trainings will be provided throughout the Coast Guard from the cognizant SARC. A more robust "Bystander Intervention" training is also being planned as a complement to the current SAPR annual mandated training. Additional initiatives will be undertaken as viable recommendations from the SAPR Task Force are implemented.

The DoD Safe Helpline, which is a significant resource for assisting sexual assault victims, became fully operational during FY 2011. The DoD Safe Helpline is a sexual assault victim assistance initiative for the military community. The Coast Guard is included in this project. The Safe Helpline allows users to "click, call or text" for access to 24/7, worldwide sexual assault assistance. Services are free, confidential and anonymous for all members of the Armed Services community to include Active Duty, National Guard, Reserves, contractors, and federal civilians, the families of Service members, and veterans. Users are connected with specially trained experts of the Rape, Abuse & Incest National Network (RAINN), the Nation's largest not-for-profit anti-sexual violence organization.

Sexual Assault Awareness Month (SAAM) is observed in April of each year. FY 2010 was the first year the Coast Guard formally observed SAAM, and FY 2011 followed with a pro-active, positive social media campaign during the entire month of April. As part of the Coast Guard's collaborative work with the DoD SAPRO, their "Hurts One, Affects All" SAAM campaign was advertised throughout the Coast Guard with posters and related information. Coast Guard-specific posters with appropriate wording geared towards Coast Guard personnel, such as "We Respect Our Shipmates" were used. A similar plan is underway for SAAM 2012, and is, in part, being developed by the Communications Work Group established by the SAPR Task Force.

As in FY 2011, a Coast Guard Exceptional SARC of the Year will be honored during the FY 2012 SAAM alongside their counterpart SARCs from the other military services. This event is hosted by DoD SAPRO.

CGIS is an integral part of the SAPR Program's effectiveness; engaging law enforcement is one of the issues that most often intimidate a victim from coming forward. In 2006, CGIS hired a Senior Special Agent to fill the newly created position of Sex Crimes Program Manager. The CGIS Sex Crimes Program Manager works closely with the Coast Guard's SAPR Program Manager to provide program consistency.

CGIS Agents are trained in accordance with the requirements set forth by Commandant Instructions with regard to their response to reported sexual assaults by or against "covered persons."³ CGIS Agents are trained to contact the Coast Guard Work-Life staff when they are notified about a sexual assault and are encouraged to communicate and liaise with their respective Work-Life offices (i.e., Employee Assistance Program Coordinators, SARCs, and VAs) to discuss expectations of what may occur during a victim interview, especially when the victim may choose to have a VA present.

The CGIS Sex Crimes Program Manager is a member on all five Coast Guard SAPR Task Force Work Groups, and is co-chair of the Investigations and Prosecution Work Group. New CGIS initiatives regarding agent training, investigative best practices, and updated investigatory procedures have been shared with the Task Force Work Groups.

Primary Coast Guard objectives continue to be increased prevention efforts and fostering a culture of trust in which victims will report sexual assault incidents and gain intervention assistance. Inherent in this process is timeliness as well as our effort to ensure that persons who commit these crimes are held accountable.

³ A "covered person" is defined by Commandant Instruction 5520.5 as a member of the Coast Guard who is an active duty member, a reserve member on active duty, a civilian employee, Public Health Service officer assigned to the Coast Guard, or DoD personnel assigned to the Coast Guard.



Sexual Assault in the U.S. Coast Guard in FY 2012

Report to Congress
January 30, 2013



Homeland
Security

501760

Foreword

JAN 30 2013

The Coast Guard presents the following report, "Sexual Assault in the U.S. Coast Guard in FY 2012."

Sexual assault crimes in the Coast Guard are incompatible with our core values and significantly undermine the readiness of our force. Strong leadership and unfailing respect for our shipmates will ultimately assist in my goal of eliminating sexual assault from the Coast Guard. This year I joined the Joint Chiefs in signing a Strategic Plan to improve awareness of sexual assaults, operationalize our commitment, and facilitate dialogue and open communications across the services. To assist in achieving these objectives, in FY 2012, the Coast Guard completed a review by a chartered Sexual Assault Prevention and Response (SAPR) Task Force, released a new Commandant SAPR policy manual (COMDTINST M1754.10D), and initiated a bystander intervention initiative that is to be implemented Coast Guard-wide.



The *Coast Guard Authorization Act of 2010* (Pub. L. No. 111-281), Section 217, directs the Coast Guard to annually report on sexual assaults involving members of the Coast Guard. Pursuant to Congressional requirements, this report is being provided to the following members of Congress:

The Honorable John D. Rockefeller IV
Chairman, Senate Commerce, Science and Transportation Committee

The Honorable John Thune
Ranking Member, Senate Commerce, Science and Transportation Committee

The Honorable Bill Shuster
Chairman, House Transportation and Infrastructure Committee

The Honorable Nick J. Rahall II
Ranking Member, House Transportation and Infrastructure Committee

The Honorable Michael McCaul
Chairman, House Homeland Security Committee

The Honorable Bennie G. Thompson
Ranking Member, House Homeland Security Committee

I am happy to answer any further questions you may have, or your staff may contact my Senate Liaison Office at (202) 224-2913 or House Liaison Office at (202) 225-4775.

Sincerely,

R. J. PAPP, JR.
Admiral, U.S. Coast Guard
Commandant



Sexual Assault in the U.S. Coast Guard in FY 2012

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I. Legislative Requirement

This report responds to the language in section 217 of the *Coast Guard Authorization Act of 2010* (Pub. L. No. 111-281), which directs the Coast Guard to report on the number of sexual assaults involving members of the Coast Guard as per the following:

SEC. 217. REPORTS ON SEXUAL ASSAULTS IN THE COAST GUARD.

(a) IN GENERAL.—Not later than January 15 of each year, the Commandant of the Coast Guard shall submit a report on the sexual assaults involving members of the Coast Guard to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) CONTENTS.—The report required under subsection (a) shall contain the following:

(1) The number of sexual assaults against members of the Coast Guard, and the number of sexual assaults by members of the Coast Guard, that were reported to military officials during the year covered by such report, and the number of the cases so reported that were substantiated.

(2) A synopsis of, and the disciplinary action taken in, each substantiated case.

(3) The policies, procedures, and processes implemented by the Secretary concerned during the year covered by such report in response to incidents of sexual assault involving members of the Coast Guard concerned.

(4) A plan for the actions that are to be taken in the year following the year covered by such report on the prevention of and response to sexual assault involving members of the Coast Guard concerned.

II. Data Report

During Fiscal Year (FY) 2012 (based on available data at the time of this report), the Coast Guard had 95 cases (initiated investigations) that included 141 victims (Unrestricted Reports) of sexual assault.¹ Coast Guard Investigative Service (CGIS) tracks and maintains sexual assault data by “cases” or “investigations,” as well as by the number of victims and offenders (“subjects”). In FY 2012, there were several cases/investigations that involved multiple victims and/or offenders. Of the 95 cases (initiated investigations), 57 reportedly involved alcohol and/or drugs, 15 did not, and 23 are unknown (investigations pending completion). Of the 141 victims, 120 were female and 21 were male.

¹ Sexual assault includes the following offenses: rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses. An Unrestricted Report is where a victim discloses that he or she is the victim of a sexual assault without requesting confidentiality or Restricted Reporting, or discloses an incident to law enforcement or someone other than those allowed to receive a Restricted Report, or if the incident is disclosed by a third party. Under these circumstances, the victim’s report and any details provided to healthcare providers, the Employee Assistance Coordinator, a Victim Advocate, command authorities, or other persons are reportable to CGIS to initiate the official investigative process.

During FY 2012, 15 Restricted Reports were also received.² Since Restricted Reporting does not engage the command or the investigative process (per the member's request), these reports are not included in the case/investigation following data.

The 95 cases are categorized as "Service Member on Service Member," "Service Member on Non-Service Member," "Non-service Member on Service Member," and "Unidentified Subject(s) on Service Member."

Breakdown of Unrestricted Investigations in FY 2012

Service Member on Service Member	66
Service Member on Non-Service Member	13
Non-Service Member on Service Member	4
Unidentified Subject on Service Member	12
Total Unrestricted Investigations	95

Disposition Status of Unrestricted Investigations in FY 2012

	Sexual assaults AGAINST members of the USCG	Sexual assaults BY members of the USCG
Disposition of Substantiated ("Closed") Investigations:	10	9
UCMJ Article 15 Proceedings	8	7
Other Administrative Action	2	2
Courts-Martial	0	0
Discharge in Lieu of Courts-Martial	0	0
Disposition of Remaining Investigations:	58	64
Pending Adjudication	52	64
Offender Under Civilian/Foreign Authority	2	0
Unidentified Offender(s)	4	0
Total Number of Investigations³	68	73

Disposition of Substantiated Investigations from Prior Years Adjudicated in FY 2012:

Courts-Martial	15
UCMJ Article 15 Proceedings	12
Other Administrative Action	8
Discharge in Lieu of Courts-Martial	4
	39

² The Restricted Reporting option allows a victim to report or disclose that he or she is the victim of a sexual assault to specified officials (SARC, Victim Advocate, healthcare provider, or chaplain) on a confidential basis. Under these circumstances, the victim's report and any details are provided to a healthcare provider, the Employee Assistance Program Coordinator or a Victim Advocate, but will not be reported to law enforcement through the official investigative process unless the victim consents to such a report or an established exception is exercised under COMDTINST 1754.10.

³ Though there are 95 unrestricted investigations in FY 2012, there are 141 separate statuses as there are investigations involving two or more Coast Guard members.

III. Plan of Action

Sexual Assault Prevention and Response (SAPR) Program policy is outlined in the COMDTINST M1754.10D, which was released in April 2012. This policy was revised and expanded and offers comprehensive direction for the Coast Guard's SAPR Program. The revised policy is clear and concise and captures best practices among the Armed Services and civilian agencies.

The new SAPR Policy Manual provides a Commander's Checklist, offers clearly defined roles and responsibilities for all entities involved in a sexual assault incident, addresses prevention, mandates education and training, defines reporting processes and response procedures, and ensures greater accountability and victim safety.

For FY 2013, SAPR Program initiatives include ongoing Victim Advocate (VA) training sessions to uniformed members across the Coast Guard, continuing Sexual Assault Response Coordinator (SARC) trainings for newly hired employees with SARC responsibilities, implementing the new bystander intervention strategy Coast Guard-wide, and continuing the building of a "special victims capability" per the Joint Chiefs of Staff Strategic Direction.

The Coast Guard is working to enhance its proficiency in the investigation of sexual assault. In FY 2011, CGIS created the new designation of "Family and Sexual Violence Investigators (FSVI). During FY 2012, FSVIs received specialized training to ensure appropriate expertise within the field of sexual assault and family violence. Building on this effort, in FY 2013 CGIS special agents and several Coast Guard Judge Advocates will be attending the Army Special Victims Unit Investigation Course.

The new Coast Guard bystander intervention initiative, the "Sexual Assault Prevention Workshop (SAPW)," is currently being implemented throughout the Coast Guard, and is a four-hour discussion-based event. It is facilitated by the SARC, the local CGIS special agent, and an attorney from the servicing Staff Judge Advocate's office. The SAPW includes a large group discussion, followed by smaller gender-separated groups for further discussion. A SAPW Facilitator Guide was developed, and appropriate training is required for the facilitators of this Workshop, especially as it is entirely discussion-based and does not follow the typical "lecture" training format. Current issues, myths, facts, concerns, and actual scenarios from Coast Guard sexual assault cases are the topics for the Workshop.

The Coast Guard Academy will continue to offer training to the "Cadets Against Sexual Assault" organization to allow trained cadets to maintain some confidentiality and accompany a victim to a VA in the event another cadet discloses a sexual assault to them. Advanced VA Refresher Trainings will also be provided throughout the Coast Guard.

The SAPR Task Force (initially chartered during FY 2011) completed its mission during FY 2012, and a "Sexual Assault Prevention Council" will stand up in FY 2013 to implement the approved recommendations from the Task Force. Some initiatives include adding SAPR training modules to various leadership courses, implementing the SAPW bystander intervention strategy, and ensuring availability of VAs to all coast Guard personnel.

Sexual Assault Awareness Month (SAAM) is observed in April of each year. FY 2010 was the first year the Coast Guard formally observed SAAM, and FY 2011 and FY 2012 followed with

pro-active, positive social media campaigns during the entire month of April. The Coast Guard intends to again observe SAAM in FY 2013.

As in FY 2012, a Coast Guard Exceptional SARC of the Year will be honored during the FY 2013 SAAM alongside their counterpart SARCs from the other military services. This event is hosted by the Department of Defense SPAR Office.

Primary Coast Guard objectives continue to focus on enhancing prevention efforts and fostering a culture of trust in which victims will report sexual assault incidents and gain intervention assistance. Inherent in this process is timeliness and our effort to ensure that persons who commit these crimes are held accountable.

Those in Command have a responsibility to establish a command climate that promotes safety and respect and where all subordinates feel free to report wrongful behavior of any type. It is the duty of Commanding Officers to demonstrate, through words and actions, that sexual assault and other forms of harassment are unacceptable, prohibited, and incompatible with Coast Guard Core Values. Both military members and civilian employees receive training in guidelines for and prevention of sexual assault.

IV. List of Incidents and Disciplinary Results

List of substantiated incidents and disciplinary results from investigations adjudicated during FY 2012.

Courts Martial

1	SEXUAL ASSAULT (wrongful sexual relations) GUILTY: 621 days confinement, reduced to E-1, and given a Bad Conduct Discharge.
2	SEXUAL ASSAULT (unwelcomed attempts to kiss) GUILTY: Restricted for 30 days, reduced to E-5, given a Letter of Reprimand, and separated from the Coast Guard for misconduct with an Other Than Honorable Discharge.
3	SEXUAL ASSAULT (adultery) GUILTY: Restricted for 60 days, forfeiture of 1 months pay (\$1550), reduced to E-4, and given a General Discharge.
4	SEXUAL ASSAULT (striking of victim's buttocks) GUILTY: Restricted for 30 days, given hard labor without confinement for 15 days, and reduced to E-3.
5	SEXUAL ASSAULT (inappropriate touching) GUILTY: Confined for 3 months confinement, reduced to E-2, and given a Bad Conduct Discharge.
6	SEXUAL ASSAULT (digital entry of anus) NOT GUILTY.
7	SEXUAL ASSAULT (off base rape) GUILTY: Reduced to E-1 and given a Bad Conduct Discharge.
8	SEXUAL ASSAULT (touching of two victims on their buttocks) GUILTY: Restricted for 30 days, forfeiture of 1 months pay (\$1575), and reduced to E-4.

9	SEXUAL ASSAULT (inappropriate touching and unwanted sexual advances) GUILTY: Confined for 7 months, reduced to E-1, and forfeiture of \$6930.
10	SEXUAL ASSAULT (touched victim's breasts through outerwear) NOT GUILTY OF SEXUAL ASSAULT. GUILTY OF ASSAULT CONSUMMATED BY BATTERY, and DRUNK & DISORDERLY CONDUCT: Reduced in rank, forfeiture 1 month pay.
11	SEXUAL ASSAULT (fondled breasts while victim was under the influence of sedative) GUILTY: Restricted for 30 days, 15 days hard labor without confinement, and reduced to E-3.
12	SEXUAL ASSAULT (inappropriate touching) NOT GUILTY.
13	SEXUAL ASSAULT (digital penetration of anus through clothing) GUILTY: Restricted for 60 days, hard labor without confinement, letter of reprimand, and administratively separated based on misconduct.
14	SEXUAL ASSAULT (inappropriate touching) NOT GUILTY
15	SEXUAL ASSAULT (restrained victim and grabbed her buttocks) GUILTY: Given 30 days confinement, forfeiture of 1 months pay (\$994), and reduced to E-1.

Article 15 Proceedings

1	SEXUAL ASSAULT (wrongful sexual contact) Restricted for 45 days (suspended), given 45 days extra duty (suspended), reduced to E-3, and separated from the Coast Guard at expiration of enlistment
2	SEXUAL ASSAULT (grabbed the buttocks of victim through clothing) Restricted for 45 days, given 45 day extra duty, \$500 forfeiture of pay for 1 month, and reduced to E-5.
3	SEXUAL ASSAULT (touched victim's buttocks in an inappropriate manner) Given 30 days extra duty and reduced to E-4.
4	SEXUAL ASSAULT (unknown circumstances) Restricted for 21 days, given 21 days extra duty, and reduced to E-4.
5	SEXUAL ASSAULT (sexual relations with intoxicated victim) Restricted for 45 days, given 45 days extra duty, forfeiture of 1/2 of one month's pay for 2 months, reduced to E-2, and separated from the Coast Guard based on a "pattern of misconduct".
6	SEXUAL ASSAULT (bit victim's tongue while kissing) Restricted for 45 days, given 45 days extra duty, forfeiture of \$875 per months for 2 months, reduced to E-3, and administratively separated for 2nd alcohol incident.
7	SEXUAL ASSAULT (kissed victim and touched victim's bare buttocks) Forfeiture of 1/2 of one month's pay for 2 months and reduced to E-2.
8	SEXUAL ASSAULT (inappropriately touched and made unwanted sexual advances) Restricted for 45 days, given 45 days extra duty, forfeiture of pay for 2 months, reduced to E-4, and not recommended for reenlistment.
9	SEXUAL ASSAULT (sexual relationship with a 16 year old) Given General Discharge.

10	SEXUAL ASSAULT (sexual relations after providing a mind-altering drug) Victim admitted to making a false report and victim was changed to subject. Reduced to E-2, restricted for 14 days (suspended), forfeiture of 7 days pay (suspended), and given 14 days extra duty (suspended).
11	SEXUAL ASSAULT (inappropriately touched breasts and/or buttocks) Restricted for 45 days, given 45 days extra duty, forfeiture of 1/2 month's pay for 2 months (suspended), reduced to E-5, given 2nd alcohol incident, and processed for Administrative Discharge.
12	SEXUAL ASSAULT (wrongful sexual relations) Restricted for 45 days, given 45 days extra duty, forfeiture of 1/2 month's pay for 2 months, Reduced to e-2, and separated from the Coast Guard.

Sexual Assault Synopsis of Disciplinary Action For Substantiated FY 2012 Cases

Article 15 Proceedings

1	SEXUAL ASSAULT (slapped buttocks multiple times) Reduced in rank, transferred from duty station, given 45 days extra duty, given oral reprimand, and administrative documentation of 1st alcohol incident.
2	SEXUAL ASSAULT (inappropriate personal relationship) Reduced to E-4, restricted, and forfeiture of pay.
3	SEXUAL ASSAULT (wrongful sexual contact) Forfeiture of \$1000, and given a letter of reprimand.
4	SEXUAL ASSAULT (wrongful sexual contact) Forfeiture 1/2 month's pay for 1 month, and reduced to E-5.
5	SEXUAL ASSAULT (wrongful sexual relations) Given letter of reprimand, restricted for 60 days, and forfeiture of 1/2 of one month's pay for 2 months.
6	SEXUAL ASSAULT (wrongful sexual contact) Restricted for 30 days (15 days suspended), forfeiture 1/2 of one month's pay for 2 months (suspended), and reduced to E-3.
7	SEXUAL ASSAULT (slapped buttocks multiple times) After review of all info, no punishment was awarded to subject.