

58. (ALL) Prior to FY 2011, how did DoD and each Service's MCIOs define: substantiated, unsubstantiated, founded, and unfounded?

DOD	Prior to FY 2011 there was no DoD definition for substantiated, unsubstantiated, founded, and unfounded, as they specifically related to sexual assault investigations.
USA	<p>The U.S. Army Criminal Investigations Command (CID) did not use the terms substantiated or unsubstantiated in regards to its investigations. The U.S. Army Criminal Investigations Command (CID) did and continues to use the terms founded and unfounded in the same manner as all civilian law enforcement agencies in the United States.</p> <ul style="list-style-type: none"> • Founded (Offense). A determination, made in consultation with the supported prosecutor, that a criminal offense has been committed. • Founded (Subject/Suspect). The investigation determined probable cause, as concurred with by the supported prosecutor, that an individual committed the offense(s) under investigation. • Unfounded (Offense). A determination, made in consultation with the supported prosecutor, that a criminal offense did not occur. A lack of evidence to support a complaint or questioning of certain elements of a complaint is not sufficient to categorize an incident as unfounded. • Unfounded (Subject/Suspect). The investigation determined probable cause, as concurred with by the supported prosecutor, that an individual did not commit the offense(s) under investigation.
USAF	See AFOSI's answer to question 39.
USN	NCIS does not use the captioned terms, now or prior to FY11. Refer to questions #59 and #66 for further information.
USMC	NCIS does not use the captioned terms, now or prior to FY11. Refer to questions #59 and #66 for further information.
USCG	<p>CGIS does NOT currently classify cases as substantiated, unsubstantiated, founded, or unfounded. Current classification is "Open", "Open – Pending Adjudication" or "Closed". CGIS reports findings relative to investigations. Those findings are presented to the Subject's Command and the servicing Legal office for adjudication decision.</p> <p>NOTE: The current CGIS CMDS is under evaluation and being upgraded. This new report management system will offer further granularity into case dispositions.</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.