



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

***Department of Defense
Sexual Assault Prevention and Response***

23 October 2013



- **Nature of the Problem**
 - **Unwanted Sexual Contact Reported in DoD Surveys**
 - **Sexual Assault Reports CY04-FY12**
 - **Estimated Prevalence vs. Actual Victim Reports**
 - **Reasons for Reporting and Not Reporting**
- **SAPR Program Foundation, Vision, and Strategy**
- **Sexual Assault Response and Oversight**
- **DoD SAPR Metrics**
- **Improving Victim Confidence**
- **Closing Thoughts**



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Nature of the Problem

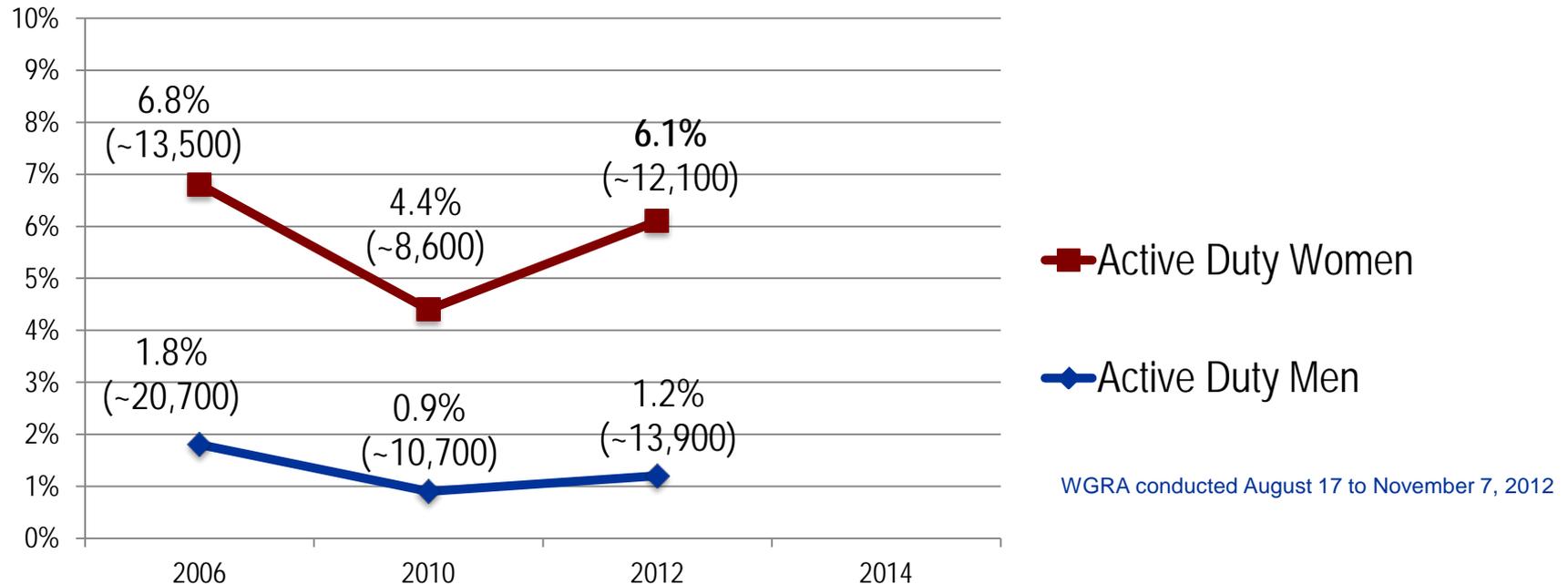
- DoD estimates, based on surveys, more than 26,000 active duty men and women were victims of unwanted sexual contact in FY12 (rape to unwanted touching)
- In the same year, DoD received 3,374 reports of sexual assault -- which included at least one service member victim or perpetrator
- Underreporting is significant problem due to fear, stigma or shame -- which complicates victim care and holding offenders accountable
- Incident Profile: Victim and perpetrator 18-24 yrs old; peer or near peers; non-stranger; off duty, but on the installation; significant alcohol involvement
- Victim's perceive high levels of ostracization and retaliation after reporting – of the women in FY12 who reported unwanted sexual contact, 62% perceived some form of social, administrative, and/or professional retaliation
- Frontline leaders are critical to leading the culture change necessary to prevent sexist behaviors, sexual harassment and assault, and in establishing an environment of dignity, respect, and trust



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Past-Year Prevalence of Unwanted Sexual Contact

Percent of Active Duty Members, by Gender



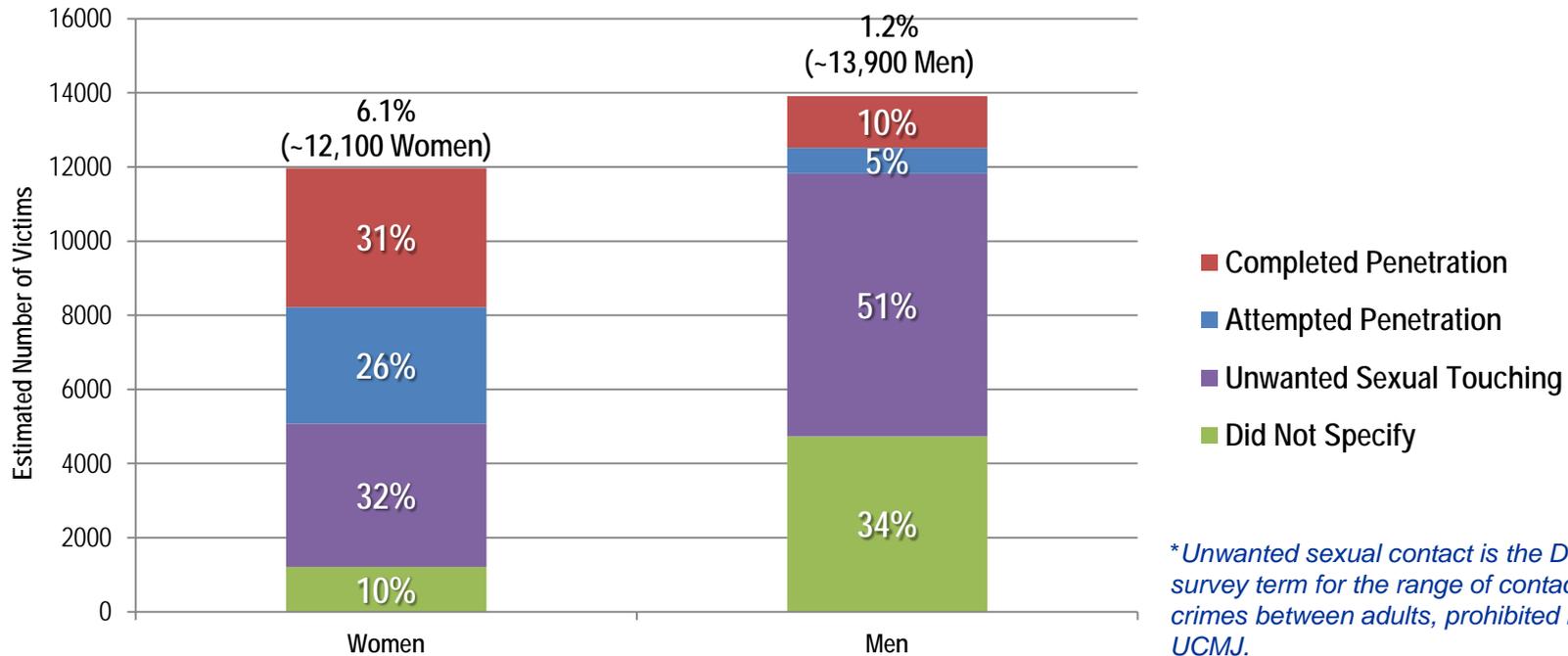
Key findings:

- 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



Type of Unwanted Sexual Contact* Experienced

Estimates derived from 2012 Workplace and Gender Relations Survey

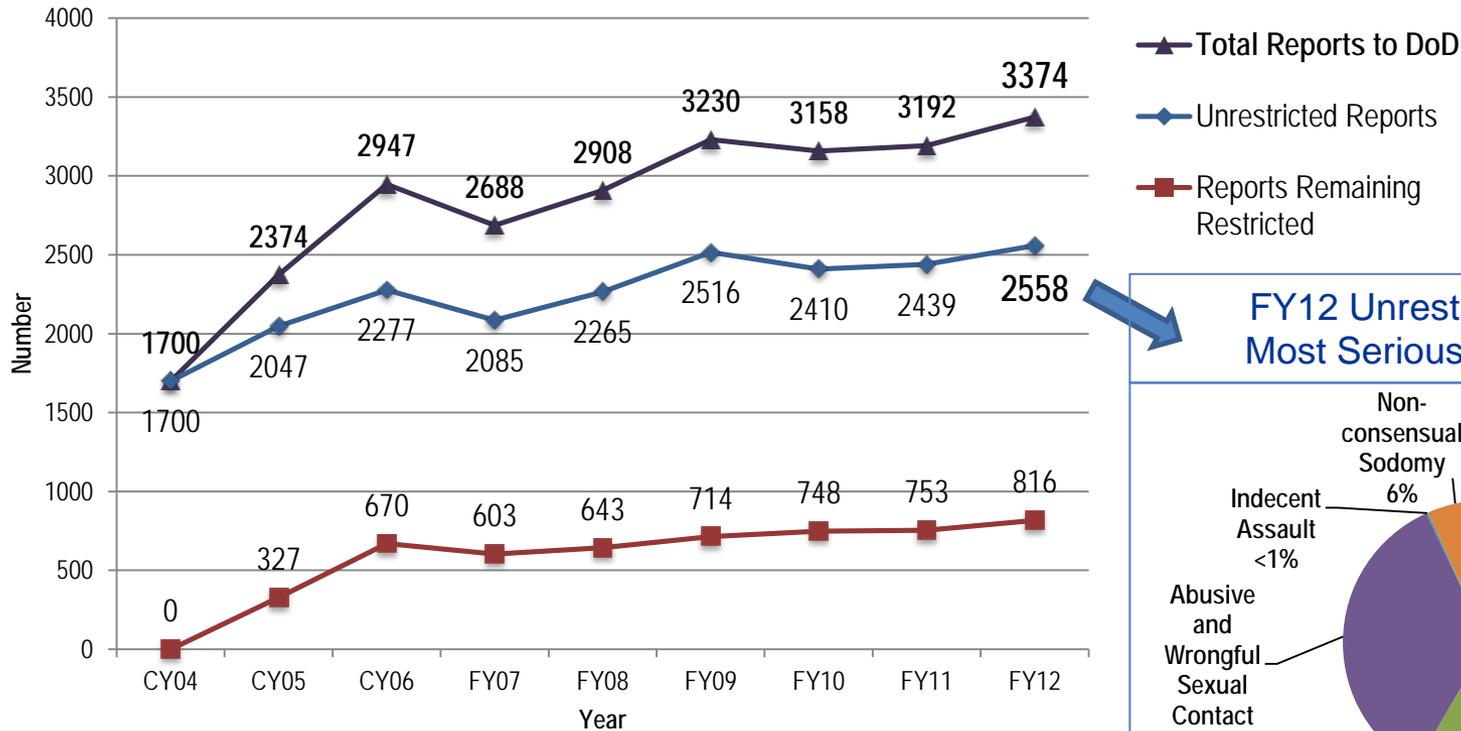


Bottom Line: Of those who indicated victimization via the DoD survey, roughly 57% of active duty women and 15% of active duty men experienced an attempted or completed penetration in FY2012.

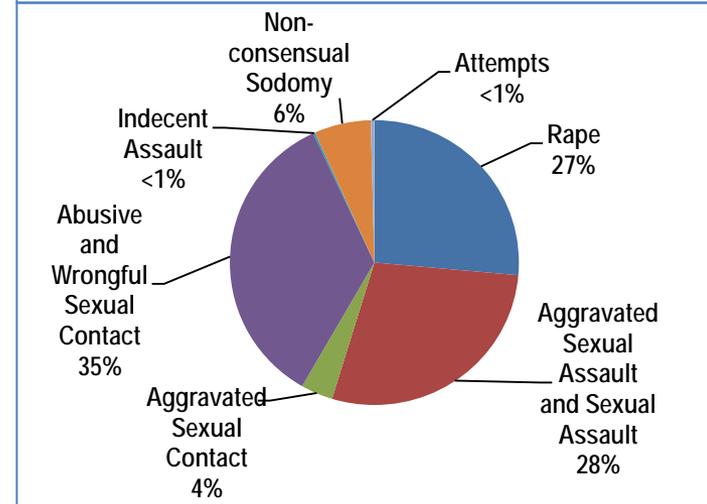


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Sexual Assault Reports CY04 - FY12



FY12 Unrestricted Reports: Most Serious Crime Alleged



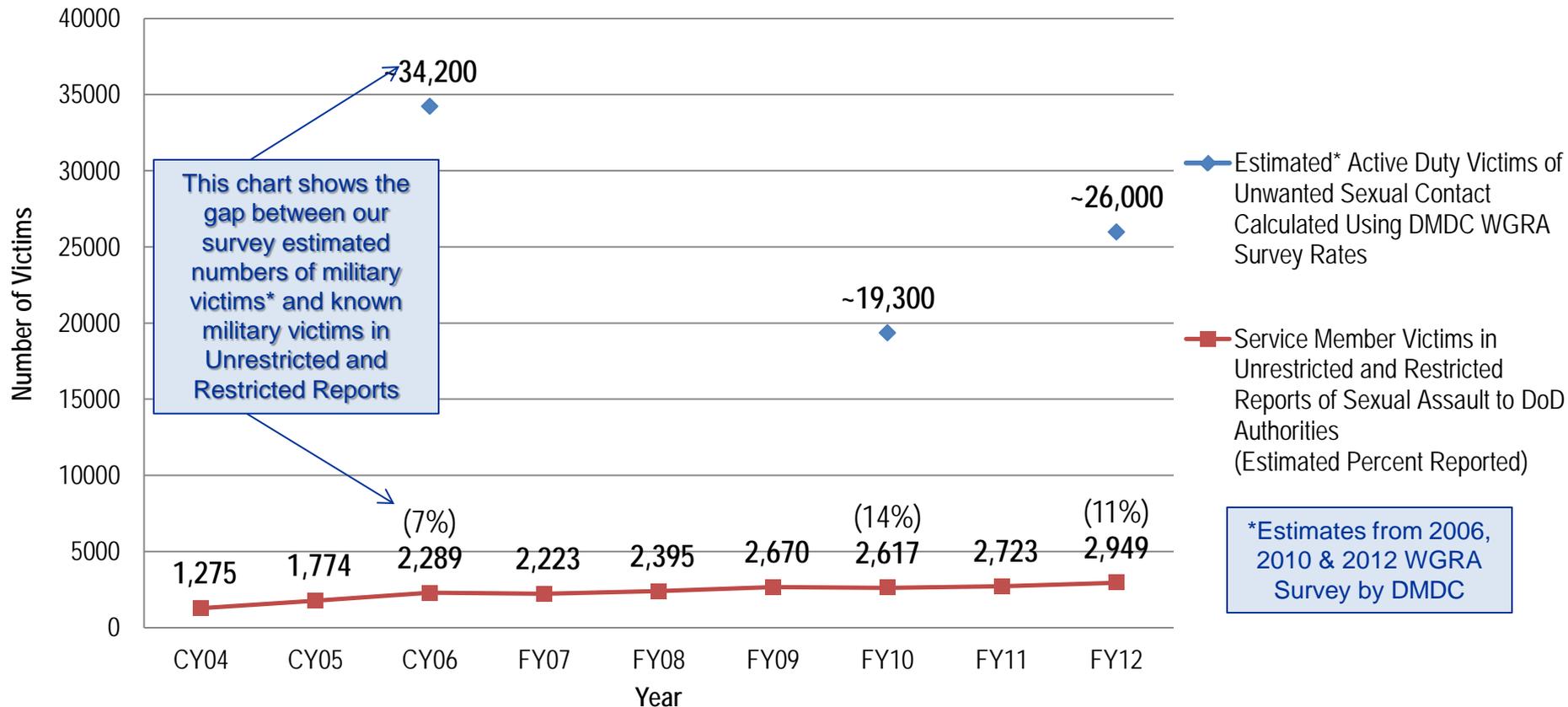
- Overall reporting increased 6% from FY11
 - Unrestricted Reporting increased by 5%
 - Reports remaining Restricted increased by 8%
- 121 Reports in FY12 were for an incident occurring prior to service
- Restricted Report Conversions increased from 14.1% in FY11 to 16.8% in FY12

Increased reporting leads to greater opportunities for victim care and accountability



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Key Program Metrics:
*Estimated Prevalence vs.
 Actual Victim Reports*



Sexual Assault is an Underreported Crime
 Increased reporting provides primary means for improving victim care and accountability of offenders



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Reasons for Reporting

- **Of the 6.1% of Active Duty women who indicated experiencing Unwanted Sexual Contact in the year prior to being surveyed, 33% of these women reported their experience to a military authority:**
 - The top reasons for reporting the situation were:
 - *It was the right thing to do (72%)*
 - *Seek closure to the incident (67%)*
 - *Stop the offender from hurting others (67%)*
- **Of the 1.2% of Active Duty men who indicated experiencing Unwanted Sexual Contact in the year prior to being surveyed, 19% of these men reported their experience to a military authority.**
 - The top reasons for reporting the situation were not reportable (NR) for men.

Reasons For Reporting	Women	Men
It was the right thing to do	72%	NR
Seek closure on the incident	67%	NR
Stop the offender from hurting others	67%	NR
Stop the offender from hurting you again	63%	NR
Discourage other potential offenders	61%	NR
Seek help dealing with an emotional incident	58%	NR
Identify a fellow military member who is acting inappropriately	53%	NR
Seek justice	51%	NR
Punish the offender	43%	NR
Seek mental health assistance	43%	NR
Stop rumors by coming forward	36%	NR
Seek medical assistance	35%	NR
Prevent the offender from continuing in the military	30%	NR
Other	28%	NR



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Reasons for *Not* Reporting

- **Of the 6.1% of Active Duty women who indicated experiencing Unwanted Sexual Contact in the year prior to being surveyed, 66% of these women did not report their experience to an authority.**
 - The top reasons for NOT reporting the situation were:
 - *You did not want anyone to know (70%)*
 - *You felt uncomfortable making a report (66%)*
 - *You did not think your report would be kept confidential (67%)*
- **Of the 1.2% of Active Duty men who indicated experiencing Unwanted Sexual Contact in the year prior to being surveyed, 76% of these men did not report their experience to an authority.**
 - Of the available reasons, the top reasons for NOT reporting the situation were:
 - *You feared you or others would be punished for infractions/violations, such as under age drinking (22%)*
 - *You thought you would not be believed (17%)*
 - *You thought your performance evaluation or chance for promotion would suffer (16%)*

Reasons For Not Reporting	Women	Men
You did not want anyone to know	70%	NR
You felt uncomfortable making a report	66%	NR
You did not think your report would be kept confidential	51%	NR
You did not think anything would be done	50%	NR
You thought it was not important enough to report	48%	NR
You thought you would be labeled a troublemaker	47%	NR
You were afraid of retaliation/reprisal from the person(s) who did it or from their friends	47%	NR
You heard about negative experiences other victims went through who reported their situation	43%	14%
You thought you would not be believed	43%	17%
You thought reporting would take too much time and effort	35%	NR
You thought your performance evaluation or chance for promotion would suffer	28%	16%
You feared you or others would be punished for infractions/violations, such as underage drinking	23%	22%
You were afraid of being assaulted again by the offender	23%	NR
Other	16%	NR
You thought you might lose your security clearance/personnel reliability certification	15%	15%
You did not know how to report	14%	5%



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National Crime Victimization Survey*

A recent review of data collected in The National Crime Victimization Survey disclosed most rape and sexual assault (as defined by that survey) are not reported to police.

TABLE 8
Rape and sexual assault victimizations against females reported and not reported to police, 1994–1998, 1999–2004, and 2005–2010

Reporting to police	1994–1998	1999–2004	2005–2010
Total	100%	100%	100%
Not reported	71%	59%	64%
Reported	29%	41%	36%
Source of report	100	100	100
Victim	50	57	64
Other household member	26	14	10
An official other than police	4	10	14
Someone else	11	10	10
Police were at crime scene	1!	4!	1!
Other	7	5!	1!

Note: Detail may not sum to total due to rounding. See appendix table 13 for standard errors.

! Interpret with caution; estimate based on 10 or fewer sample cases, or coefficient of variation is greater than 50%.

Source: Bureau of Justice Statistics, National Crime Victimization Survey, 1994–2010.

***The National Crime Victimization Survey has significant methodological differences that prevent direct comparisons with data gathered through the DoD’s Workplace and Gender Relations Survey of the Active Duty. The data provided is for a notional understanding that most sexual assaults go unreported in the civilian sector.**

Source: Female Victims of Sexual Violence, 1994-2010 (2013). US Department of Justice (Author). Washington, DC. Available: <http://www.bjs.gov/content/pub/pdf/fvsv9410.pdf>



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DoD SAPR Program Foundation

- **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 reviews, 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**



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Our Vision

“We must ensure that every Service member understands that sexist behaviors, sexual harassment, and sexual assault are not tolerated, condoned, or ignored. We need enduring culture change where every Service member is treated with dignity and respect; where all allegations of inappropriate behavior are treated with the utmost seriousness; where victims privacy is protected, and they are treated with sensitivity; where bystanders are motivated to intervene; and where offenders know they will be held appropriately accountable.”

Secretary Hagel, 6 May 2013



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SAPR Mission, Lines of Effort and End States

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

End States

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.



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Approaches to Influence Service Member Behavior





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Enhanced Command and Senior Enlisted Leader Training

- Jan 2012 -- SECDEF mandated evaluation of Pre-Command and Senior Enlisted Leader (PCC-SEL) SAPR Training
- May 2012 -- Report to SECDEF delivered
- Sep 2012 -- SECDEF mandated development of standardized Core Competencies/Learning Objectives (CCs-LOs)
- Dec 2012 -- Standards completed – SECDEF directed implementation
- Apr 2013 -- Services implemented CCs-LOs for all PCC-SEL training

Core Competencies

Core Competency 1: Sexual Assault in the Military
Refresh understanding of basic concepts of sexual assault

Core Competency 2: Prevention
Understand risks and circumstances associated with sexual assault incidence and the proactive measures to prevent sexual assault and associated destructive behaviors within their command

Core Competency 3: Advocacy and Response
Understand the essential elements of quality victim care response programs and the roles and responsibilities of victim service providers

Core Competency 4: Investigations and Accountability
Understand the complexity of sexual assault crimes and the appropriate investigation and disposition options available

Core Competency 5: SAPR Program Leadership
Understand commander's and senior enlisted leader's roles in fostering a command environment free of sexual assault

Resulting Learning Objectives

- Recognize sexual assault myths, facts, and trends
- Define sexual assault and sexual harassment, differentiate between the two, and review the relevant articles of UCMJ

- Recognize environments where sexual offenses occur
- Define and identify strategies for bystander intervention
- Define and identify strategies for risk reduction
- Define and identify strategies for obtaining affirmative consent
- Identify command climate strategies for preventing assaults

- Recognize impact of trauma on victim's behavior and ability to communicate clearly
- Employ tactics to minimize re-victimization
- Identify commander responsibilities for sexual assault response, privileged communications, victim care and encourage victims to report sexual assault

- Recognize commander responsibilities regarding sexual assault investigative procedures
- Recognize commander responsibilities during judicial process

- Understand applicable SAPR programs, policies & procedures
- Identify key elements of an effective command SAPR program, to include roles and responsibilities of key personnel



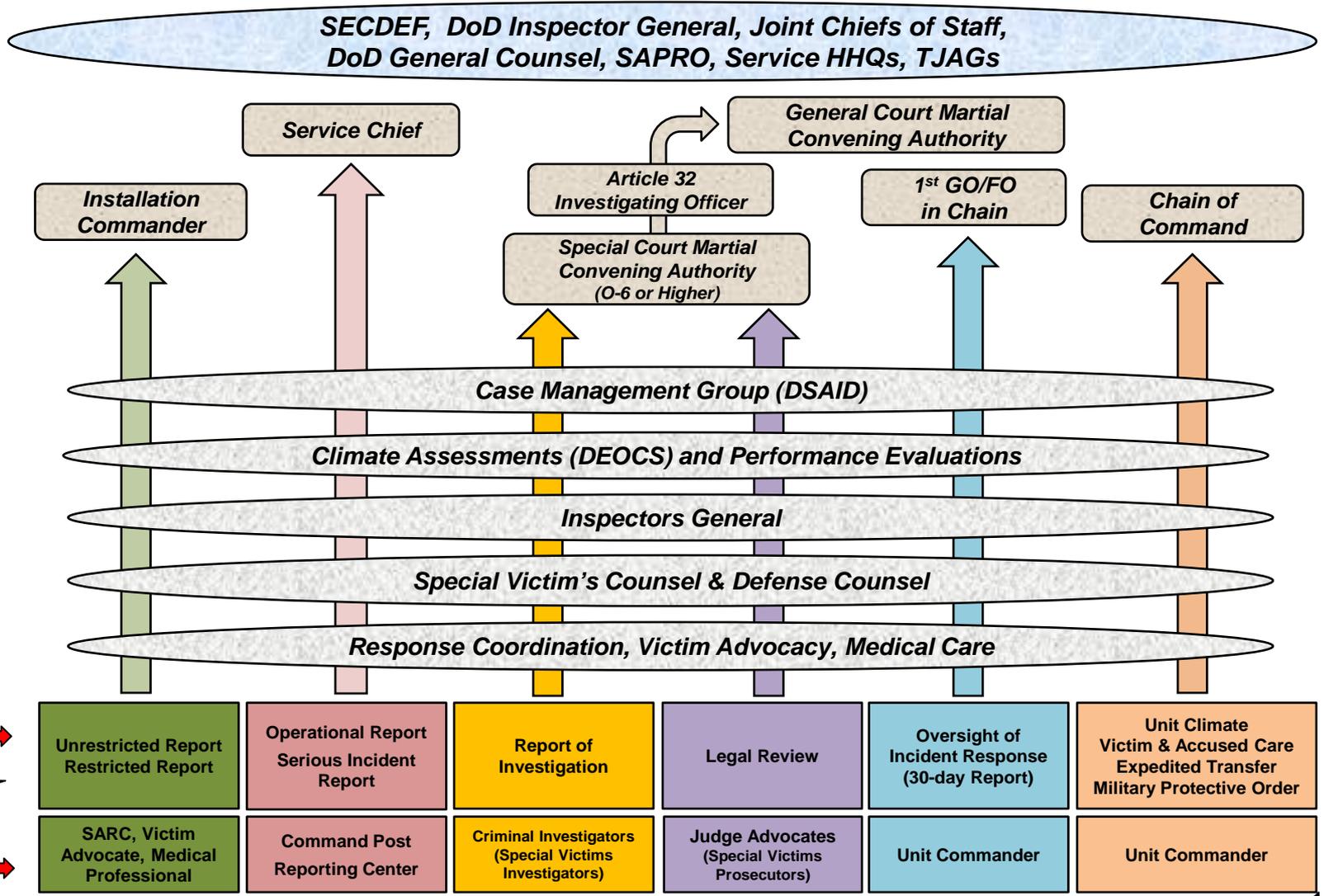
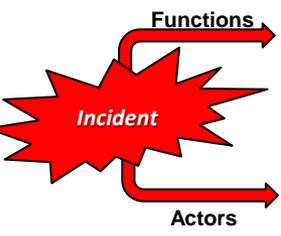
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Sexual Assault Response & Oversight
Integrated System of Checks & Balances

DoD & HHQ Oversight

Leadership Oversight

Cross Functional Oversight Mechanisms, Capabilities, and Services





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DoD SAPR Metrics

- **Metric 1 – Reports of Sexual Assault**

- Description: Year to year trend of restricted and unrestricted reports received by the Department.
- Current Source: Service Reporting; Future Source: Defense Sexual Assault Incident Database (DSAID)
- Implication: In an environment of underreporting, an increase in reports of sexual assault creates increased opportunity for victim care and holding offenders appropriately accountable. Given stable or decreasing prevalence, may reflect increased victim confidence in DoD response systems.

- **Metric 2 – Percentage of Sexual Assault Reports for Incidents Occurring Prior To Service**

- Description: Of the restricted and unrestricted reports received each year, this metric tracks the portion of sexual assaults reported by Armed Forces members that occurred prior to military service.
- Current Source: Service Reporting; Future Source: DSAID
- Implication: An increase in sexual assault reporting prior to service creates increased opportunity for victim care.

- **Metric 3 – Military Victim Reports Per 1000 Service Members**

- Description: Standardized, year to year trend of sexual assault reports by Service members.
- Current Source: Service Reporting; Future Source: DSAID
- Implication: This rate is comparable across Services. The rate creates a reporting statistic which does not vary with force size. In an environment of underreporting, an increase in reports of sexual assault creates increased opportunity for victim care and holding offenders appropriately accountable. Given stable or decreasing prevalence, may reflect increased victim confidence in DoD response systems.



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DoD SAPR Metrics (cont.)

- **Metric 4 – Voluntary Conversions from Restricted to Unrestricted Reports**
 - Description: Year to year trends in the percentage of Restricted Reports converting to Unrestricted Reports of sexual assault.
 - Current Source: Service Reporting; Future Source: DSAID
 - Implication: Conversions from Restricted Report may indicate increased victim confidence and desire to participate in the military justice system.
- **Metric 5 – Command Action for Military Subjects under DoD Legal Authority**
 - Description: Year to year trends summarizing the actions Commanders have taken against alleged military offenders under the jurisdiction of military law.
 - Current Source: Service Reports and Offices of the Judge Advocates General (OTJAGs); Future Source: DSAID and OTJAGs
 - Implication: When DoD has sufficient evidence and jurisdiction over the offender, commanders are using the court-martial process as the primary means for discipline in sexual assault allegations. Pertains to holding offenders appropriately accountable.
- **Metric 6 – Sexual Assault Court-Martial Outcomes**
 - Description: Year to year trend in outcomes (proceeded to trial; Discharge In Lieu of Court-Martial; dismissed) of court martial proceedings involving sexual assault charges
 - Source: Service Reports and TJAGs; Future Source: DSAID and TJAGs
 - Implication: Pertains to holding offenders appropriately accountable.



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DoD SAPR Metrics

- **Metric 7 – Investigation Length**

- Description: Baseline average and median investigation lengths of sexual assault investigations for each Military Criminal Investigative Organization (MCIO)
- Source: MCIOs (CID, NCIS, and AFOSI)
- Implication: This establishes a baseline for future comparisons and expectations about investigation length.

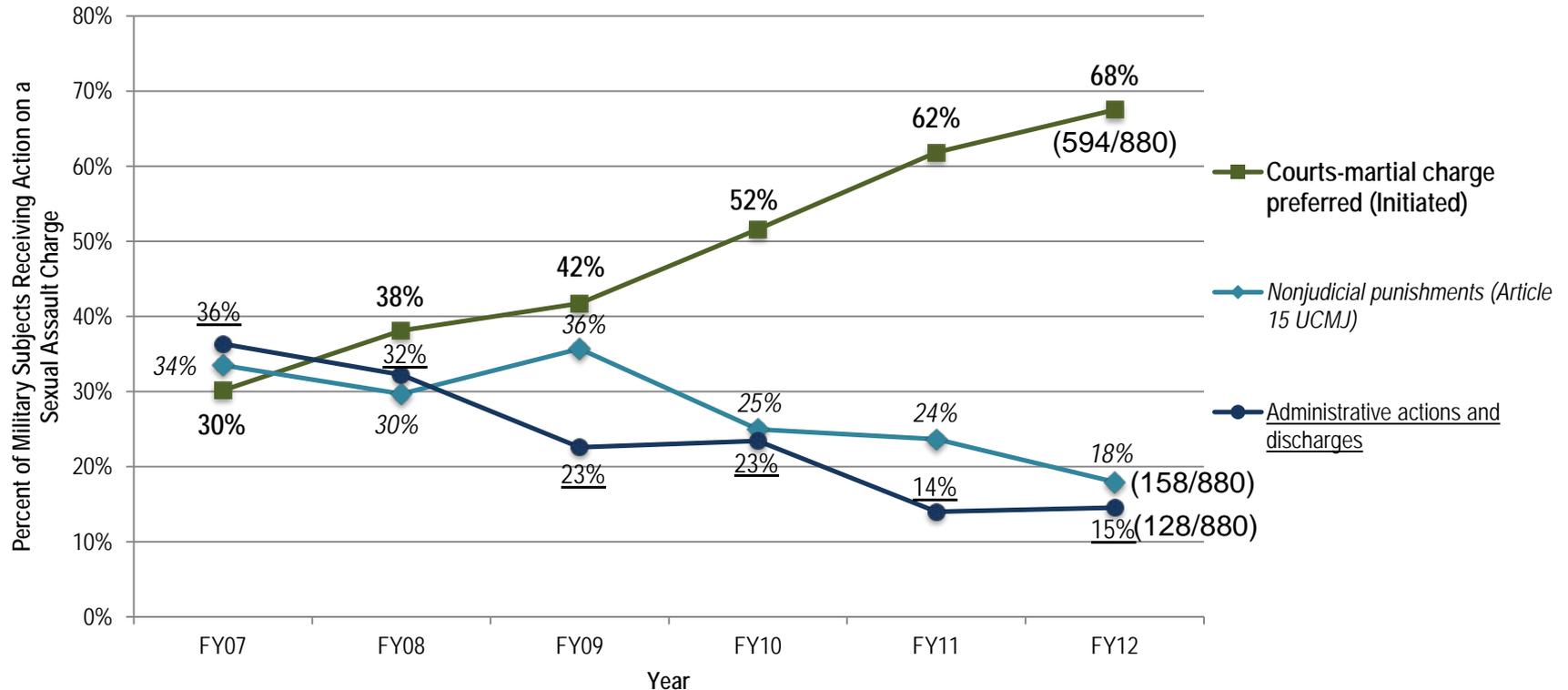
- **Metric 8 – Full Time SAPR Personnel Certification**

- Description: Status of manning and certification of Sexual Assault Response Coordinators and Victim Advocates required by FY12 National Defense Authorization Act.
- Source: Service Manning Data
- Implication: Shows status of the legally-required SAPR staff available to assist victims of sexual assault.



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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, 157 of the 158 NJPs administered were for non-penetrating crimes.



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Improving Victim Confidence

DoD's multi-disciplinary approach employs numerous measures to improve victim confidence:

- **Commander Tools to improve Prevention and Response**: Core Competency Training, Unit Assessment Tools (DEOCS), Commander Policy Requirements – Exp. Transfer, Protective Orders, etc.; CC Evaluations
- **Every Case a Medical Emergency**: DoD policy ensures standards for appropriate medical care and counseling, and mandates that sexual assault cases are treated as emergencies
- **Victim Choice**: Reporting, Medical Care, Forensic Exam, Expedited Transfer, Legal Assistance
- **Professionally certified SARCs and VAs – 22,000+ across DoD**:
 - Defense Sexual Assault Advocate Certification Program in full effect on 1 Oct
 - Certifies first responders who are foundation of our care coordination & advocacy effort
- **Victim-Victim Advocate Privilege**: Protects victims' communications; ensures private coordination of care
- **Legal Representation**: Attorney for victims with Attorney-Client Relationship
 - Air Force pilot program in Jan 2013; SECDEF directed full implementation in DoD by 1 Jan 14
- **Specially-Trained Investigators and Prosecutors**:
 - Special Teams fielded for sexual assaults, child abuse, and serious domestic violence cases
 - Training on trauma of sexual assault crimes; effect of trauma on memory; counterintuitive behaviors
- **Safety Assessments for Every Victim**: Provides risk assessment and consideration of victims concerns
- **Expedited Transfer**: Balanced options to eliminate victims' continued contact with their accused offenders, including moving offenders
- **DoD Safe Helpline/Mobile App/Safe HelpRoom**: Anonymous, worldwide, 24/7 support via online chat, telephone, & texting services enabling crisis intervention and warm handoffs to local first responders



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Closing Thoughts

- *Centerpiece of our approach is establishing a climate of dignity and respect, team commitment, and adherence to professional and core values*
- *Establishing the culture we desire requires sustained commander and frontline leader education and involvement – and holding them accountable*
- *Reporting is an essential bridge to victim care and accountability*
- *Research suggests that victim reporting will increase when victims are empowered, privacy is protected, their concerns are understood, and their social and professional environments are supportive*
- *We must sustain a multi-pronged approach – requires progress, persistence, and innovation in prevention, investigation, accountability, victim assistance & assessment*

Conclusions

- *Broad constellation of DoD initiatives reflect the complexity of the crime and provide comprehensive approach to encouraging victims to report*
- *We need commanders more involved, not less involved in order to:*
 - *Eliminate retaliation and revictimization – it requires engaged leaders at all levels enforcing standards and values*
 - *Improve reporting – this requires increased attention to privacy, care & advocacy*
- *Unprecedented increase in reports may suggest increased victim trust and confidence*



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Questions



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**SecDef Initiatives
Status & Deadlines**

LOE	Memo	SecDef Initiatives	Status	ASN Due Date
Prevention VA/Advocacy Assessment	17 May 2013	Sexual Assault Stand-down <i>(Active & Reserve Components Implement Stand-down)</i> OPR: Secretaries of the Military Depts, CJCS, CNGB	Completed 30 June 2013 - AC Completed 30 Sep 2013 - RC	1 July / 1 Aug 2013
Prevention	6 May 2013	Ensuring Appropriate Command Climate <i>(Visual Inspections)</i> OPR: DoD Components via USD/P&R	Completed on 5 August 2013	5 Aug 2013
Prevention Assessment	6 May 2013	Enhancing Commander Accountability <i>(Elevate Command Climate Surveys)</i> OPR: USD(P&R), ODME0	Completed on 31 July 2013	5 Aug 2013
Investigation	14 Aug 2013	Ensuring Investigative Quality <i>(Evaluate Closed SA Investigations – Recurring)</i> OPR: DoD IG	Completed on 15 Sept 2013 <i>*DoD IG conducting review of FY13 closed cases in Jan14</i>	15 Sept 2013
Prevention	6 May 2013	Ensuring Safety <i>(Recruiting Organizations, MEPS, ROTC)</i> OPR: Secretaries of the Military Depts, CNGB (via USD/P&R)	Analysis Completed In coordination	22 Oct 2013
VA/Advocacy	14 Aug 2013	Expanding Victim's Rights <i>(Executive Order– victims' input to post-trial action phase)</i> OPR: OGC	Completed 9 Oct 2013	21 Oct 2013
Prevention	6 May 2013	Enhancing Commander Accountability <i>(Develop methods of assessing commander effectiveness)</i> OPR: Service Chiefs (via USD/P&R)	Due: 1 Nov 2013	6 Nov 2013
VA/Advocacy	6 May 2013	Improving Response & Victim Treatment <i>(Implement/monitor improved methods; solicit victim input)</i> OPR: Secretaries of the Military Depts, CNGB (via USD/P&R)	Due: 1 Nov 2013	13 Nov 2013



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VA/Advocacy	6 May 2013	Ensuring Victim's Rights <i>(Align military justice practice w/ Crime Victims' Rights Act)</i> OPR: OGC	Due: 1 Nov 2013	6 Nov 2013
Accountability VA/Advocacy	6 May 2013	Improving Victim's Counsel <i>(Evaluate Special Victims Counsel pilot program)</i> OPR: OGC	Due: 1 Nov 2013	6 Nov 2013
Accountability VA/Advocacy	14 Aug 2013	Improving Victim Legal Support <i>(Field Special Victims Counsel)</i> OPR: Secretaries of the Military Depts, CNGB (via USD/P&R)	Due: 1 Nov 2013 IOC Due: 1 Jan 2014 FOC	7 Nov 2013
Prevention	14 Aug 2013	Standardizing Protections <i>(Recruiter-recruit/trainer-trainee relationships)</i> OPR: USD(P&R), Recruiters (MPP); Trainers (SAPRO)	Due: 1 Nov 2013	7 Nov 2013
Assessment	14 Aug 2013	Elevating Oversight <i>(Sexual Assault Incident Oversight Reports to GO/FO)</i> OPR: USD(P&R)	Due: 1 Nov 2013	7 Nov 2013
Accountability	14 Aug 2013	Enhancing Pretrial Investigations <i>(JAGs as Article 32 Investigative Officers)</i> OPR: Secretaries of the Military Depts, CNGB (via USD/P&R)	Due: 1 Dec 2013	5 Dec 2013
VA/Advocacy	14 Aug 2013	Enhancing Protections <i>(Balanced Expedited Transfer Options)</i> OPR: Secretaries of the Military Depts, CNGB via USD/P&R	Due: 1 Jan 2014	7 Jan 2014
Investigation Accountability VA/Advocacy	6 May 2013	Assessing Military Justice Systems <i>(Response Systems Panel)</i> OPR: OGC, Response Systems Panel, Secretaries of the Military Depts	Due: 1 June 2014 <i>*One year after first Response Systems Panel</i>	1 June 2014