



DEPARTMENT OF DEFENSE  
SEXUAL ASSAULT PREVENTION  
AND RESPONSE OFFICE

# Department of Defense Sexual Assault Prevention and Response Program

Response Systems Panel  
June 27, 2013

## Purpose

- Provide overview of DoD sexual assault reporting
- Describe DoD survey methodology and top line results
- Explain DoD SAPR Strategy and Lines of Effort
- Identify past reviews of the DoD Sexual Assault Prevention and Response Program

# DoD and SAPRO Mission

## DoD Mission

- The Department of Defense prevents and responds to the crime of sexual assault in order to enable military readiness and reduce - with goal to eliminate - sexual assault from the military

## SAPRO Mission

- Serve as the DoD's single point of authority, system accountability, and oversight for the sexual assault prevention and response program, except for:
  - Criminal investigative matters that are the responsibility of DoD IG
  - Legal processes that are the responsibility of the Judge Advocates General of the Military Departments

# Overview of DoD Sexual Assault Reporting

## What is Sexual Assault?

- In the DoD, sexual assault is an overarching term that encompasses a range of contact sexual assault offenses between adults, prohibited by the Uniform Code of Military Justice
- Offenses are charged based on the act perpetrated, the level of force used, and the ability of the victim to consent
- Includes the UCMJ offenses of:
  - Rape (Art 120)
  - Sexual Assault (Art 120)
  - Forcible Sodomy (Art 125)
  - Attempts to Commit (Art 80)
  - Aggravated Sexual Contact (Art 120)
  - Abusive Sexual Contact (Art 120)

“Sexual assault” is not the same as “Military Sexual Trauma” (MST), a term used by Department of Veteran’s Affairs for documenting medical conditions and Service-connected disabilities, which includes experiencing **sexual harassment and/or sexual assault** at any point during one’s military career.

# Two Reporting Options

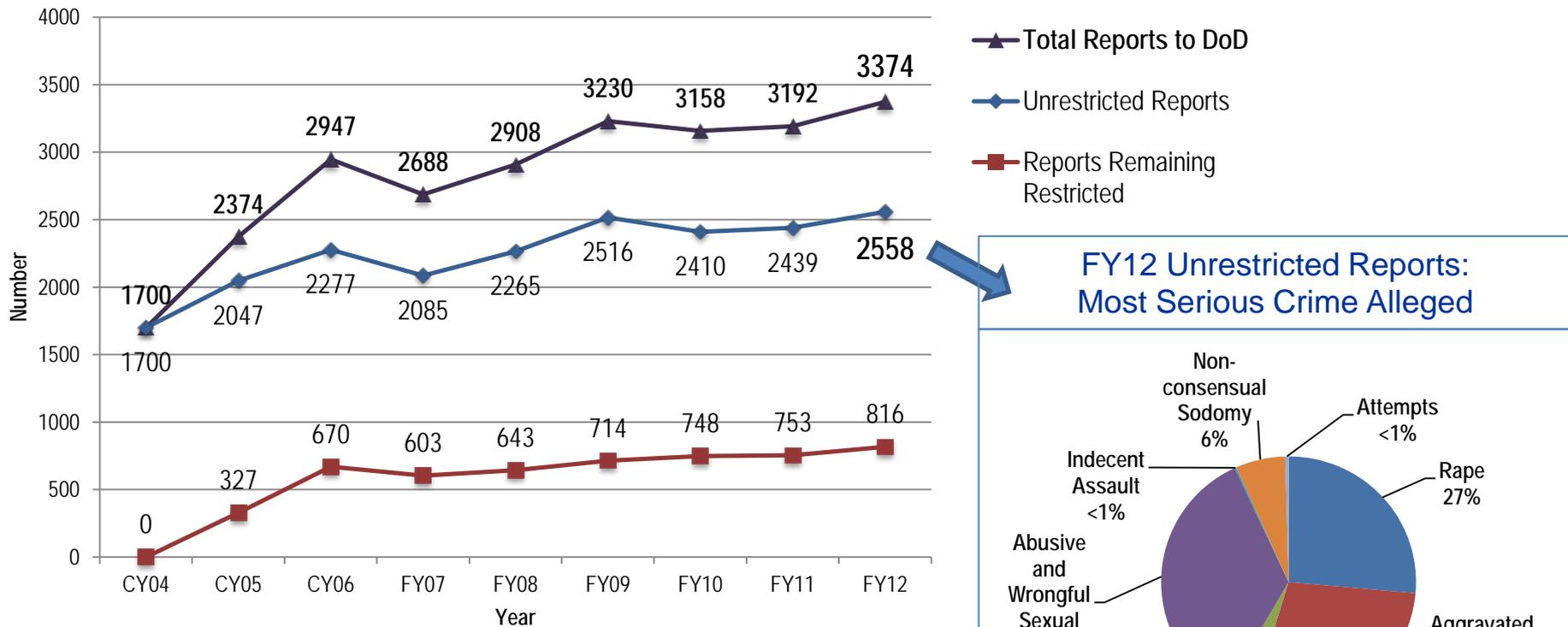
## Unrestricted Report

- Victim receives medical care, counseling, and advocacy services
- Commander is notified
- Report made to law enforcement to initiate the criminal investigation

## Restricted Report

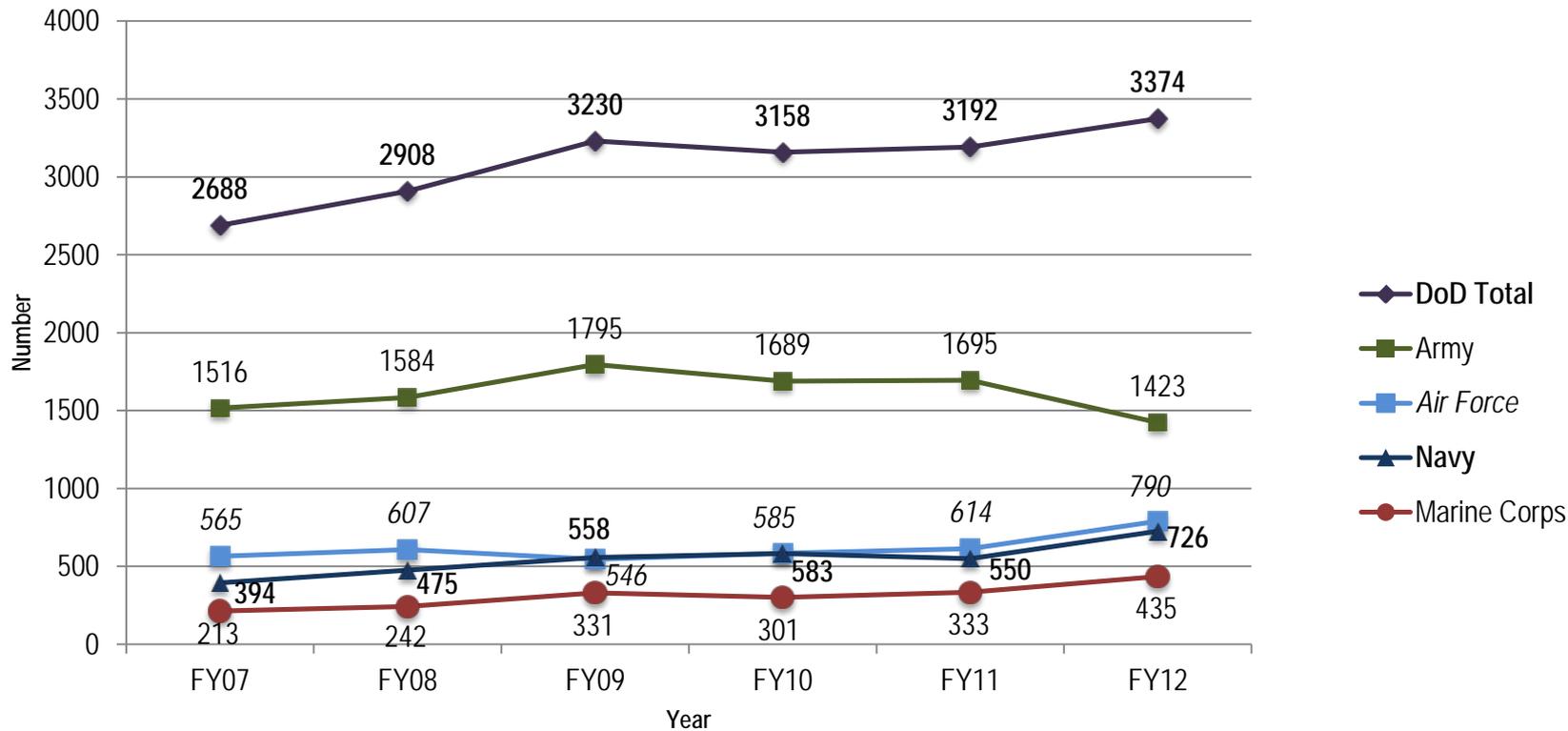
- Victim confidentially discloses to specific individuals
  - Sexual Assault Response Coordinator/Victim Advocate
  - Healthcare Personnel
- Command informed of assault (for safety reasons) but victim's name or other identifying information not provided
- Victim receives treatment and services, but no investigation initiated
- First offered in June 2005
  - Each year, about 15% of restricted reports switch to unrestricted

# Reports of Sexual Assault: CY04-FY12



- Reports of sexual assault include military members as either victims or alleged perpetrators.
- In FY12, overall reporting increased 6% from FY11
  - Unrestricted Reporting increased by 5%
  - Reports remaining Restricted increased by 8%
- 121 Reports in FY12 were for an incident occurring prior to service
- Restricted Report Conversions increased from 14.1% in FY11 to 16.8% in FY12

# Sexual Assault Reports by Service, FY07-12



Three of four Services showed an approximate 30% increase in reporting in FY12.

## Demographics in Majority of Unrestricted Reports

- Victim
  - Female
  - 18–24 years old
  - Junior enlisted (E1 – E4)
  - Occurring off duty at home station
- Subject
  - Male
  - 18 to 34 years old
  - Enlisted
  - Trend toward slightly higher rank than victim
  - Not a stranger to victim
  - Alcohol commonly the only weapon

# DoD Survey Methodology and Top Line Results

## Why Survey?

- National civilian statistics indicate that sexual assault is “under reported”
  - Determined through surveys of civilian population
    - Most persons indicating they experienced sexual assault also indicate they did not report it to law enforcement
    - Crime reports to police only account for 15 to 20% of what would be expected based on national surveys
- Population surveys help estimate the extent of a problem
  - Centers for Disease Control and Prevention and the Department of Justice conduct periodic, national surveys on sexual assault for this purpose
- SAPRO uses the *Workplace and Gender Relations Survey* to estimate the prevalence of sexual assault and sexual harassment in the military
  - “Unwanted sexual contact” is the survey term for the crimes that constitute sexual assault under military law
    - Survey research shows that terms like “rape” and “sexual assault” have different meanings to people
    - Unwanted sexual contact describes specific behaviors, instead of offenses, to improve consistency in item response

## Unwanted Sexual Contact (USC)

- **Definition and measure of USC in the WGRA:**

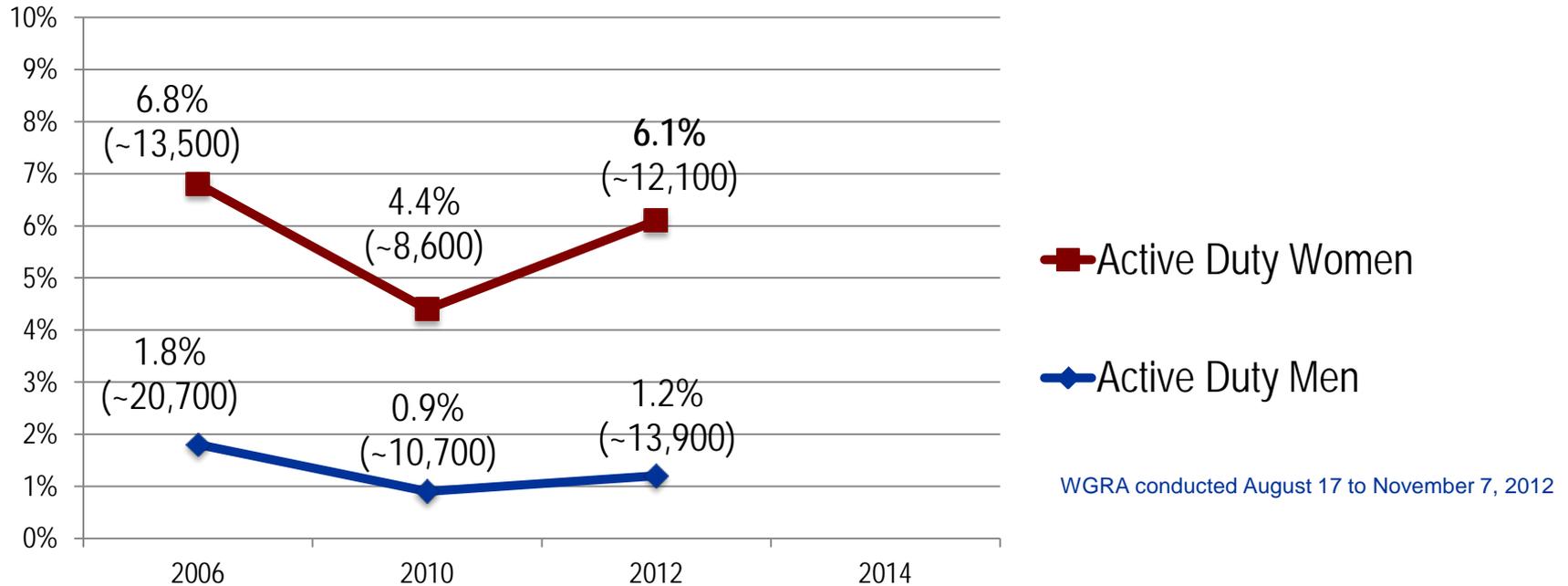
- USC is measured by asking members to refer to experiences in the past 12 months in which they experienced any of the following intentional sexual contacts that were against their will or which occurred when they did not or could not consent:
  - Sexually touched them (e.g., intentional touching of genitalia, breasts, or buttocks) or made them sexually touch someone;
  - Attempted to make them have sexual intercourse, but was not successful;
  - Made them have sexual intercourse;
  - Attempted to make them perform or receive oral sex, anal sex, or penetration by a finger or object, but was not successful; or
  - Made them perform or receive oral sex, anal sex, or penetration by a finger or object.
- A member is counted in the USC prevalence rate if he or she replied “yes” to any of the behaviors listed.

- **USC one situation:**

- On the survey, members who had indicated they experienced USC were asked to consider the “one situation” occurring the past 12 months that had the greatest effect on them. With that one situation in mind, members then reported on the circumstances surrounding that experience (e.g., who were the offenders, where did the behaviors occur, were drugs/alcohol involved, was the experience reported, were there any repercussions because of reporting the incident).

# Past-Year Prevalence of Unwanted Sexual Contact

Percent of Active Duty Members, by Gender

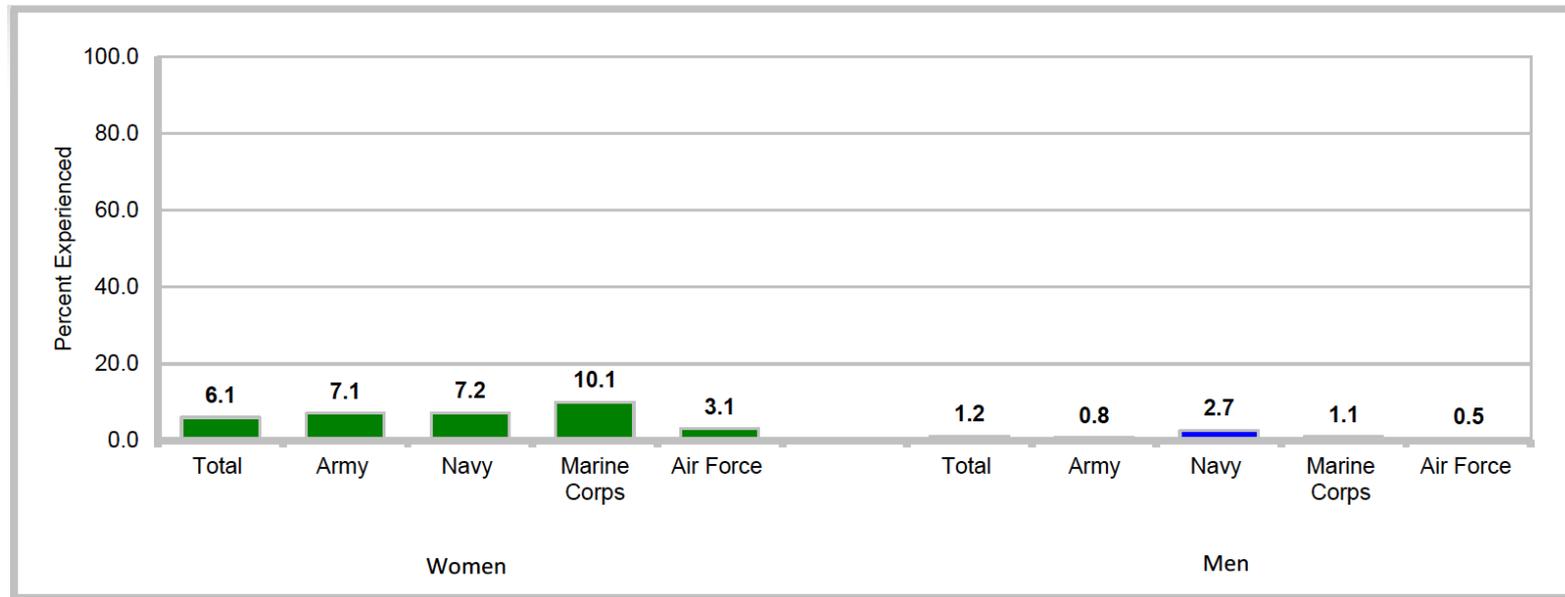


## Key findings:

- In 2012, 6.1% of women and 1.2% of men indicated experiencing USC
- For women, the 2012 percentage is statistically significantly higher than 2010; there are no statistically significant differences for men between 2012 and 2010
- Of the women and men who experienced USC in the past 12 months, 45% of these women and 19% of these men also experienced USC prior to entering the military
- Only 18% of active women and 22% of active men indicated the offender was either unidentified or a person in the local community; the majority of offenders were primarily military members or DoD civilians/contractors

# Past-Year Prevalence of Unwanted Sexual Contact

Percent of Active Duty Women and Men, by Service

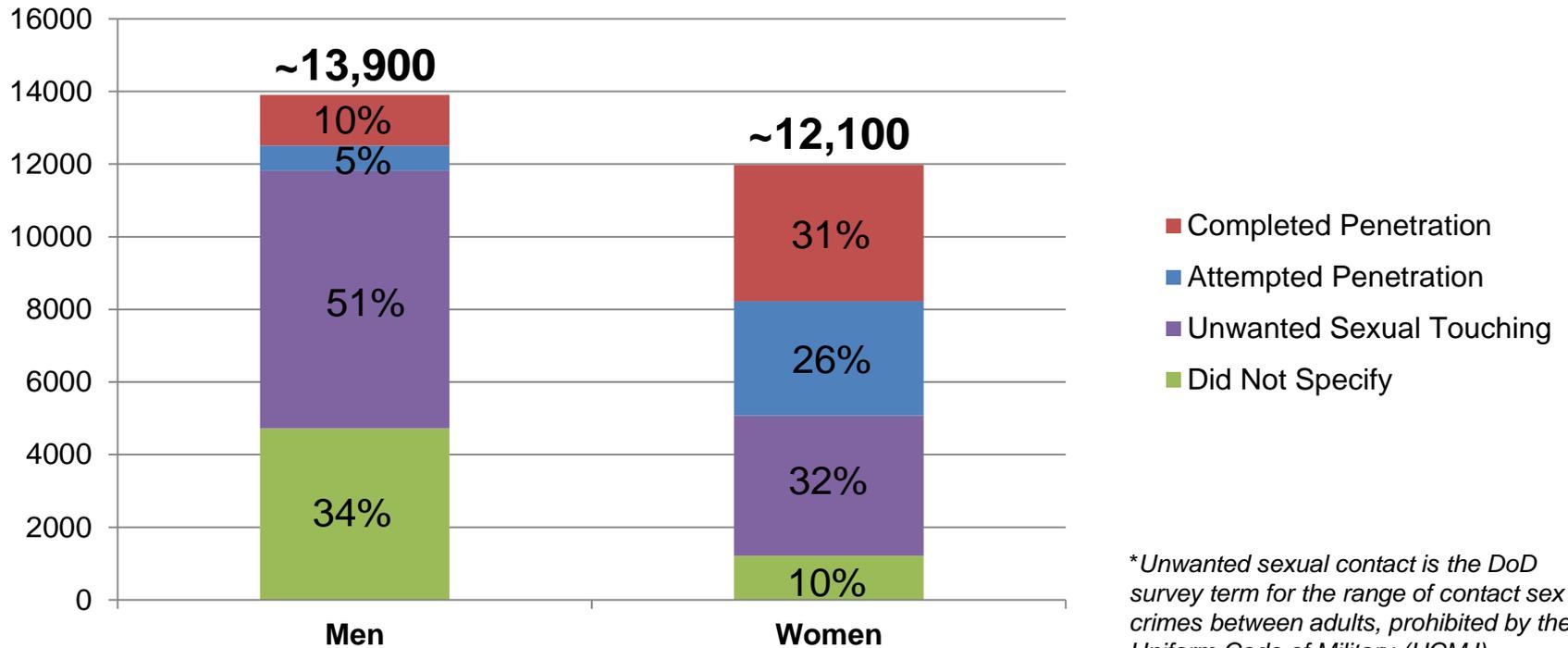


## Key findings:

- Marine Corps women were more likely than women in the other Services to indicate experiencing USC
- Air Force women were less likely than women in the other Services to indicate experiencing USC
- For Navy and Marine Corps women, the 2012 percentages are statistically significantly higher than 2010 (7.2% vs. 4.4% and 10.1% vs. 6.6%, respectively); there are no statistically significant differences for men between 2012 and 2010

# Unwanted Sexual Contacts\* Experienced

Estimates from 2012 WGRA



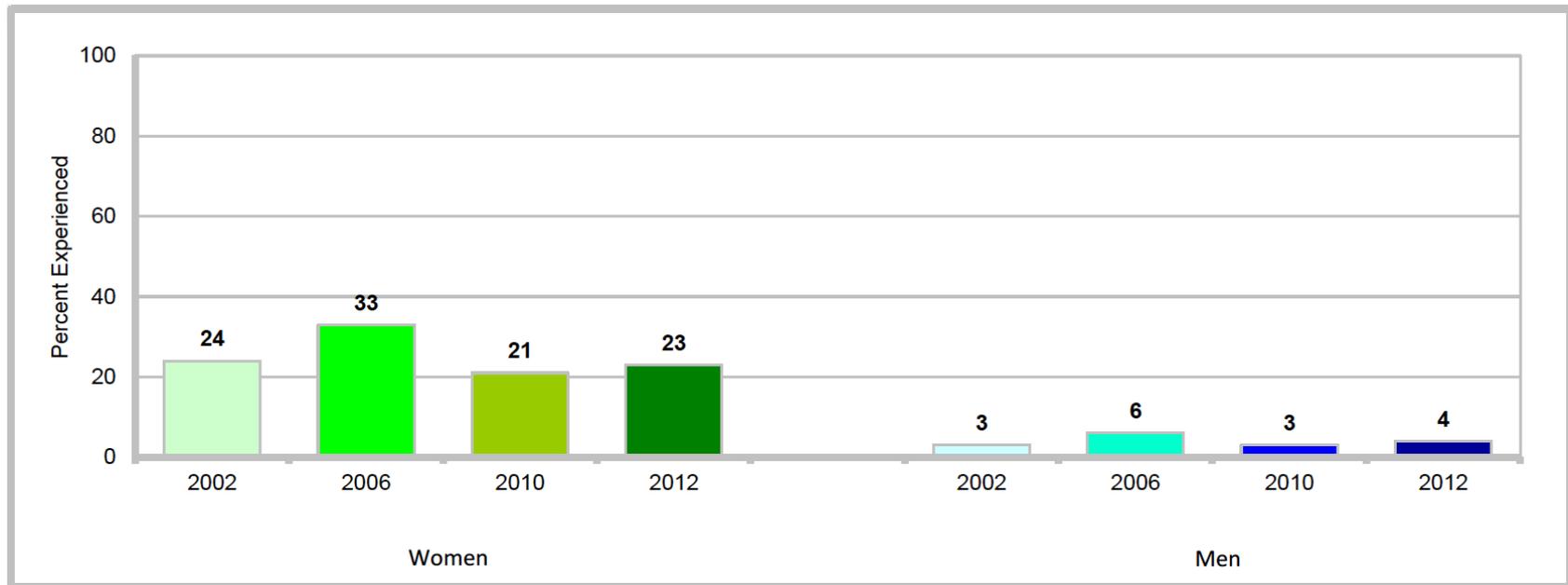
\*Unwanted sexual contact is the DoD survey term for the range of contact sex crimes between adults, prohibited by the Uniform Code of Military (UCMJ).

## Key Findings:

- Of active duty members who indicated USC via the WGRA, about 31% of women and 10% of men experienced a completed oral, anal, or vaginal penetration
- The proportions of behavior shown are statistically unchanged from 2010

# Sexual Harassment Incident Rate

Percent of Active Duty Members, by Gender



## Key Findings:

- Survey results found that 23% of women and 4% of men indicated experiencing sexual harassment in the past year; these rates are statistically unchanged from 2010
- Members who experience USC also experience sexual harassment at a higher rate than members who do not experience USC
  - Of the 6.1% of women experiencing USC in the past year, 77% also experienced sexual harassment
  - Of the 1.2% of men experiencing USC in the past year, 52% also experienced sexual harassment

## Perceptions of Retaliation

- Perceptions about retaliation differ, depending on your experience
- Active Duty members in general believe they would be free to report a sexual assault without experiencing retaliation:
  - 70% of women and 83% of men indicated they would feel free to report sexual assault without fear of reprisals
- Those members who indicated experiencing unwanted sexual contact have a different perception:
  - Of women who experienced unwanted sexual contact and reported it to a military authority, 62% indicated they perceived some form of retaliation as a result of reporting the situation
    - Respondents could pick from one or more of the following:
      - Social retaliation
      - Professional retaliation
      - Administrative action
      - Punishment
  - Data are not reportable for men

# DoD-wide Sexual Assault Prevention and Response Strategy

- **Sustain multi-pronged approach – no single “silver bullet” solution**
  - Requires sustained progress, persistence, innovation, and multi-disciplinary approach in prevention, investigation, accountability, victim assistance & assessment
- **Expand prevention efforts to reinforce cultural imperatives of mutual respect and trust, team commitment, and professional values**
- **Recognize that sexual harassment is strongly correlated with sexual assault**
- **Ensure victim focus to help overcome vast underreporting**
  - Every victim needs to be treated with respect, dignity, and sensitivity
  - Reporting is an essential bridge to victim care and accountability
- **Sustain commitment to holding offenders appropriately accountable – we are improving investigative and accountability efforts through Special Victims Capability, UCMJ Panels, and comprehensive oversight actions**
- **Continue to educate frontline commanders and leaders at all levels and hold them accountable in establishing a culture of dignity and respect**

**Mission:** The Department of Defense prevents and responds to the crime of sexual assault in order to enable military readiness and reduce—with a goal to eliminate—sexual assault from the military.

### Lines of Effort

### Objectives

**Communication** – Communicate DoD’s efforts to support victim recovery, enable military readiness, and reduce—with a goal to eliminate—sexual assault from the military.

**Prevention** - Deliver consistent and effective prevention methods and programs.

**Investigation** - Achieve high competence in the investigation of sexual assault.

**Accountability** - Achieve high competence in holding offenders appropriately accountable.

**Advocacy** – Deliver consistent and effective victim support, response, and reporting options.

**Assessment** – Effectively standardize, measure, analyze, and assess program progress.

Cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault is not tolerated.

Investigative resources yield timely and accurate results.

Perpetrators are held appropriately accountable.

DoD provides high quality services and support to instill confidence, inspire victims to report, and restore resilience.

DoD incorporates responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of SAPR.

# Advocacy - Victim Assistance

## Major Initiatives Completed

- Launched DoD Safe Helpline to give victims 24/7 global access to crisis support staff.
- Implemented expedited transfer policy for victims making that request
- Enacted Military Rule of Evidence 514 improving protection of communications between victims and advocates
- Conduct recurring Survivor Summits to ensure policy making is informed by the voices of victims
- Expanded the DoD Safe Helpline to include a moderated Safe HelpRoom to advance victim support services

## Ongoing and Future Actions

- Implementing DoD SARC/VA certification program with National Organization for Victim Assistance
- Expanding Service manning of full-time equivalent SARC and VA positions to all brigade or equivalent units, as directed in NDAA FY12
- Standardizing core competencies and learning objectives for DoD-wide training of SARCs and VAs
- Developing means for retaining documentation associated with Restricted Reporting for 50 years, while maintaining victim confidentiality

# Past Reviews of DoD Sexual Assault Prevention and Response

## Reviews of Sexual Assault in the Military, 2003-2008

- September 2003: **Fowler Commission**
  - Reviewed sexual harassment and violence at US Air Force Academy
    - <http://www.defense.gov/news/Sep2003/d20030922usafareport.pdf>
- April 2004: **Care for Victims Task Force**
  - Recommendations for fundamentally changing how DoD prevents and responds to sexual assault
    - <http://www.defense.gov/news/may2004/d20040513satfreport.pdf>
- 2004: **Joint Task Force – Sexual Assault Prevention and Response**
  - Implemented DoD policies based on recommendations of Care for Victims Task Force
    - DoD Instruction 6495.01, Sexual Assault Prevention and Response Program
    - DoD Instruction 6495.02, Sexual Assault Prevention and Response Program Procedures
      - <http://www.sapr.mil/index.php/law-and-dod-policies/directives-and-instructions>
- June 2005: **Defense Task Force on Sexual Harassment and Violence at the Military Service Academies**
  - Reviewed sexual harassment and violence at US Military Academy and US Naval Academy
    - [http://www.defense.gov/home/pdf/High\\_GPO\\_RRC\\_tx.pdf](http://www.defense.gov/home/pdf/High_GPO_RRC_tx.pdf)

## Reviews of Sexual Assault in the Military, 2008-2010

- 2008: **Government Accountability Office**
  - Engagement 08-296: *The DOD and Coast Guard Academies Have Taken Steps to Address Incidents of Sexual Harassment and Assault, but Greater Federal Oversight Is Needed*
    - <http://www.gao.gov/assets/280/271245.pdf>
  - Engagement 08-924: *DOD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*
    - <http://www.gao.gov/new.items/d08924.pdf>
  - Engagement 08-1013T: *Preliminary Observations on DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs*
    - <http://www.gao.gov/assets/130/120945.pdf>
- 2009: **Defense Task Force on Sexual Assault in the Military Services**
  - Reviewed implementation of DoD SAPR policy across the Services
    - [http://www.sapr.mil/public/docs/research/DTFSSAMS-Rept\\_Dec09.pdf](http://www.sapr.mil/public/docs/research/DTFSSAMS-Rept_Dec09.pdf)
- 2010: **Government Accountability Office**
  - Engagement 10-405T: *DOD's and the Coast Guard's Sexual Assault Prevention and Response Programs Need to Be Further Strengthened*
    - <http://www.gao.gov/assets/130/124050.pdf>

## Reviews of Sexual Assault in the Military, 2010-2013

- 2010: **Government Accountability Office**
  - Engagement 11-579: *Oversight and Better Collaboration Needed for Sexual Assault Investigations and Adjudications*
    - <http://www.gao.gov/assets/320/319962.pdf>
- 2011: **Government Accountability Office**
  - Engagement 12-571R: *Prior GAO Work on DOD's Actions to Prevent and Respond to Sexual Assault in the Military*
    - <http://www.gao.gov/assets/590/589780.pdf>
- 2013: **US Commission On Civil Rights**
  - Briefing: Sexual Assault in the Military
    - [http://www.usccr.gov/calendar/trnscrpt/Transcript\\_01-11-13.pdf](http://www.usccr.gov/calendar/trnscrpt/Transcript_01-11-13.pdf)
- 2013: **Government Accountability Office**
  - Engagement 13-182: *DOD Has Taken Steps to Meet the Health Needs of Deployed Servicewomen, but Actions Are Needed to Enhance Care for Sexual Assault Victims*
    - <http://www.gao.gov/assets/660/651624.pdf>

# Questions?

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# Back Up Slides

**Back Up Slides:  
Overview of DoD  
Sexual Assault Reporting Statistics**

## Data Collection

- Currently required by *National Defense Authorization Acts (NDAA)* for *FY11, FY12 and FY13*
  - Laws require:
    - Reports of sexual assault made to the Department by and against Service members
    - Dispositions and prosecution outcomes of alleged perpetrators
    - Synopses of substantiated cases
    - Administration of the Workplace and Gender Relations Survey every two years
  - The Department uses the Annual Report on Sexual Assault in the military inform Congress of this information, as well as:
    - Oversight actions and progress to improve sexual assault prevention and response (SAPR)
    - Research that further describes the problem of sexual assault in the military and civilian sectors
    - Initiatives to comply with program recommendations by oversight bodies

## Where Does DoD get its data?

- **Unrestricted Reports of Sexual Assault**

- Data on initial allegations and closed investigations originates with the Military Criminal Investigative Organizations (MCIOs):
  - Army Criminal Investigations Division
  - Naval Criminal Investigative Service
  - Air Force Office of Special Investigations
- Data on subject dispositions is provided by both the MCIOs and the Service Offices of the Judge Advocate General

- **Restricted Reports of Sexual Assault**

- All data provided by Sexual Assault Response Coordinators
- No personally identifying information is recorded to preserve victim privacy

*Note: Data reporting is expected to be fully automated by the Defense Sexual Assault Incident Database starting October 1, 2013.*

# How does DoD count its reports?

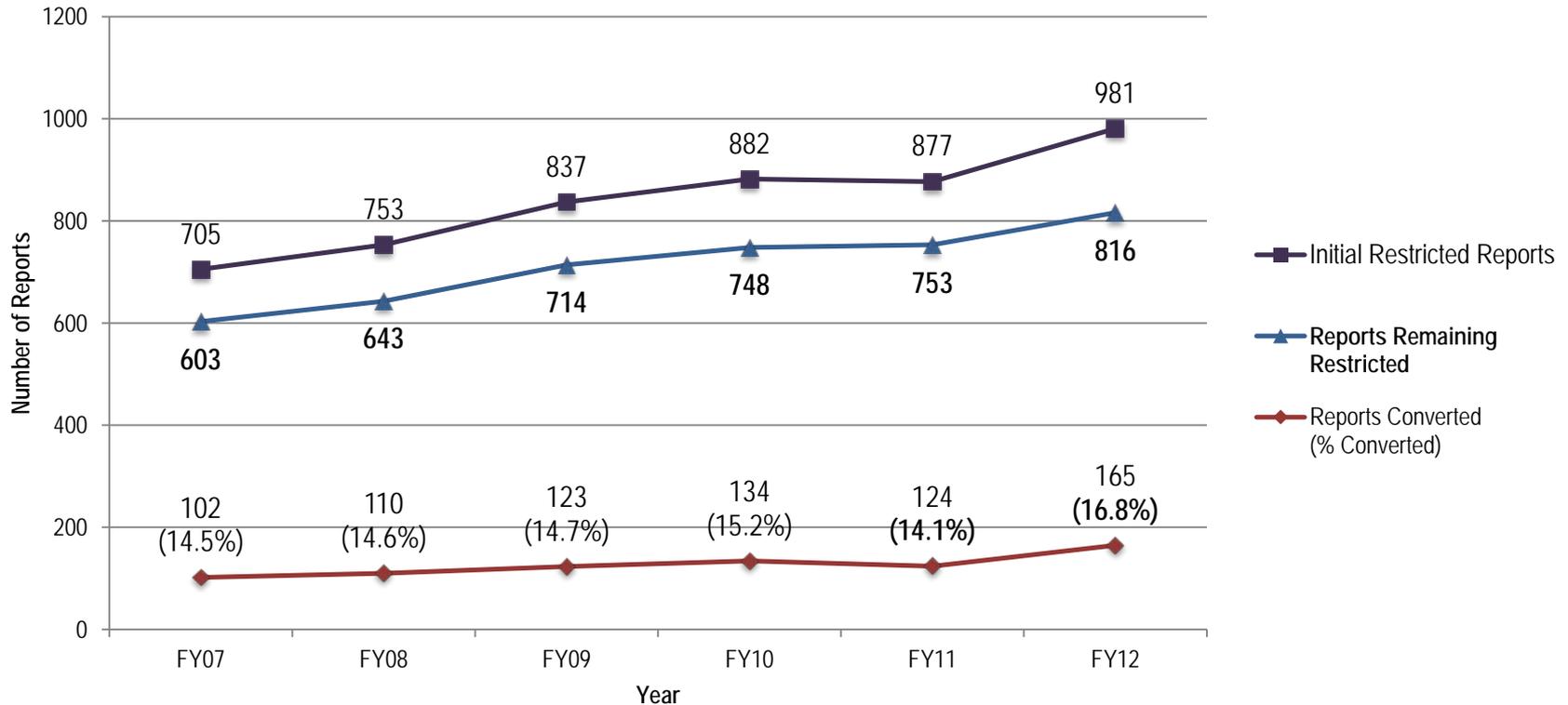
- **Unrestricted Reports of Sexual Assault**

- Most Unrestricted Reports involve a single victim and a single subject
  - About 200 reports each year involve multiple victims and/or multiple subjects
  - The MCIOs determine how many victims and subjects are “packaged” in a single report.
  - Consequently, a single report may involve one or more subjects and one or more victims
- The vast majority of Unrestricted Reports of Sexual Assault receive an investigation by an MCIO
  - MCIOs may only investigate alleged offenders who are subject to the UCMJ
  - MCIOs may monitor or assist in the investigation of a civilian or foreign offender who sexually assaults a military member, but may not hold prime responsibility
  - MCIOs may not be able to investigate or monitor an investigation when military members report being sexually assaulted by civilian or foreign offenders in remote o
- Upon conclusion of a criminal investigation, the Department must account for the disposition of each alleged offender.
- Since Fiscal Year 2009, the DoD has included a detailed flow chart in its Annual Report to document reports received, investigations opened and closed, and offender cases disposed.

- **Restricted Reports of Sexual Assault**

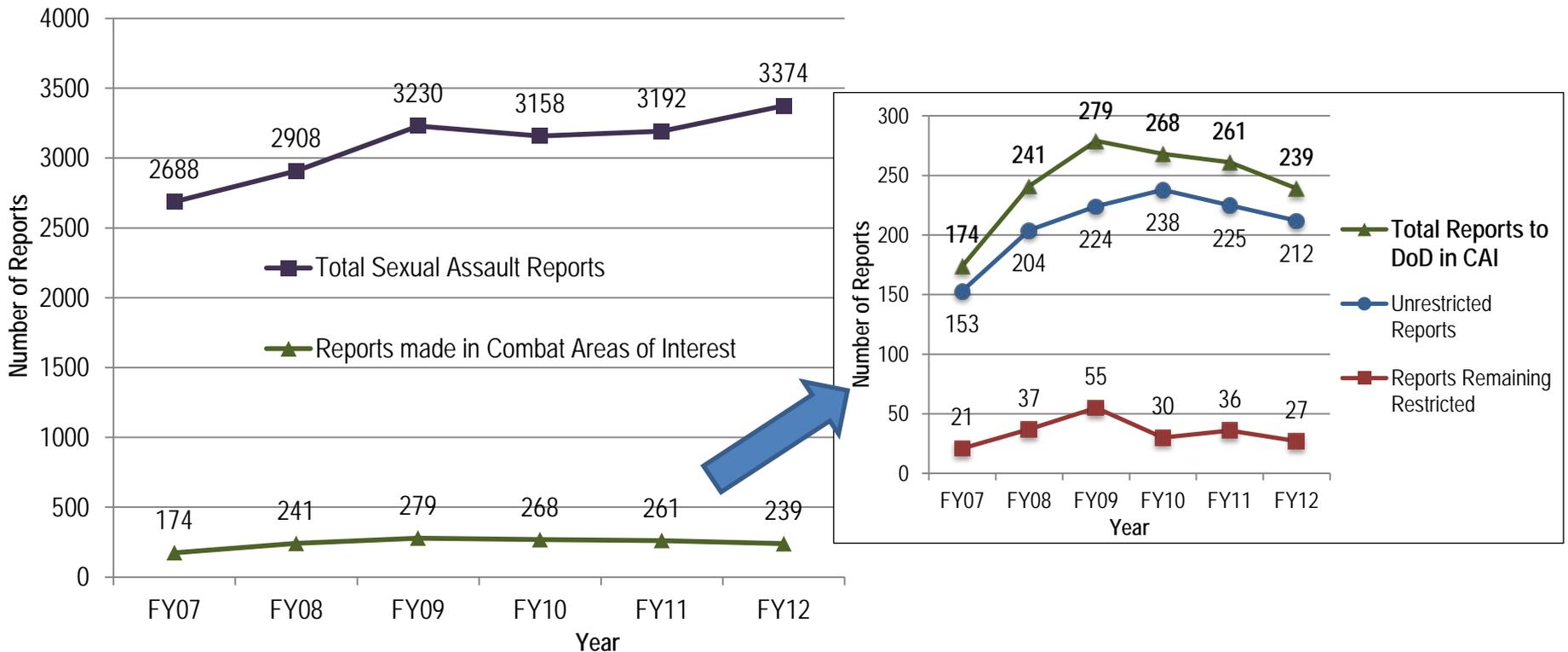
- Every Restricted Report involves a single victim
- No subject data is captured

# Restricted Report Conversions, FY07-12



- A greater percentage of Restricted Reports converted to Unrestricted Reports in FY12 (17%) than in any previous year

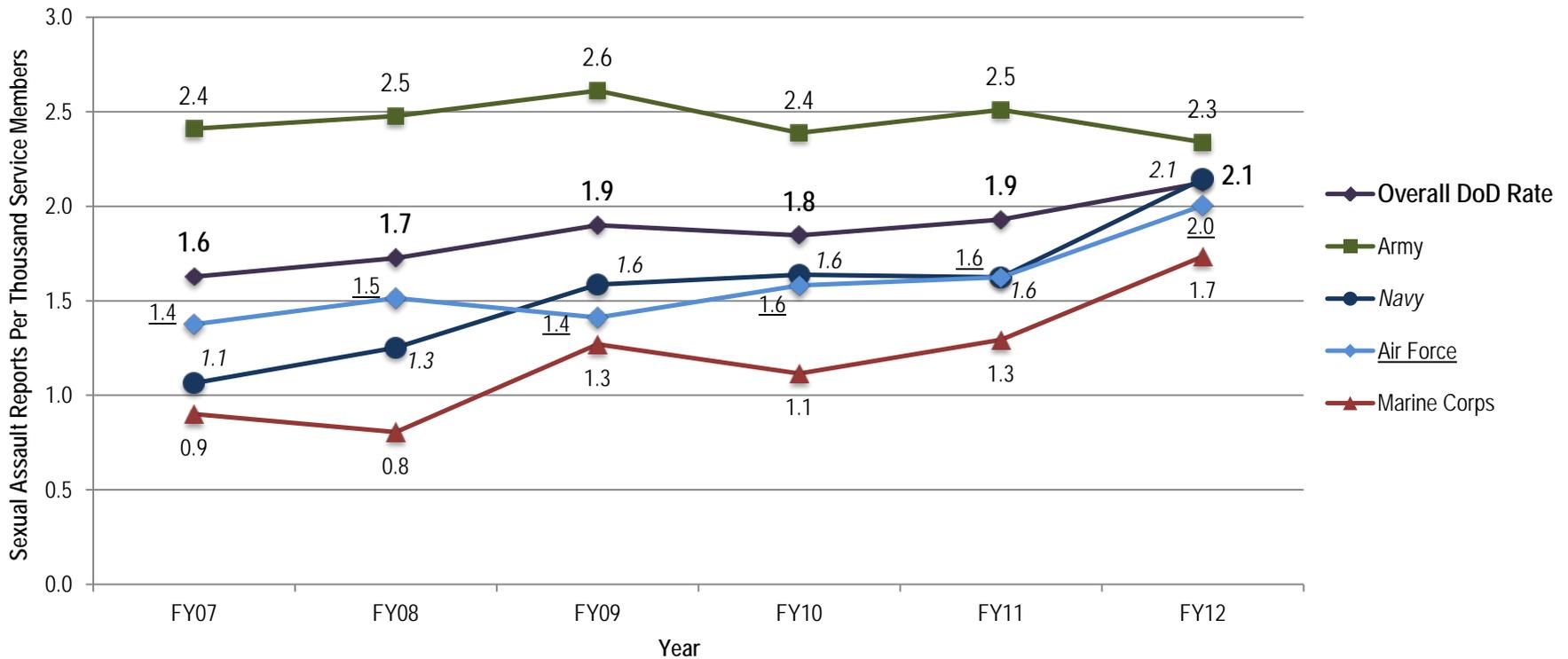
# Reports of Sexual Assault in Combat Areas of Interest (CAI): FY07-FY12



Notes:

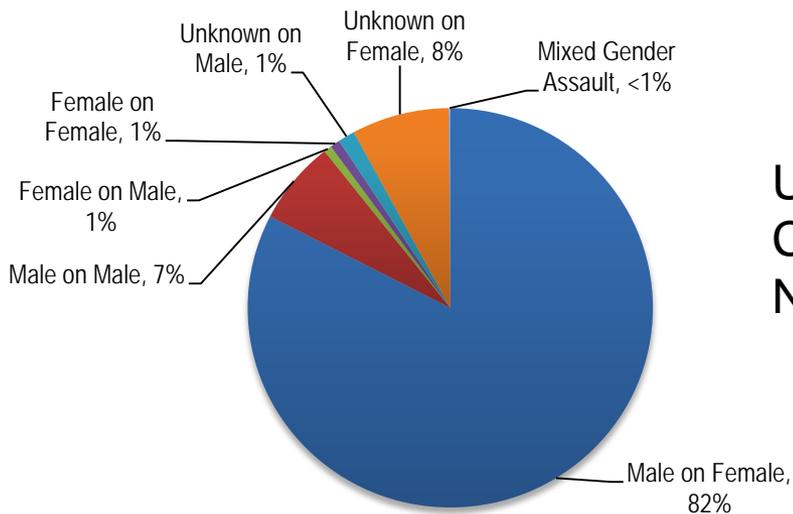
- Combat Areas of Interest (CAIs) were defined in Fiscal Year 2006 and reported for the first time in Fiscal Year 2007. CAIs reflect locations where DoD has forward deployed forces or areas directly supporting Operation Iraqi Freedom/Operation Enduring Freedom. They have since varied to reflect redeployment of forces to new locations.
  - In Fiscal Year 2012, these countries included: Afghanistan, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kyrgyzstan, Kuwait, Lebanon, Oman, Pakistan, Qatar, Saudi Arabia, Syria, United Arab Emirates, and Yemen.
- These are only the reports made in country. Survey data and anecdotal information indicates there may have been many more reports that either went unreported, or were reported by the victim upon redeployment to home station.

# Sexual Assault Reports Per Thousand Service Members by Service, FY07-12



## Reports of Sexual Assault, FY07-12 by Gender

Unrestricted Reports	Male on Female	Male on Male	Female on Male	Female on Female	Unknown on Male	Unknown on Female	Mixed Gender Assault	Unrestricted Report Totals
FY12	2101	194	23	26	44	154	16	<b>2558</b>
FY11	2004	176	20	23	34	182	0	<b>2439</b>
FY10	2012	158	14	27	44	155	0	<b>2410</b>
FY09	2061	173	13	17	28	224	0	<b>2516</b>
FY08	1864	123	14	9	23	232	0	<b>2265</b>
FY07	1742	143	6	9	20	165	0	<b>2085</b>
<b>Totals</b>	<b>11784</b>	<b>967</b>	<b>90</b>	<b>111</b>	<b>193</b>	<b>1112</b>	<b>16</b>	<b>14273</b>



Unrestricted Reports by Gender  
Cumulative, FY07-12  
N=14,273

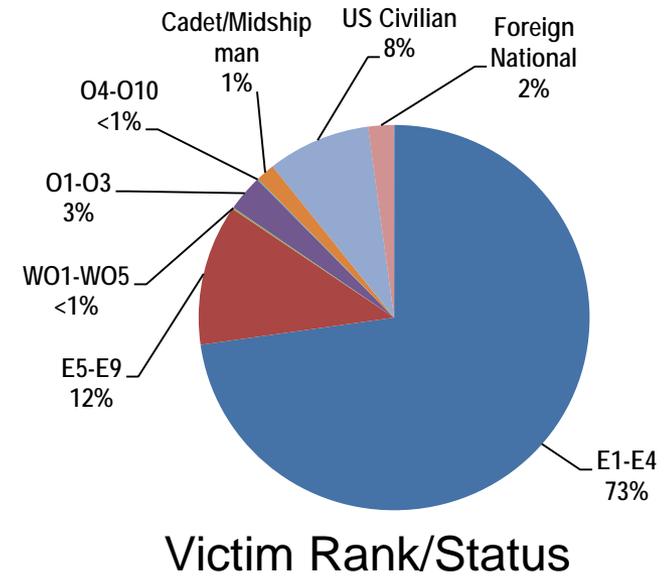
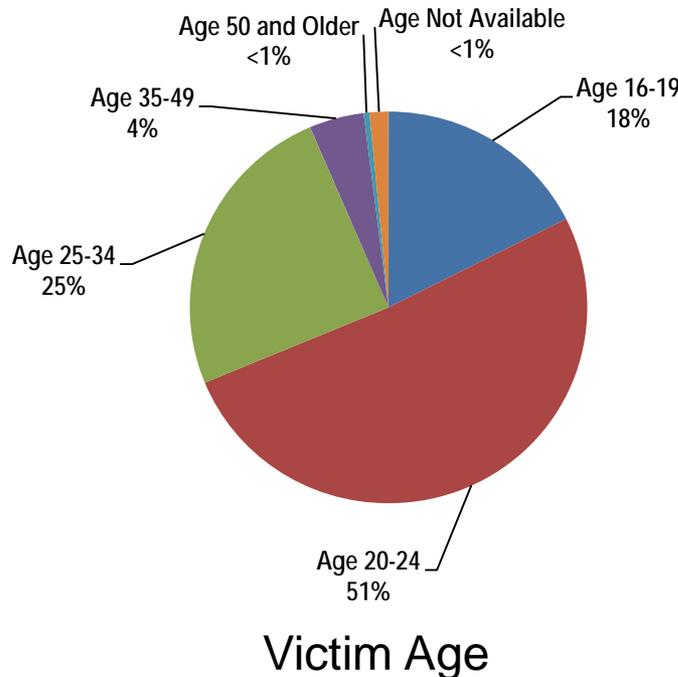
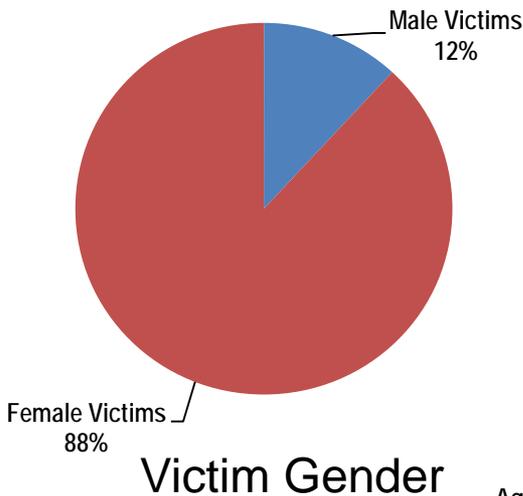
## National Guard Reports, FY12

- Active duty Army and Air Force data include National Guard incidents that occurred while the victim was on active duty orders, and reported when the victim was in either Title 10 or Title 32 status.
- Sexual assaults received by National Guard Sexual Assault Response Coordinators (SARC) and SAPR Victim Advocates (VA)
  - Report made when victims are in Title 32, State, and other statuses
  - Incident may have occurred when victim was in any status
  - Means for standardizing sexual assault reporting by the National Guard and collecting subject disposition data are under development
- 201 sexual assaults not captured by Active Component data
  - Army National Guard: 153 Reports
  - Air National Guard: 48 Reports

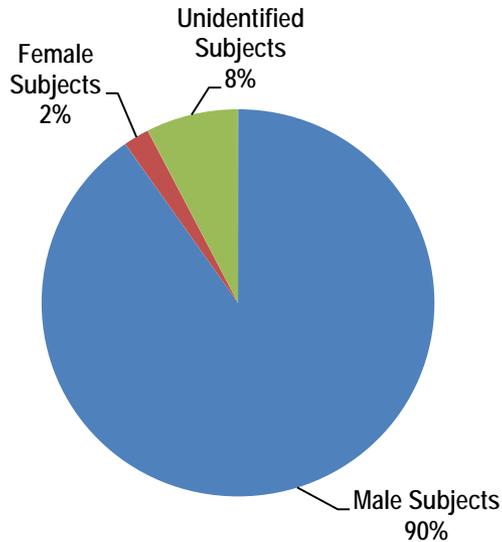
### Notes:

- This is the first year for which the DoD has received standardized data for the National Guard
- DSAID use by NGB in Fiscal Year 2013 will further standardize reporting

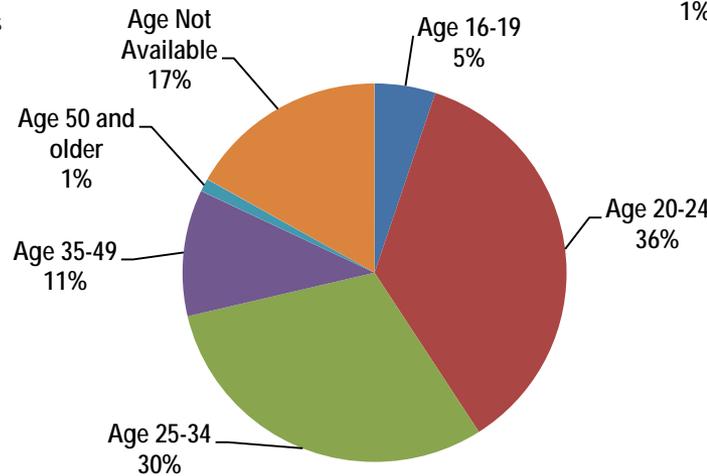
# Victim Demographics, Completed Investigations (Unrestricted Reports), FY12



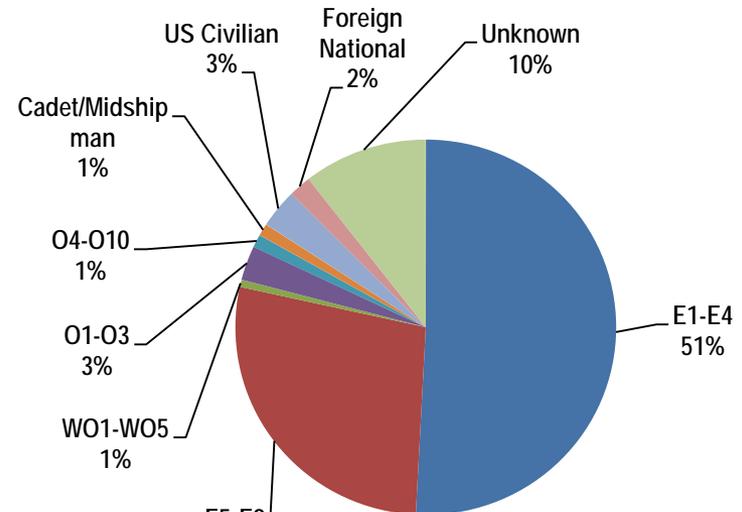
# Subject Demographics, Completed Investigations (Unrestricted Reports), FY12



Subject Gender



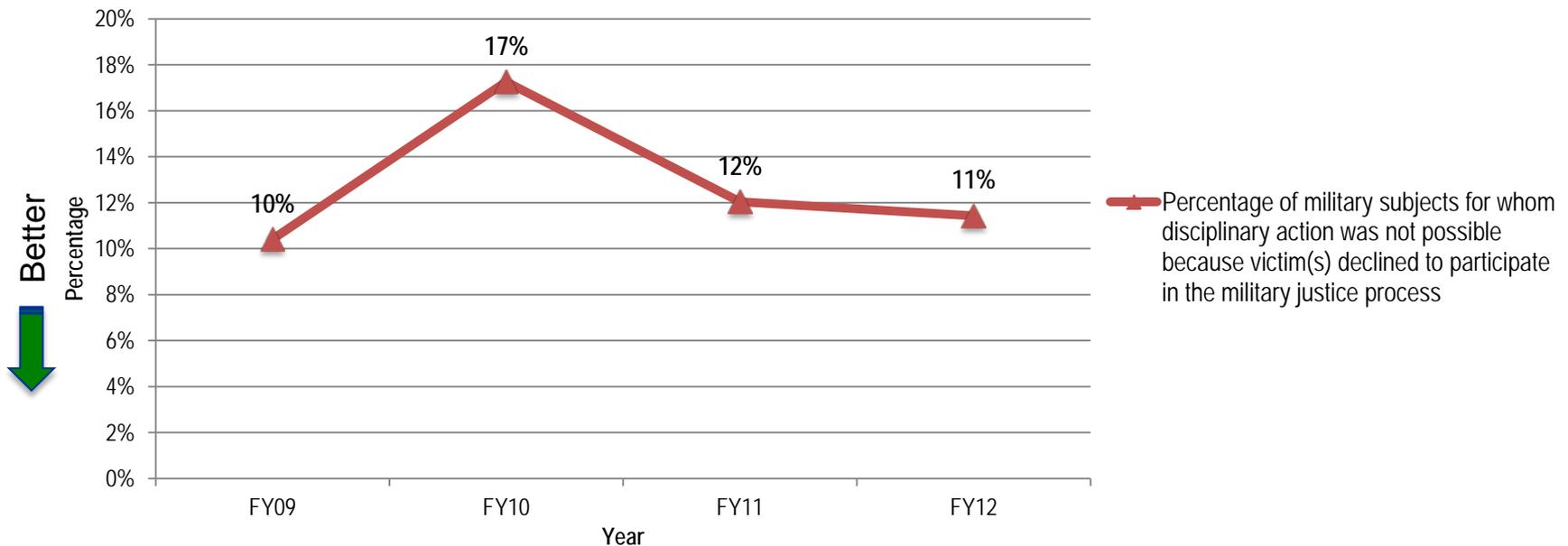
Subject Age



Subject Rank

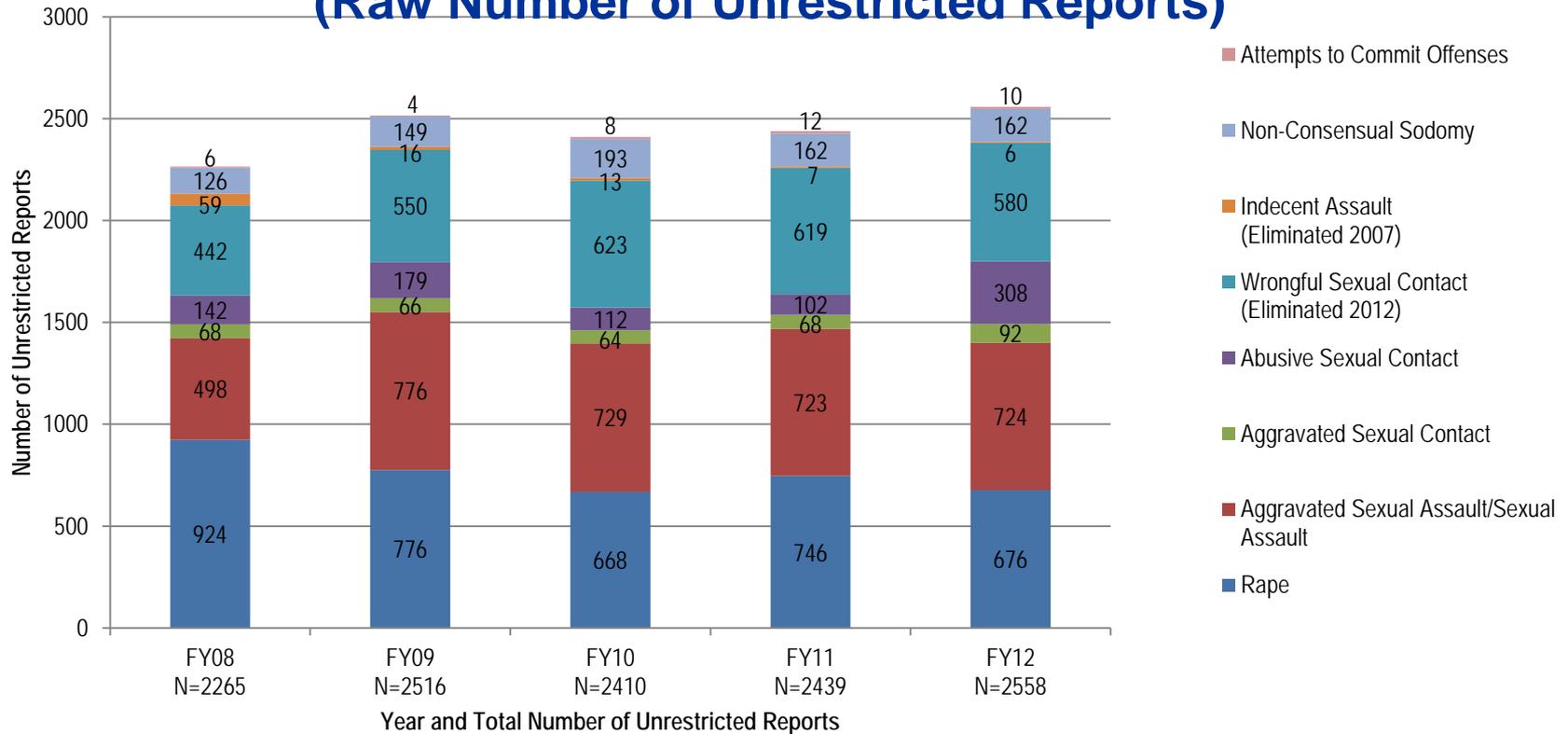
# Victims' Contribution to Command Action

## Alleged Offenders Without Command Action Because Victims Declined to Participate



Victims will come forward when they perceive that commanders and subordinate leaders have set a climate where victims receive support and care and sexual assault reports are taken seriously.

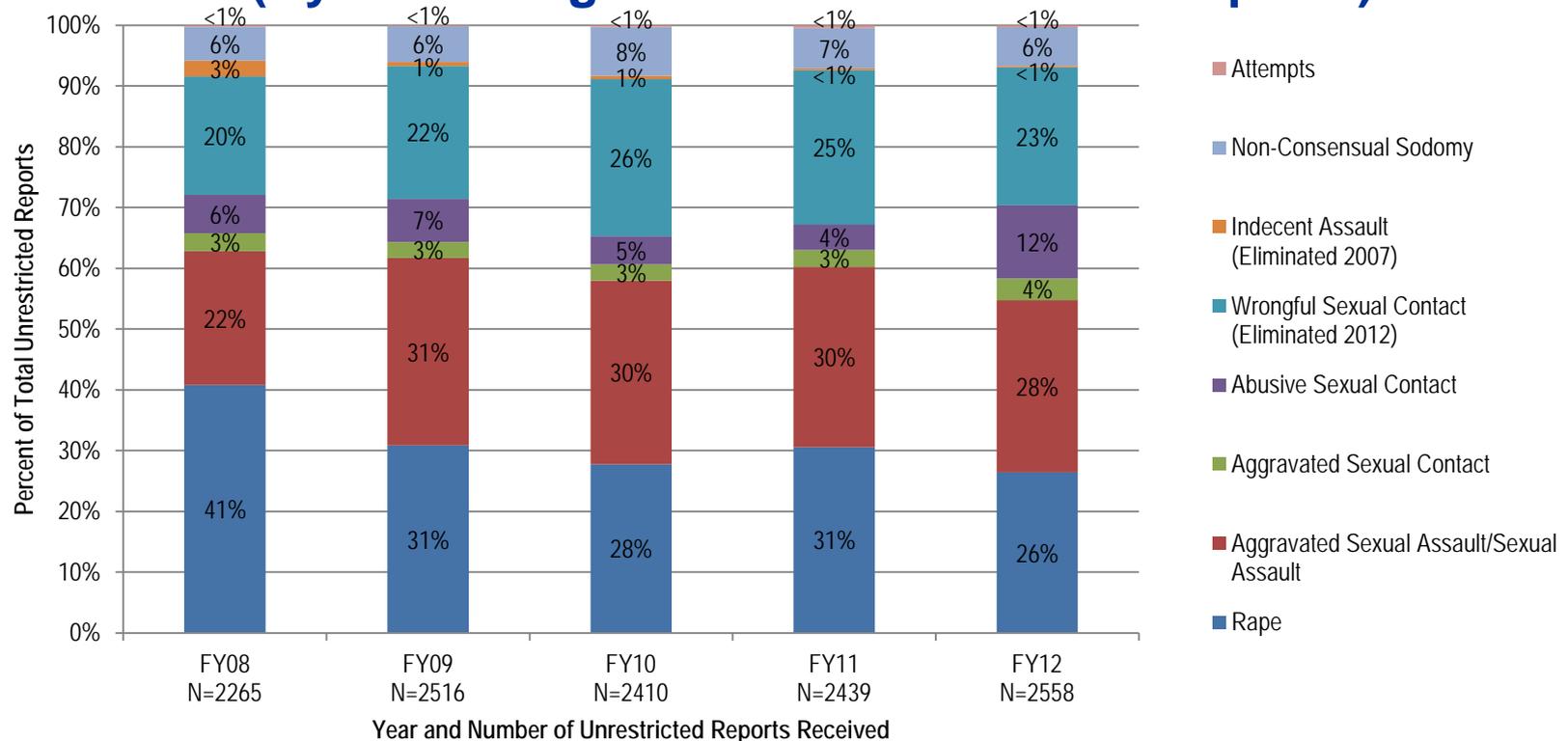
## Unrestricted Reports by Most Serious Offense Alleged, FY08-12 (Raw Number of Unrestricted Reports)



Notes:

- Prior to Fiscal Year 2008, the Uniform Code of Military Justice (UCMJ) offenses that constituted “sexual assault” for the Sexual Assault Prevention and Response (SAPR) Program were Rape (Article 120), Indecent Assault (Article 134), Forcible (non-consensual) Sodomy (Article 125), and Attempts (Article 80). Fiscal Year 2007 was not included on this chart because these categories are not comparable to subsequent years’ alleged offenses Unrestricted Reports.
- From October 1, 2007 until June 27, 2012, the UCMJ offenses that constituted “sexual assault” for the SAPR Program were Rape, Aggravated Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact, Wrongful Sexual Contact (all addressed in Article 120), Forcible (non-consensual) Sodomy (Article 125), and Attempts (Article 80).
- Since June 28, 2012, the UCMJ offenses that constitute “sexual assault” for the SAPR Program are Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact (all addressed in Article 120), Forcible (non-consensual) Sodomy (Article 125), and Attempts (Article 80).

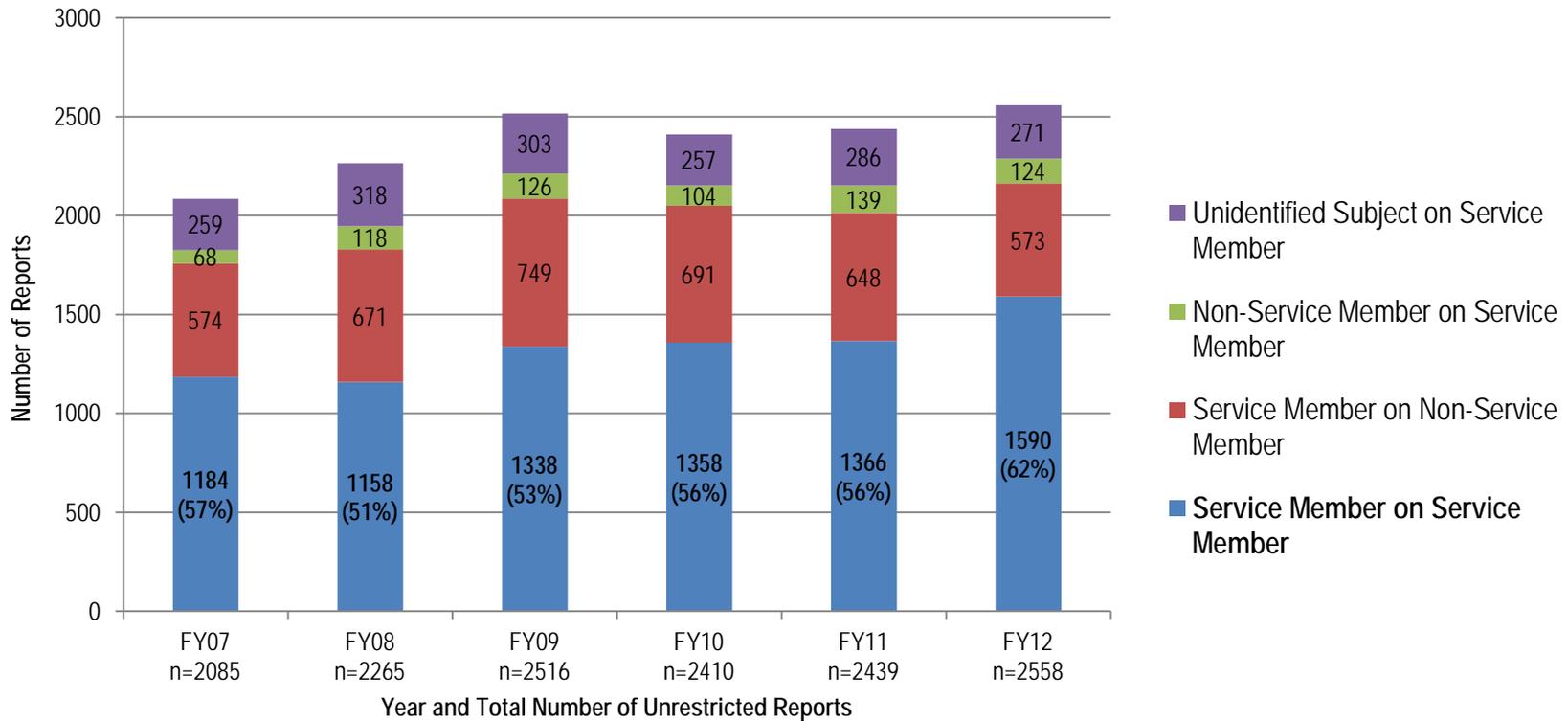
## Unrestricted Reports by Most Serious Offense Alleged, FY08-12 (By Percentage of Total Unrestricted Reports)



Notes:

- Prior to Fiscal Year 2008, the Uniform Code of Military Justice (UCMJ) offenses that constituted “sexual assault” for the Sexual Assault Prevention and Response (SAPR) Program were Rape (Article 120), Indecent Assault (Article 134), Forcible (non-consensual) Sodomy (Article 125), and Attempts (Article 80). Fiscal Year 2007 was not included on this chart because these categories are not comparable to subsequent years’ alleged offenses Unrestricted Reports.
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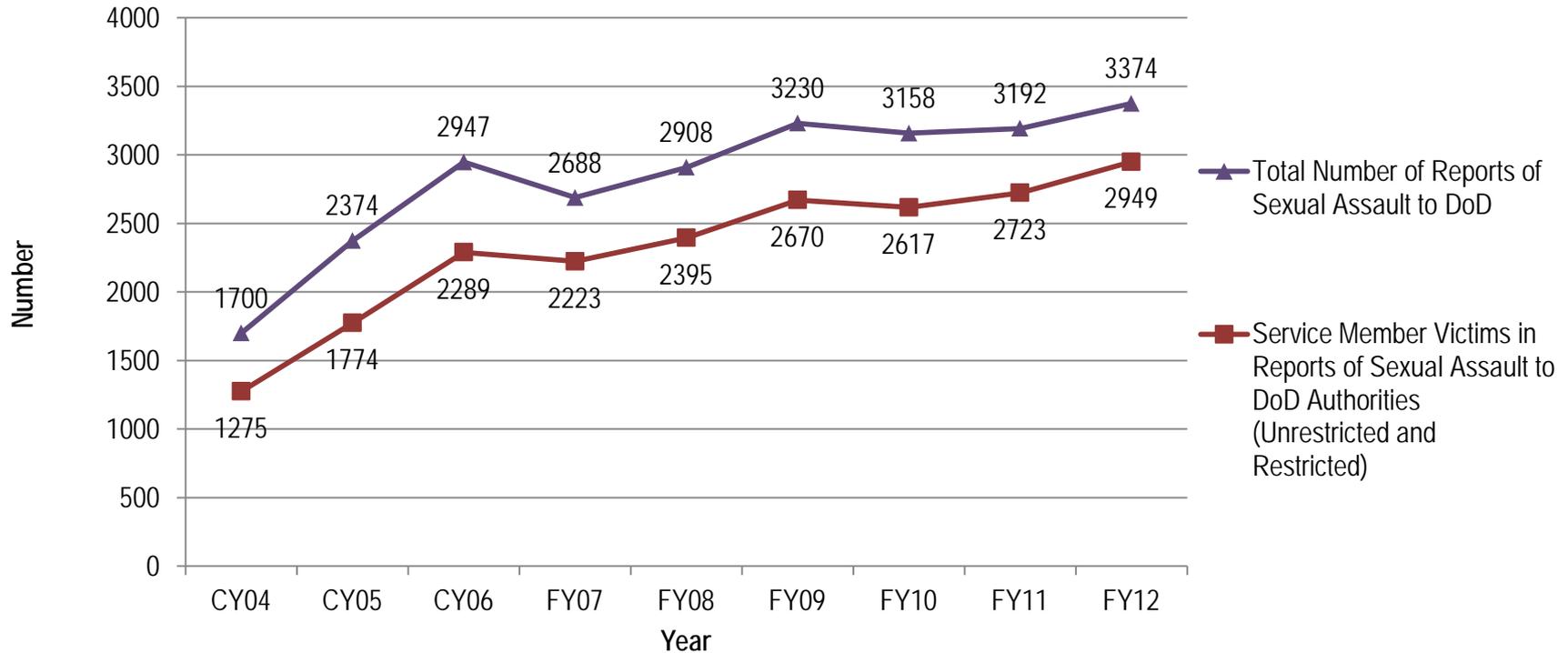
## Unrestricted Reports by Alleged Offender on Victim, FY07-12



Notes:

- The percentages appearing below the numbers in the **Service Member (offender) on Service Member (victim)** category represent the percent of total Unrestricted Reports received during the Fiscal Year accounted for by that category of report.

## Total Reports of Sexual Assault and Service Member Victims, CY04-12



Notes:

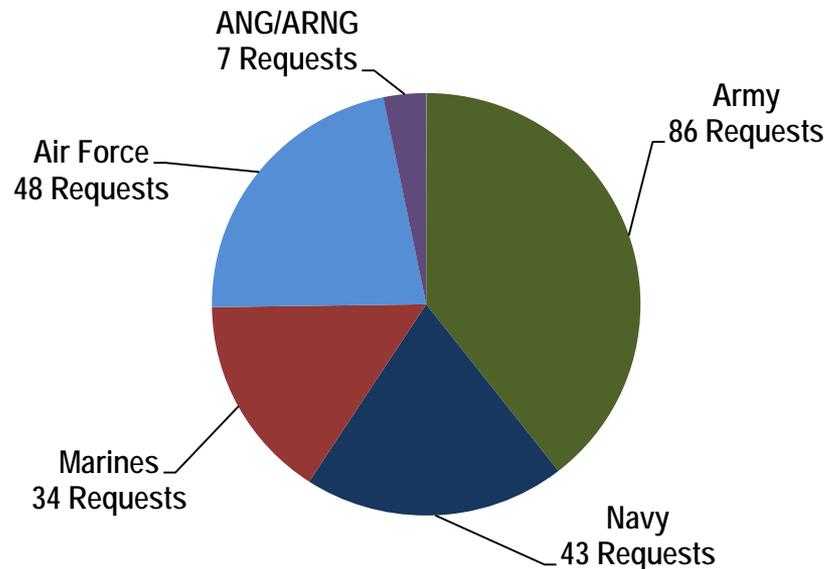
- Each year the DoD must report to Congress all sexual assaults perpetrated BY (“accused”) and AGAINST (“victims”) Service Members. This total number of reports involving accused and victimized Service members is represented by the purple line above.
- The red line represents just the number of victimized Service members in the sexual assault reports made to the Department.
  - An analogous number of accused Service members in each year’s reports is not available, as the identity of alleged perpetrators is not always known at the outset of an allegation.

# Reports of Sexual Assault, FY07-12

Service		FY07	FY08	FY09	FY10	FY11	FY12
<b>DoD Total</b>	<b>Total</b>	<b>2688</b>	<b>2908</b>	<b>3230</b>	<b>3158</b>	<b>3192</b>	<b>3374</b>
	Unrestricted	2085	2265	2516	2410	2439	2558
	Restricted	603	643	714	748	753	816
<b>Army</b>	<b>Total (% of DoD)</b>	<b>1516 (56%)</b>	<b>1584 (54%)</b>	<b>1795 (56%)</b>	<b>1689 (53%)</b>	<b>1695 (53%)</b>	<b>1423 (42%)</b>
	Unrestricted	1245	1328	1512	1390	1394	1249
	Restricted	271	256	283	299	301	174
<b>Navy</b>	<b>Total (% of DoD)</b>	<b>394 (15%)</b>	<b>475 (16%)</b>	<b>558 (17%)</b>	<b>583 (18%)</b>	<b>550 (17%)</b>	<b>726 (22%)</b>
	Unrestricted	280	334	405	441	408	527
	Restricted	114	141	153	142	142	199
<b>Marines</b>	<b>Total (% of DoD)</b>	<b>213 (8%)</b>	<b>242 (8%)</b>	<b>331 (10%)</b>	<b>301 (10%)</b>	<b>333 (10%)</b>	<b>435 (13%)</b>
	Unrestricted	191	216	299	254	282	333
	Restricted	22	26	32	47	51	102
<b>Air Force</b>	<b>Total (% of DoD)</b>	<b>565 (21%)</b>	<b>607 (21%)</b>	<b>546 (17%)</b>	<b>585 (19%)</b>	<b>614 (19%)</b>	<b>790 (23%)</b>
	Unrestricted	369	387	300	325	355	449
	Restricted	196	220	246	260	259	341

## Expedited Transfers

- 218 Transfers Requested
  - 216 Approved
    - 1 Denied (Army) – Member Administrative Separation in progress at time of report
    - 1 Denied (Army) – Case deemed not credible by Army Criminal Investigation Command



Services are approving victim requests for expedited transfer.

# FY12 Annual Report Disciplinary Action Summary

3,288 Total Subjects from Unrestricted Reports (FY12 and rolled over from prior FYs)  
- 627 Subject jurisdiction and disposition yet to be determined (rolled to future FYs)

2,661 Subject Dispositions Completed in FY12  
- 363 Subjects-Allegations Unfounded by Military Criminal Investigative Organization

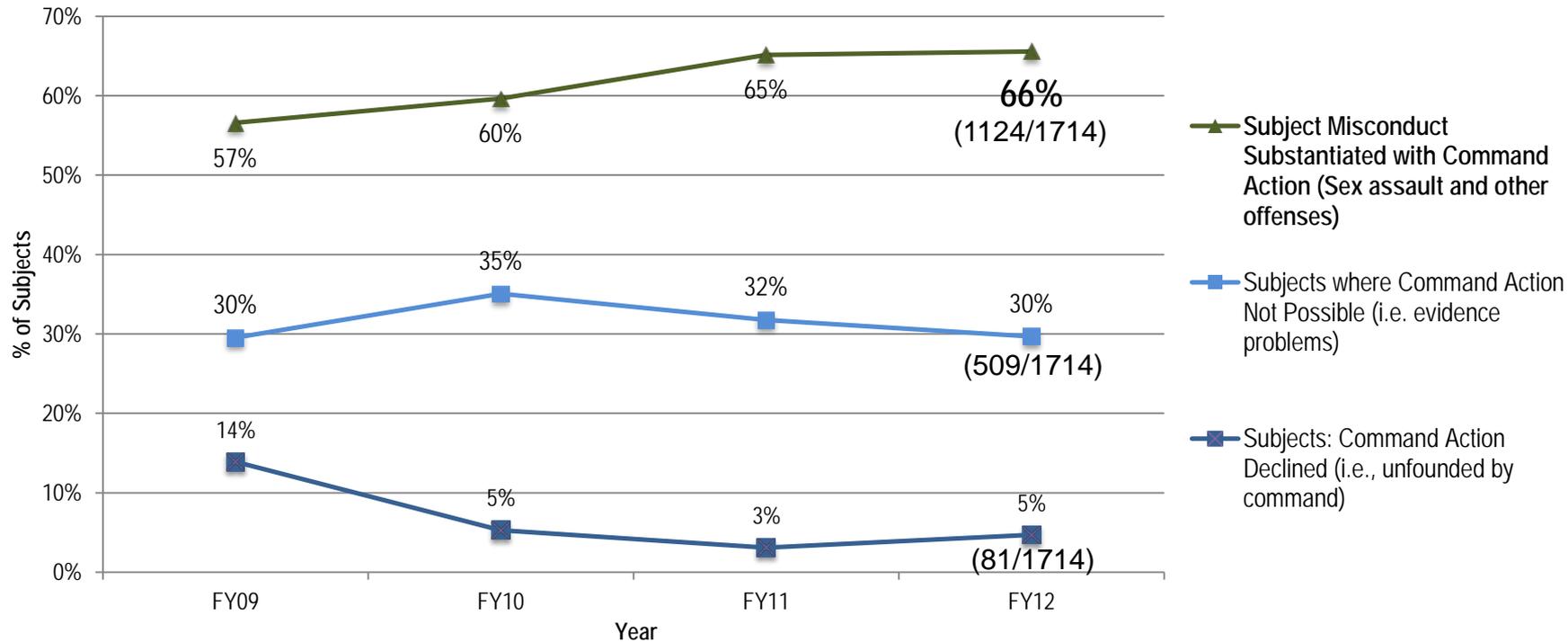
2,298 Potential Perpetrators  
- 392 Civilian, Unknown or Deserter Subjects

1,906 Service Member Subjects  
- 192 Service Member Under Civilian Jurisdiction

1,714 Service Member Subjects – Command Action Considered

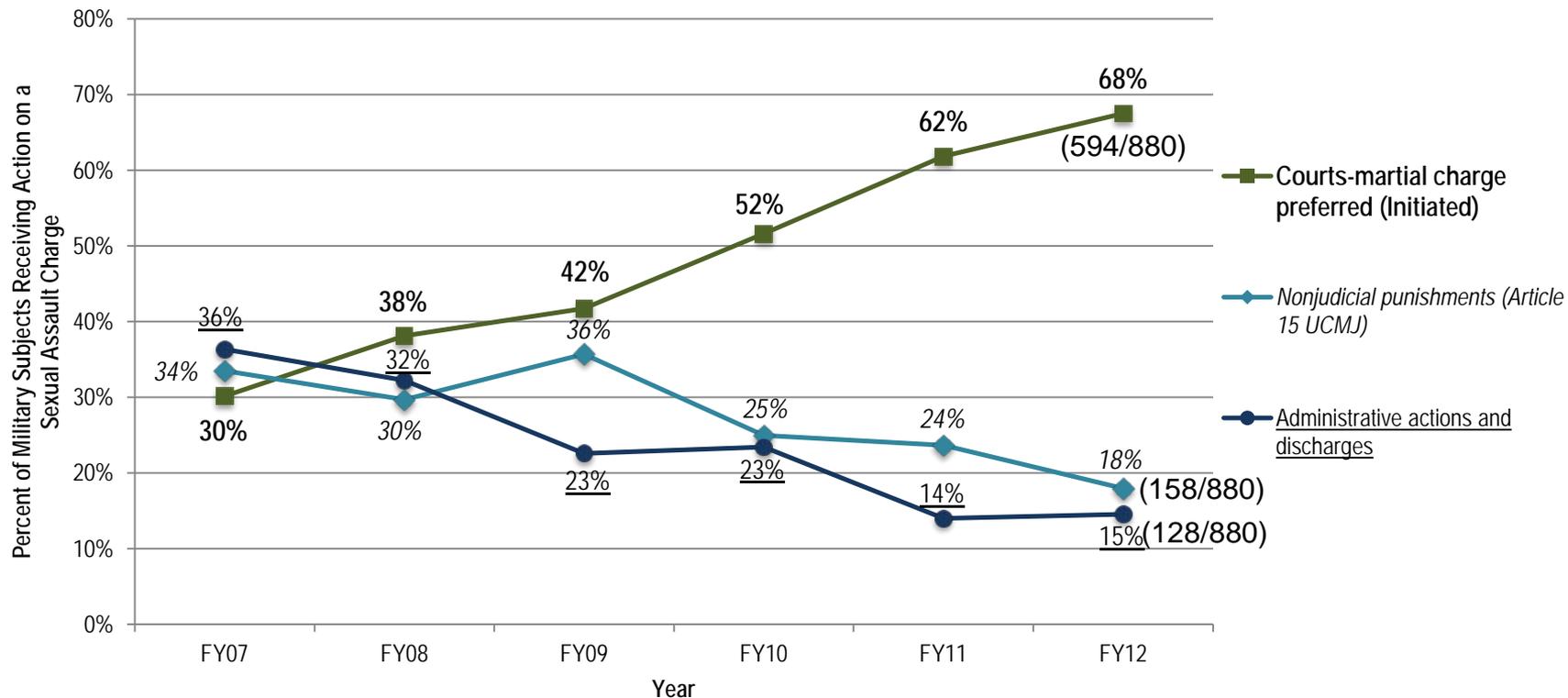
- Action Taken:  
66%  
(1124/1714)
- 594 Court-Martial Charge Preferred
  - 158 Nonjudicial Punishments
  - 128 Adverse Administrative Actions or Discharges
  - 244 Action on Non-Sexual Assault Offenses
    - *590 Subjects - Command Action Not Possible or Declined*
      - *388 Subjects - Insufficient evidence of a crime to prosecute or unfounded*
      - *196 Subjects - Victims declined to participate in justice system*
      - *6 Subjects - Statute of limitations exceeded for crime alleged*

## Military Subject Outcomes



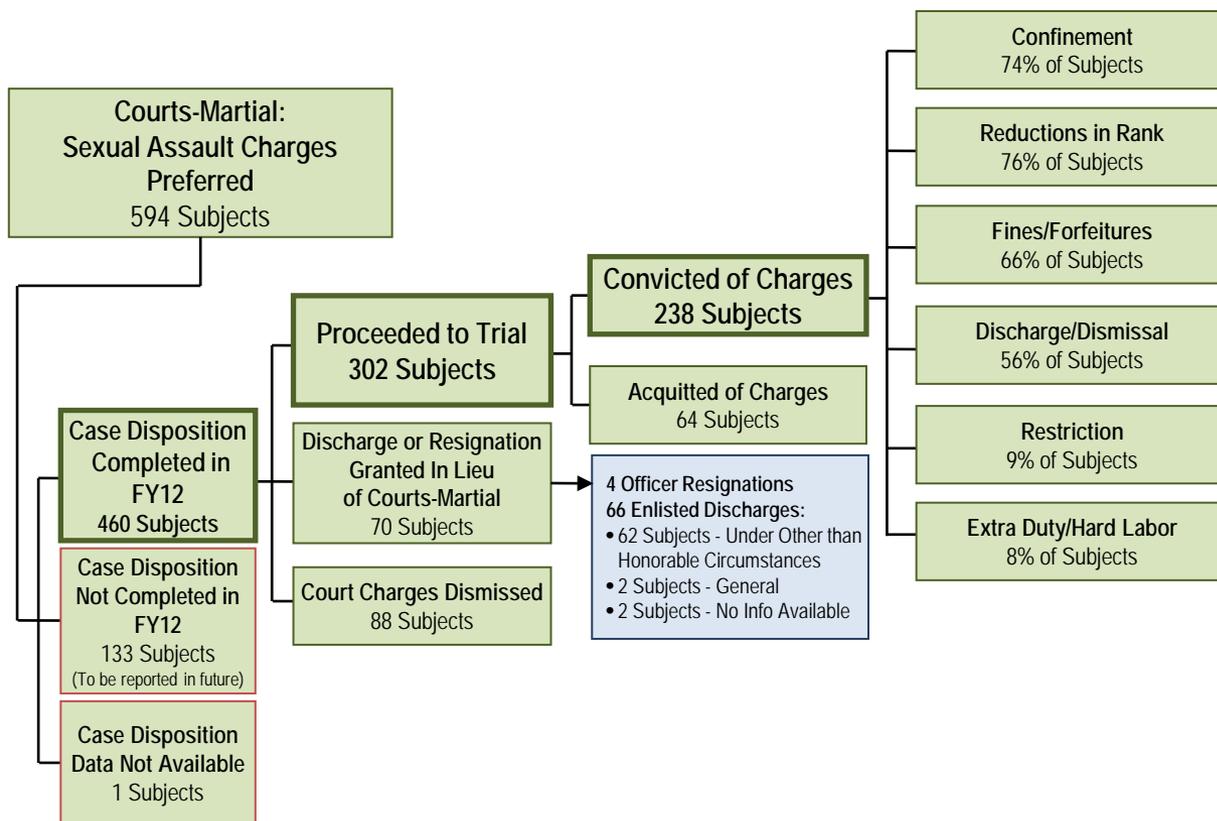
- In FY12, commanders considered 1,714 military subjects for possible action; two-thirds received some form of disciplinary action
- The other third of military subjects could not be disciplined because of evidence problems or because the commander determined the allegations were unfounded (false or baseless)

# Command Action in Sexual Assault Offenses



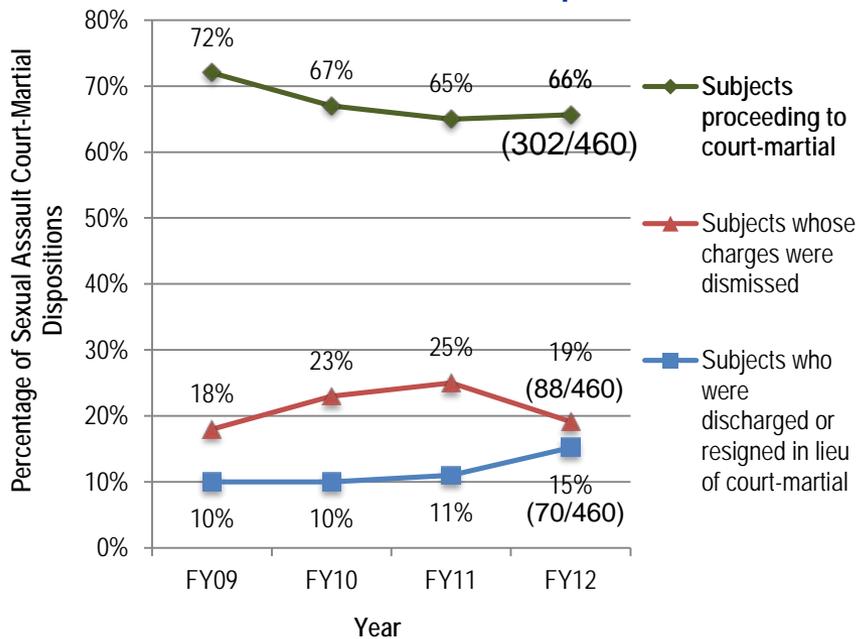
- Since FY07, commanders are increasingly addressing allegations of sexual assault by preferring court-martial charges, when the subject is under the legal authority of the Department and there is sufficient evidence to do so.
- In FY12, 1 of the 158 NJPs administered was for a penetrating crime (forcible sodomy). The remaining NJPs were for non-penetrating crimes or other misconduct.

# Sexual Assault Court-Martial Outcomes



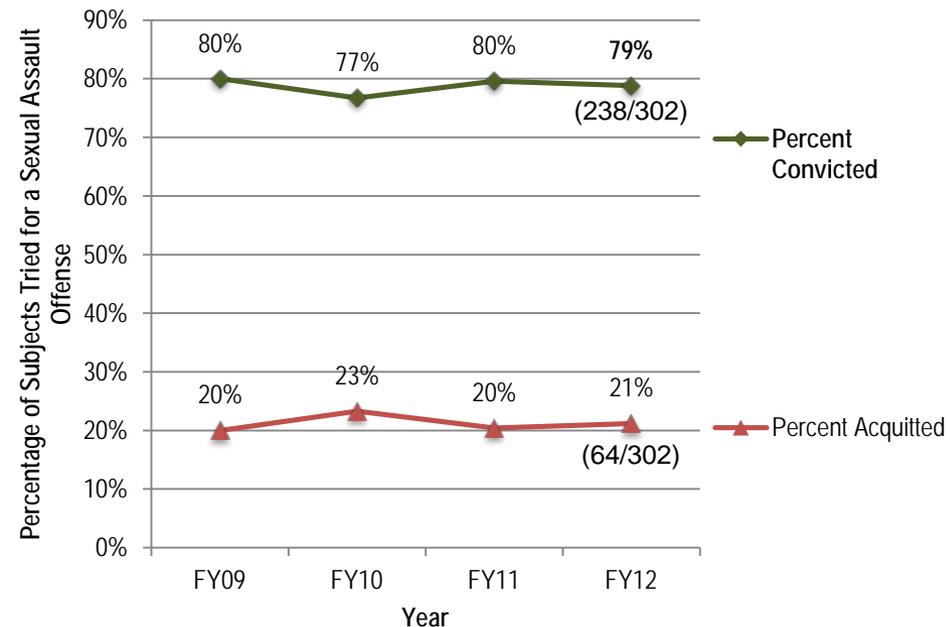
# Sexual Assault Court-Martial Outcomes

### Pre-Trial Case Dispositions



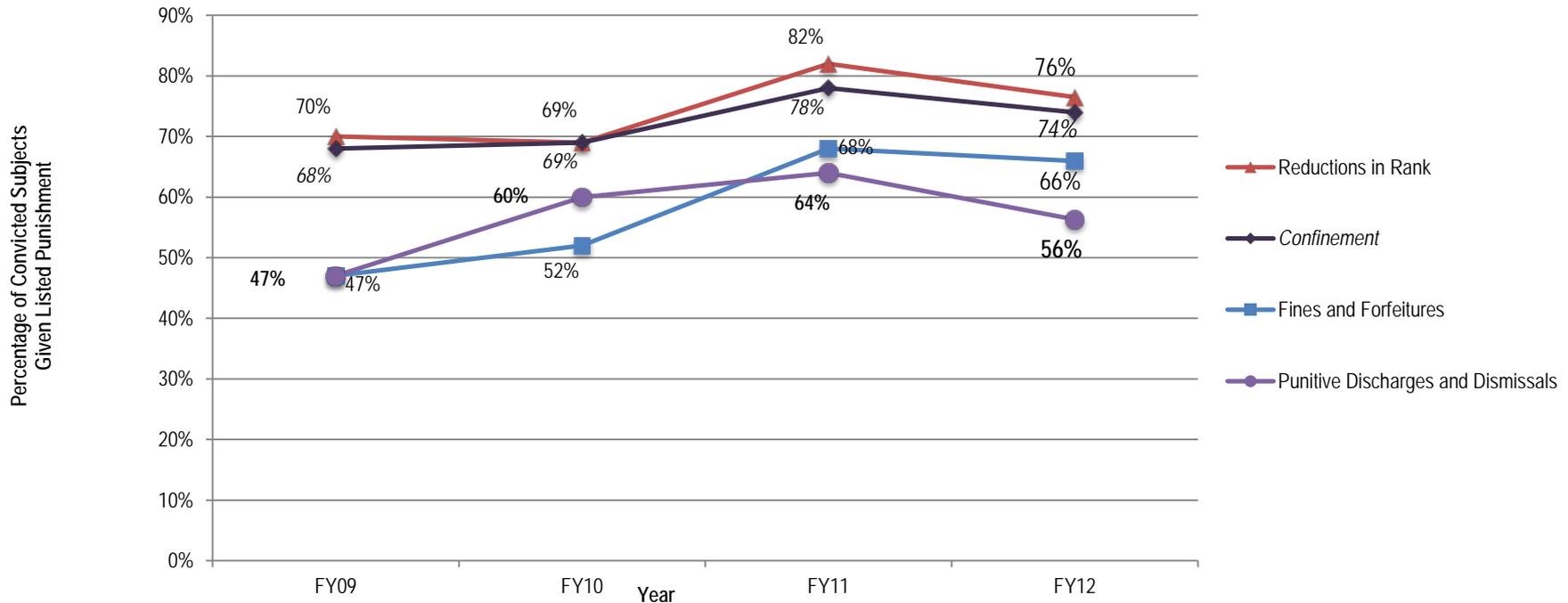
About two-thirds of subjects charged with a sexual assault offense proceed to court-martial

### Court-Martial Results



Over the past four years, of the subjects proceeding to court-martial for a sexual assault offense, about 80% are convicted of at least one offense at court-martial.

# Court-Martial Punishments\* for Cases Proceeding to Trial in FY12



\*Convicted members may be awarded one or more punishments.

Fewer subjects received the most serious punishments in FY12, as compared with punishments awarded in FY11.

**Back Up Slides:  
DoD Survey Methodology  
and Top Line Results**

## The Workplace and Gender Relations Survey

- The Defense Manpower Data Center (DMDC) selects a representative sample of the Active Duty population in its surveys.
  - A number of demographic and other variables are matched to ensure the sample is an accurate representation of the active force, including (but not limited to) gender, race, rank, Service, and deployment status. For these groups, “oversampling” is employed, which ensures there will be enough respondents in these groups to make accurate estimates for each group.
  - DMDC has used consistent methodology and questions to survey the force on sexual assault and harassment since 2006. Therefore, results are comparable year after year (2006 results can be compared to 2010 and 2012).
  - Past administrations of the survey have helped identify those demographic groups that traditionally have low response rates (e.g., younger age and lower rank). For these groups, “oversampling” is employed, which ensures there will be enough respondents of these types for the sample to remain representative.
- DMDC invited 108,000 active duty members to take the WGRA in 2012.
  - The survey was taken 100% on-line this year.
  - There was a weighted response rate of 24%; this was down from 32% in 2010. (This means there were over 25,900 responses)
- DMDC tabulates the results and uses advanced statistical techniques to ensure that the results remain representative
  - The WGRA is unlike any other survey because it is confidential – not anonymous. DMDC knows the demographics of respondents and those members that don't respond. This information is used to further increase the representativeness of -- or accuracy -- of the responses.
- The statistical sample of active duty members was designed to ensure that results of the WGRA are statistically valid (accurate) and reliable (consistently repeatable) to 95% confidence.
- The statistical controls employed ensure that the responses to the WGRA survey are generalizable (valid for) the overall active duty population as a whole.
  - Margins of error are cited to show the precision of an estimate given a level of confidence (95 percent in this case)
  - Margins of error depend on a number of things, but are most influenced by the number of people responding to a particular item; it should be noted that more respondents to an item only increases the precision of the response (narrows the margin of error).

## Unwanted Sexual Contact (USC)

- **Definition and measure of USC:**

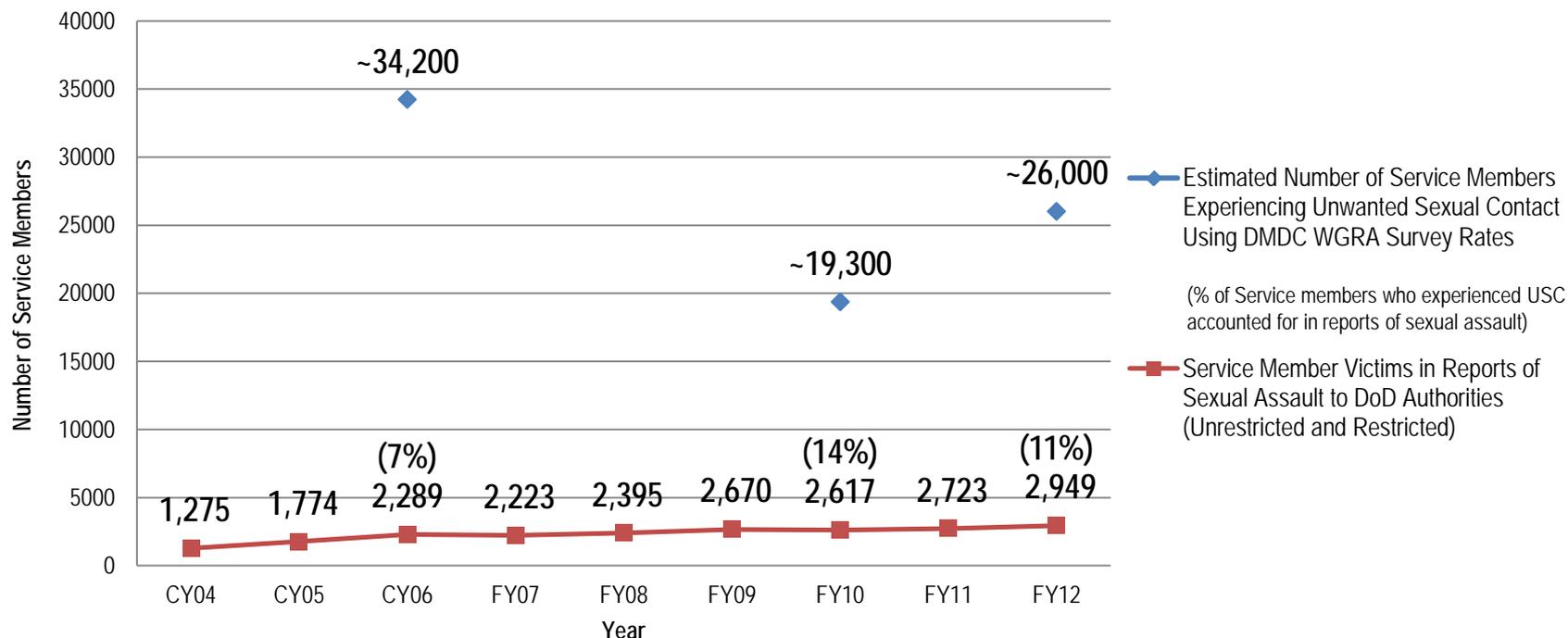
- The *2012 WGRA* includes a measure of USC (i.e., sexual assault). Although this term does not appear in the UCMJ, it is used to refer to a range of activities and it is an umbrella term intended to include certain acts prohibited by the UCMJ.
- USC is measured in the *2012 WGRA* by asking members to refer to experiences in the past 12 months in which they experienced any of the following intentional sexual contacts that were against their will or which occurred when they did not or could not consent in which someone:
  - Sexually touched them (e.g., intentional touching of genitalia, breasts, or buttocks) or made them sexually touch someone;
  - Attempted to make them have sexual intercourse, but was not successful;
  - Made them have sexual intercourse;
  - Attempted to make them perform or receive oral sex, anal sex, or penetration by a finger or object, but was not successful; or
  - Made them perform or receive oral sex, anal sex, or penetration by a finger or object.
- A member is counted in the USC incident rate if he or she replied “yes” to any of the behaviors listed.

- **USC one situation:**

- On the survey, members who had indicated they experienced USC were asked to consider the “one situation” occurring the past 12 months that had the greatest effect on them. With that one situation in mind, members then reported on the circumstances surrounding that experience (e.g., who were the offenders, where did the behaviors occur, were drugs/alcohol involved, was the experience reported, were there any repercussions because of reporting the incident).

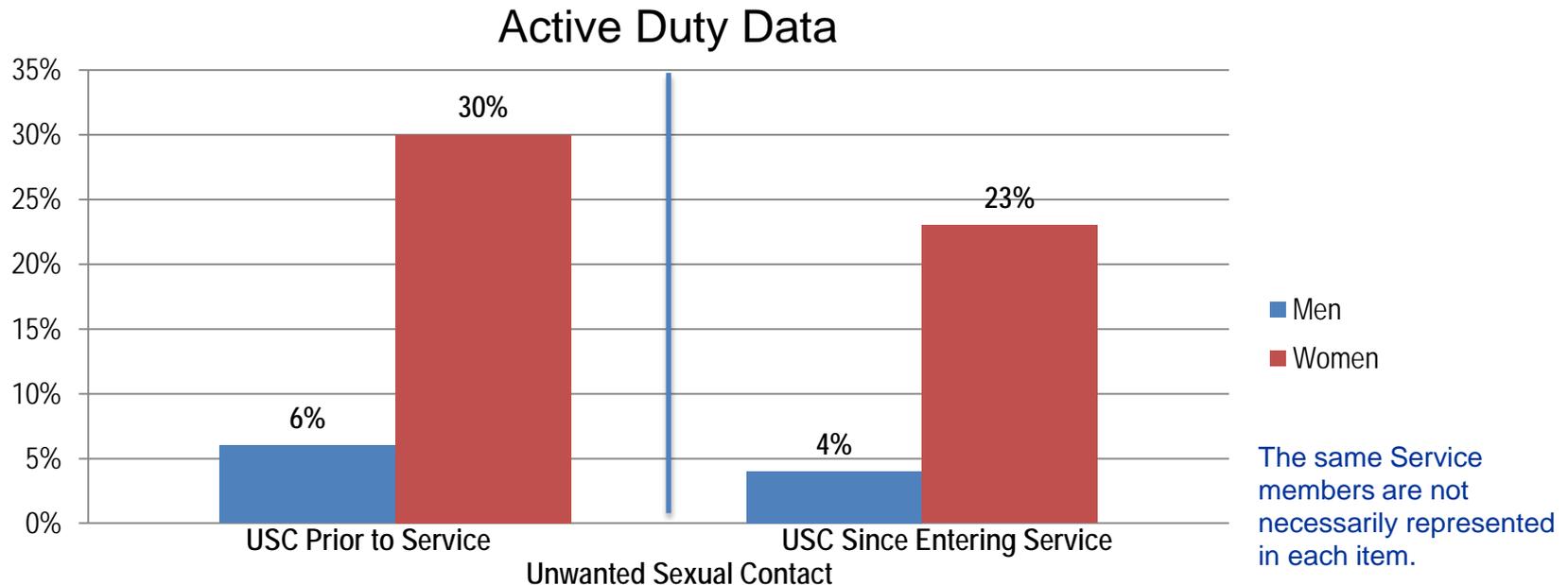
# Prevalence versus Reporting

Service Member Victims in Reports of Sexual Assault to DoD vs. Estimates of Service Members Experiencing USC, CY04–FY12



- In FY12, the gap between estimated prevalence and reporting of sexual assault widened compared to FY10, using identical methodologies
- Increased prevalence estimate is most likely attributable to increased USC experienced by active duty women

# Unwanted Sexual Contact: Prior to Service and Since Entering Service



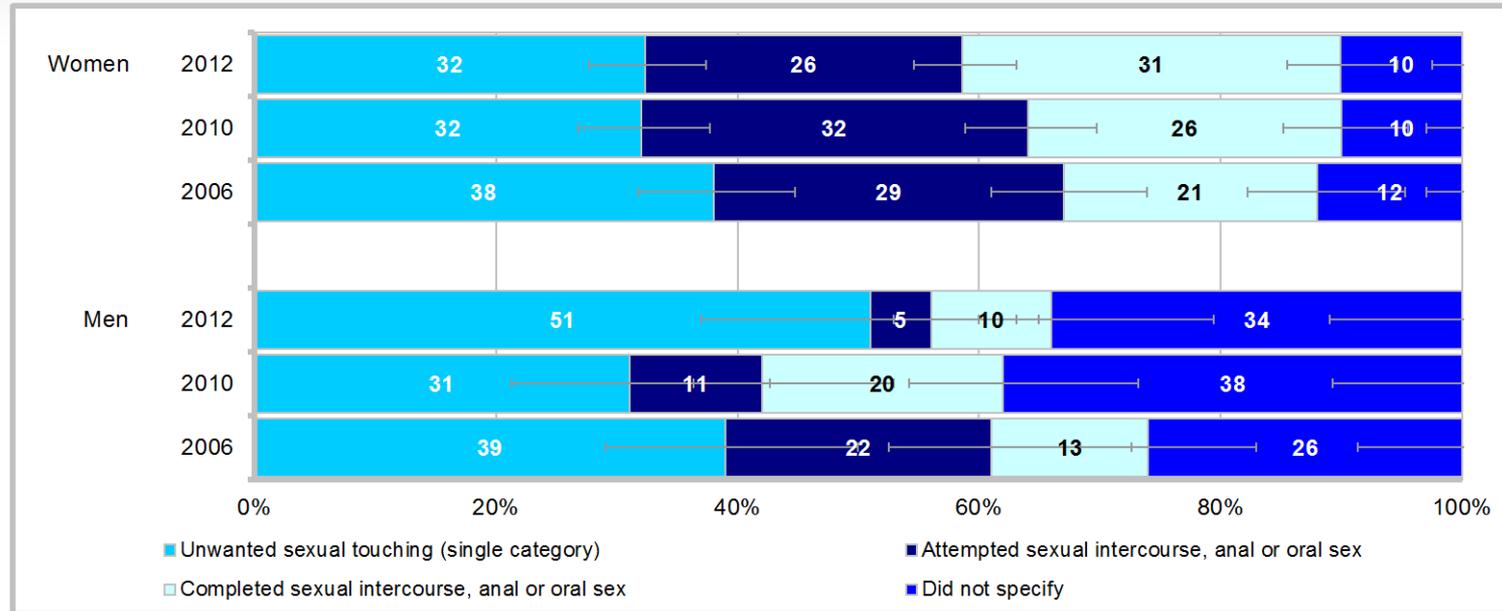
## Key Findings:

- WGRA/WGRR results indicate that a considerable proportion of the female active duty force has experienced USC at some point, either before joining the service or since joining the service
- WGRA/WGRR results confirm civilian research that a history of sexual assault is a significant risk factor for future sexual assault
  - Voluntary initiatives to help service members address their history of sexual assault may ultimately help reduce the prevalence of USC
- WGRA results align with similar measures on the *2011 Health Related Behaviors Survey* (Tri-care Management Authority, 2013)



# Most Serious Unwanted Sexual Contact Behaviors Experienced in the One Situation

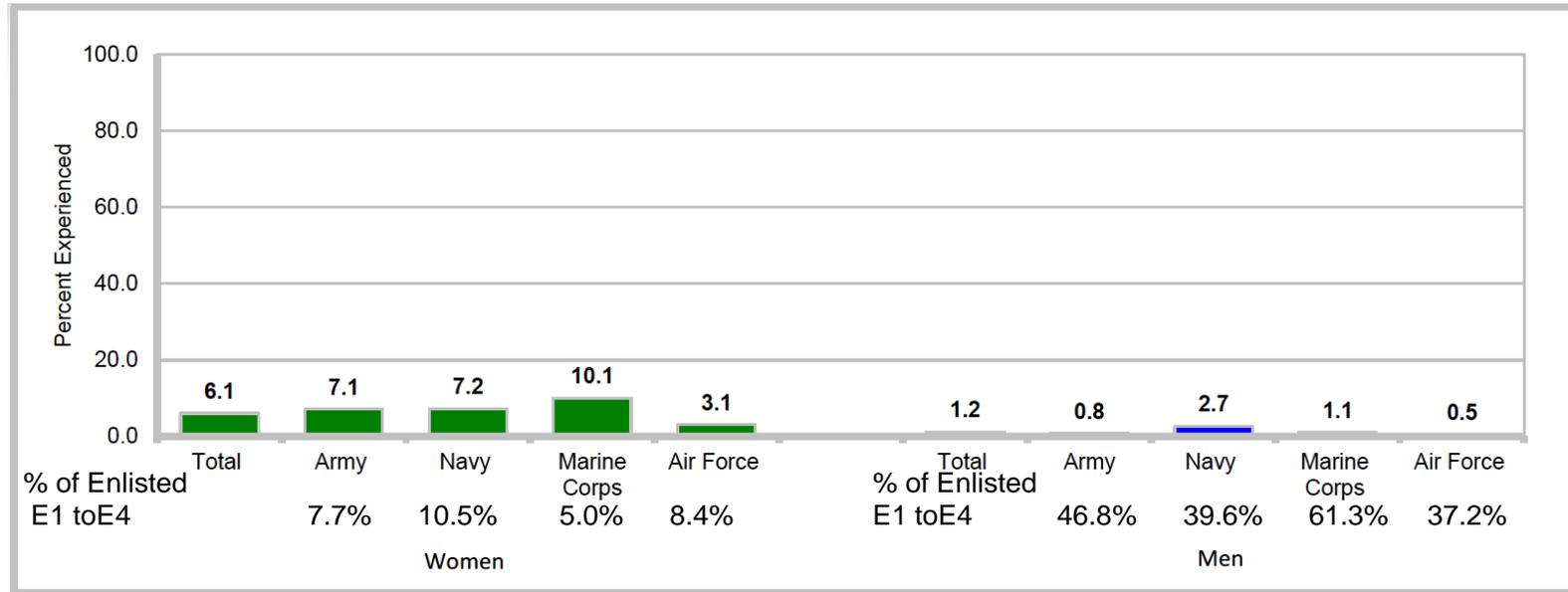
## Percent of Active Duty Members Who Experienced Unwanted Sexual Contact



- **Overall findings for the 6.1% of women and 1.2% of men who experienced unwanted sexual contact in 2012 :**
  - 32% of women and 51% of men indicated experiencing *unwanted sexual touching*
  - 26% of women and 5% of men indicated experiencing *attempted sexual intercourse, anal or oral sex*
  - 31% of women and 10% of men indicated experiencing *completed sexual intercourse, anal or oral sex*
  - 10% of women and 34% of men *did not indicate* what behaviors they experienced
- **Significant findings for the 6.1% of women and 1.2% of men who experienced unwanted sexual contact in 2012 :**
  - There are no statistically significant differences in the types of behaviors for women by Service (data on men are not reportable)
  - There are no statistically significant differences for women or men overall between 2012 and 2010 or 2006
    - For Navy women, the percentage who indicated completed sexual intercourse, anal or oral sex is statistically significantly higher than 2006; for Marine Corps women, the percentage is statistically significantly lower

# Past-Year Prevalence of Unwanted Sexual Contact

Percent of Active Duty Women and Men, by Service

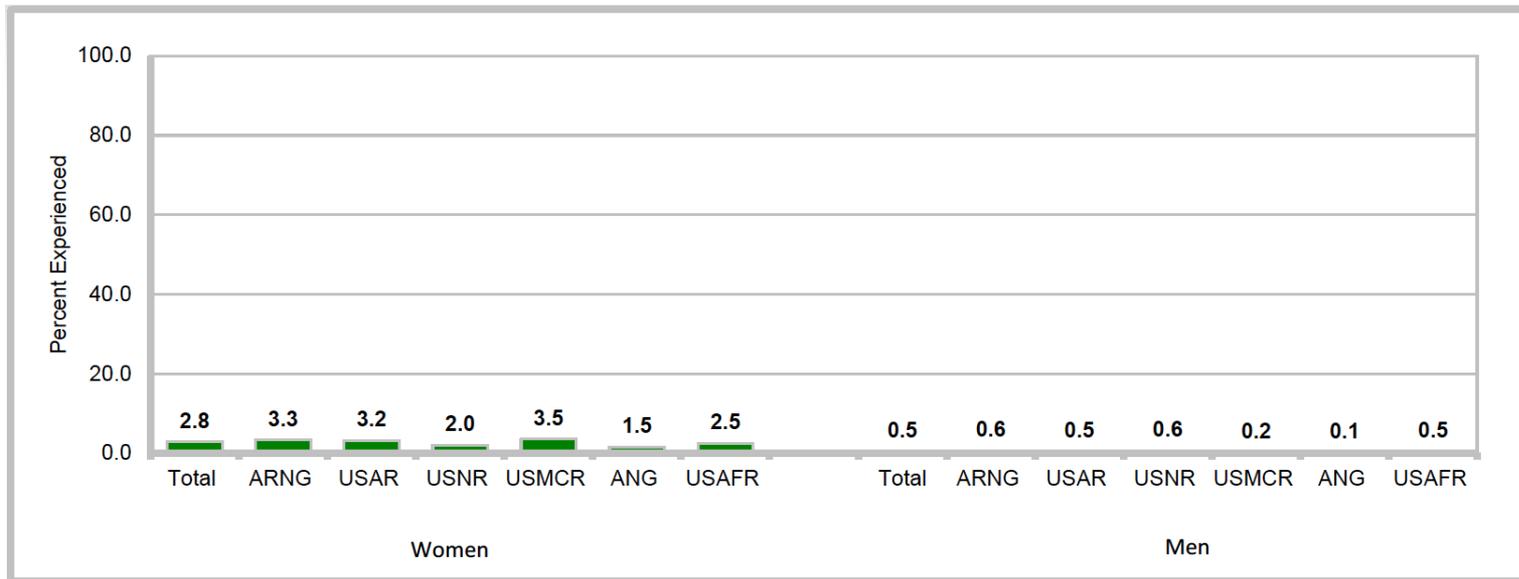


## Key findings:

- Marine Corps women were more likely than women in the other Services to indicate experiencing USC
- Air Force women were less likely than women in the other Services to indicate experiencing USC
- For Navy and Marine Corps women, the 2012 percentages are statistically significantly higher than 2010 (7.2% vs. 4.4% and 10.1% vs. 6.6%, respectively); there are no statistically significant differences for men between 2012 and 2010

# Past-Year Prevalence of Unwanted Sexual Contact

*Workgroup and Gender Relations Survey of the Reserve Component (WGRR)*  
 Percent of Reserve Component Women and Men, by Service



WGRR conducted April 23 to June 28, 2012

## Key findings:

- Overall, 2.8% of reserve component women and 0.5% of reserve component men indicated experiencing some form of USC in the year prior to being surveyed
  - No statistically significant differences among the Reserve components for 2012
  - No statistically significant differences for women or men by Reserve Component between 2012 and the survey's last administration in 2008

## Civilian Sector Comparisons: Prevalence

- **2010 National Intimate Partner and Sexual Violence Survey** – Centers for Disease Control and Prevention (2013) – *Gold Standard*
  - Risk for contact sexual violence (oral, anal, vaginal penetration or sexual contact without consent) is the same for women in the military and civilian sector, after adjusting for differences in age and marital status
    - Risk is the same for past year, past three years, and lifetime prevalence measures
- **Campus Sexual Assault Study** – Krebs, et. al. (2007)
  - 19% of college women experienced a sexual assault (attempted or completed oral, anal, vaginal penetration or sexual contact without consent) at some point in their 4 year college career
  - 21% of active duty women (ages 18-24) experienced USC (attempted or completed oral, anal, vaginal penetration or sexual contact without consent) at some point in their military career (DMDC, 2012)
- **Drug-facilitated, Incapacitated, and Forcible Rape: A National Study** – Kilpatrick, et. al. (2007)
  - 0.9% of U.S. women (all ages) and 5.2% of U.S. college women experienced a sexual assault (attempted or completed oral, anal or vaginal penetration without consent) in the 12 months prior to the survey
  - About 3.5% of active duty women experienced a sexual assault (attempted or completed oral, anal or vaginal penetration without consent) in the 12 months prior to the survey (DMDC, 2012)

**Overall, most studies indicate the risk for sexual assault is about the same for women in the military and civilian sectors of U.S. society.**

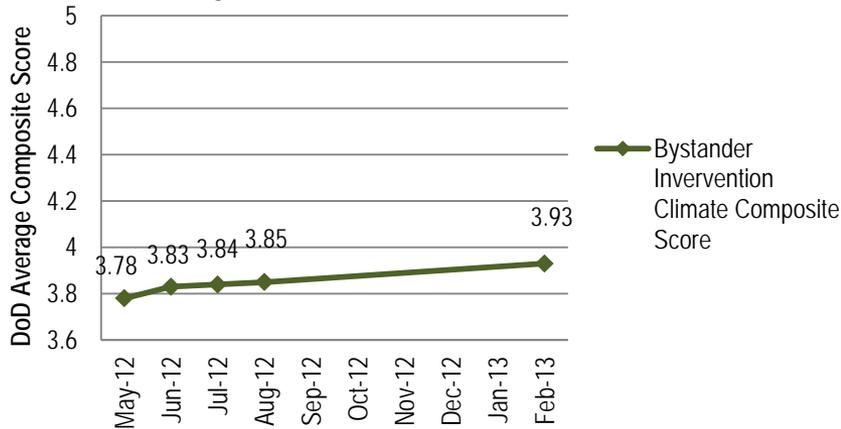
# Command Climate Assessment Tools

Obtained from DEOMI Organizational Climate Survey (DEOCS)

Prevention Index:

Bystander Intervention Climate

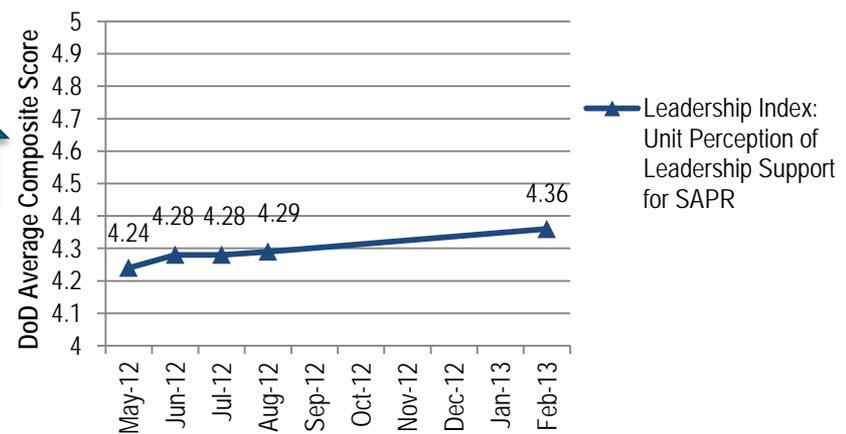
Better ↑



Leadership Index:

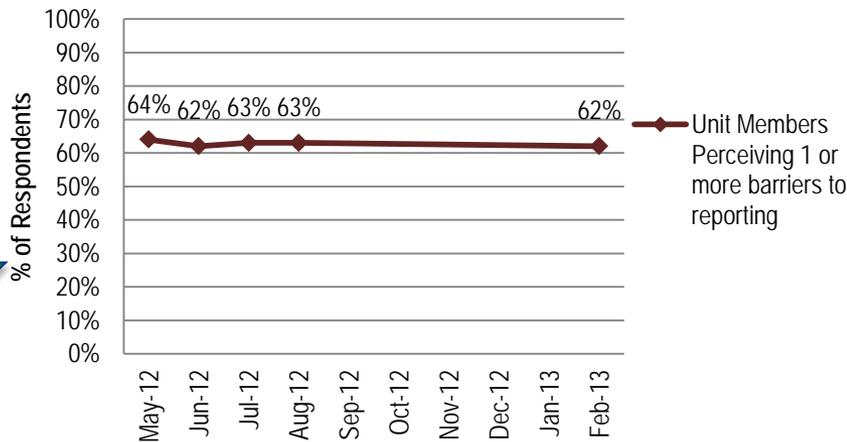
Unit Perception of Leadership Support for SAPR

Better ↑



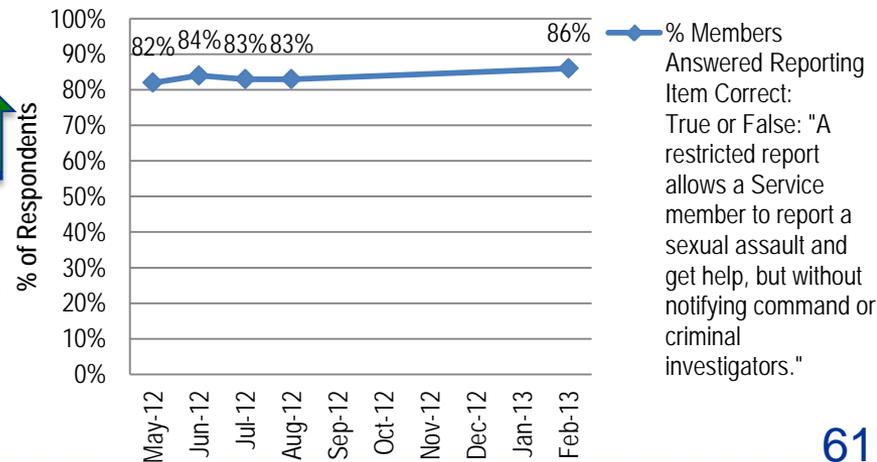
Barriers to Reporting

Better ↓



Reporting Knowledge

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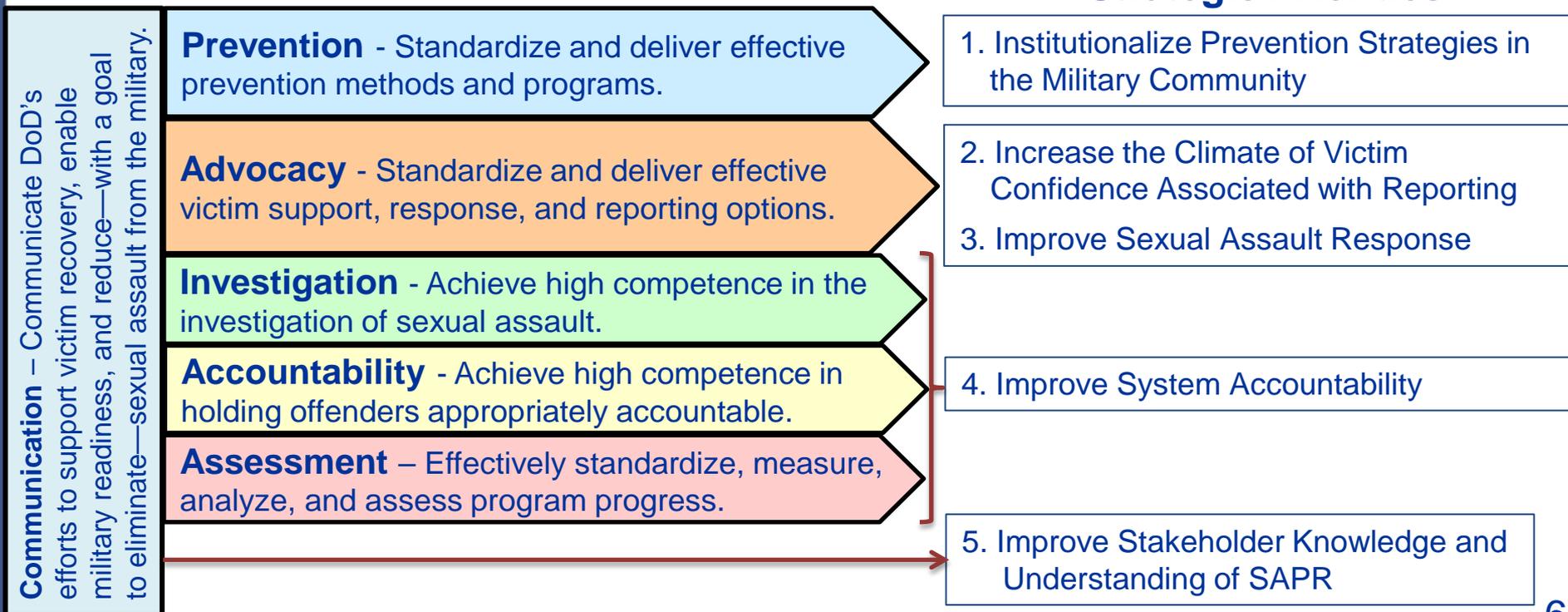
**Back Up Slides:  
DoD-wide Sexual Assault Prevention and  
Response Strategy**

# Joint Chiefs of Staff (JCS) Strategic Direction to the Joint Force

**Mission:** The DoD prevents and responds to the crime of sexual assault in order to enable military readiness and reduce—with a goal to eliminate—sexual assault from the military

## 2012 JCS Lines of Effort

## 2009 DoD-Wide SAPR Strategic Priorities



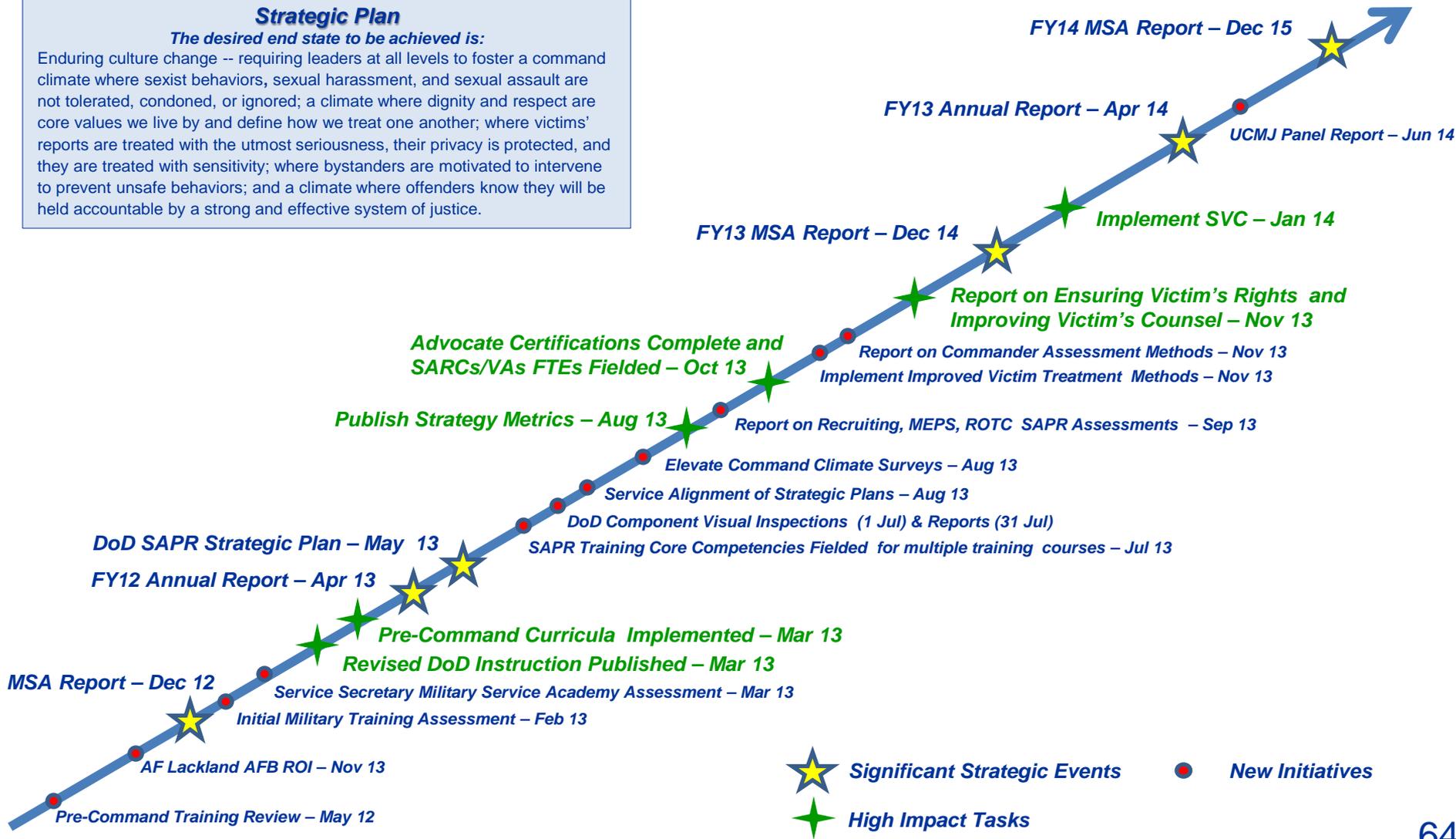
# DoD SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE DoD SAPR Next Steps

(As of 10 May 2013)

## Strategic Plan

*The desired end state to be achieved is:*

Enduring culture change -- requiring leaders at all levels to foster a command climate where sexist behaviors, sexual harassment, and sexual assault are not tolerated, condoned, or ignored; a climate where dignity and respect are core values we live by and define how we treat one another; where victims' reports are treated with the utmost seriousness, their privacy is protected, and they are treated with sensitivity; where bystanders are motivated to intervene to prevent unsafe behaviors; and a climate where offenders know they will be held accountable by a strong and effective system of justice.



# Prevention

## Major Initiatives Completed

- Services launched a wide range of enhanced training programs using interactive and adult learning methods and emphasizing bystander intervention
- Published revised DoD Sexual Assault Program policy, enhancing procedures and standardizing DoD SAPR efforts
- Standardized SAPR core competencies and learning objectives are being taught in DoD-wide pre-command and senior Non Commissioned Officer (NCO) training courses
- Services conducted SECDEF-directed evaluations of their respective Military Academy all SAPR programs as well as evaluations of their respective initial military training environments; the results are under senior leader review

## Ongoing and Future Actions

- Standardized SAPR core competencies and learning objectives are under development for SAPR training courses for basic training, victim advocates, and continuing professional military education
- Expanding research on effective support services and preventive programs for male sexual assault victims
- Conducting outreach with targeted universities, communities, and experts in advocacy groups on prevention program best practices

# Investigation

## Major Initiatives Completed

- Revised Sexual Assault Forensic Exam kit to improve victim care and align evidence collection with national standards (SAPRO)
- Implemented DoD policy to retain investigative documentation for 50 years for Unrestricted Reports (DoD IG)
- Published new DoD policy on sexual assault investigation standards, requiring all sexual assault investigations are conducted by independent and professional Military Criminal Investigative Organizations (DoD IG)

## Ongoing and Future Actions

- Developing policy for Special Victim Capability, in accordance with FY13 NDAA, which will include standardized selection, training, and certification standards for Special Victim investigators (DoD-wide)
- Conducting a review of sexual assault investigations for investigative sufficiency and compliance; audit is completed and results are under senior leader review (DoD IG)
- Conducting a review of Sex Offender Registry Programs and compliance with the Sex Offender Registration and Notification Act (DoD IG)

# Accountability

## Major Initiatives Completed

- In 2012, Services and NGB fielded specialized personnel and/or teams such as Complex Trial Teams, Special Victim Prosecutors and Trial Counsel Assistance programs to deliver enhanced capability in the prosecution of sexual assault cases.
- In June 2012, DoD elevated initial disposition decisions to O-6 level (Colonel or Navy Captain) for cases of rape, sexual assault, forcible sodomy and attempts.
- In Jan 2013, Air Force launched a pilot Special Victim Counsel program with the intent to provide victims of sexual assault legal representation during all phases of investigation, prosecution, and victim recovery.
- In Mar 2013, DoD General Counsel conducted a review of UCMJ Article 60; this review informed SECDEF legislative proposal to limit actions by court-martial convening authority.

## Ongoing and Future Actions

- DoD is developing policy for Special Victim Capability, in accordance with FY13 NDAA, which will include standardized selection, training, and certification standards for Special Victim prosecutors and paralegals.
- In conjunction with Congress, DoD is establishing and supporting the FY13 NDAA-mandated independent Response Systems and Judicial Proceedings Panels.

# Assessment

## Major Initiatives Completed

- In 2011, established SAPR Integrated Process Team, comprised of senior OSD and Service SAPR program managers, as a standing body that meets regularly to review and advise on SAPR matters.
- In Apr 2012, added sexual assault questions to DoD Command Climate Surveys and implemented policy to conduct assessments within 120 days for new commanders and annually thereafter.
- In Oct 2012, fielded Defense Sexual Assault Incident Database as record system for sexual assault case management and data collection.
- In Nov 2012 conducted inaugural Joint Chiefs of Staff quarterly SAPR Joint Executive Council as DoD's senior standing military oversight body for SAPR matters.

## Ongoing and Future Actions

- Continue to prepare two NDAA-mandated annual SAPR reports to Congress
- Developing metrics to support and assess the progress along all lines of effort of the DoD-wide Strategic Plan