

UNITED STATES DEPARTMENT OF DEFENSE

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RESPONSE SYSTEMS TO ADULT SEXUAL ASSAULT
CRIMES PANEL

VICTIM SERVICES SUBCOMMITTEE

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CONFERENCE CALL

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THURSDAY
APRIL 10, 2014

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The Subcommittee by teleconference
at 2:30 p.m. Eastern Daylight Time, Mai
Fernandez, Chair, presiding.

PRESENT:

MAI FERNANDEZ, Chair
WILLIAM CASSARA
MEG GARVIN
THE HONORABLE ELIZABETH HOLTZMAN
THE HONORABLE CHRISTEL MARQUARDT
BG (Ret.) COLLEEN MCGUIRE
DEAN MICHELLE J. ANDERSON
DEAN LISA SCHENCK

ALSO PRESENT:

WILLIAM SPRANCE, Designated Federal Official
COL PATRICIA HAM, Staff Director
CDR SHERRY KING, Supervising Attorney
JULIE CARSON, Attorney

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P-R-O-C-E-E-D-I-N-G-S

(2:34 p.m.)

MR. SPRANCE: This is Bill Sprance,
the Designated Federal Official, and this
meeting of the Subcommittee is now open.

CHAIR FERNANDEZ: Hi. This is Mai
Fernandez. Julie, I was hoping maybe you
could give us a frame for what you did. It's
very thorough and a lot of material, but maybe
you could just give us a little bit of your
thinking as you were putting all of this
together.

MS. CARSON: Okay. The findings
and recommendations come from the transcripts
of the meetings that we have had, ideas that
have been expressed by the Subcommittee.
Then, we start off with kind of a history of
the program, which that was Roman numeral
three on page 8.

CDR KING: And just -- you know, we
went around and around about how to put this
in, and we are thinking that the history of

1 the program and some of the SAPR updates
2 should probably be in some sort of a chart or
3 diagram, and they may be better at the end of
4 the report. But we wanted to at least list
5 them here, so that you could all see them. So

6 --

7 REP. HOLTZMAN: This is Liz
8 Holtzman. Can I just ask a question? I'm not
9 sure what document you're reading from.

10 MS. CARSON: The Victim Services
11 draft report from April 8th, the date on it.

12 REP. HOLTZMAN: Oh. April 8th. Do
13 you know when you sent it?

14 MS. CARSON: April 8th.

15 REP. HOLTZMAN: Okay.

16 MS. CARSON: I don't know what
17 time.

18 CDR KING: I can go forward it to
19 you again, ma'am, if you want.

20 REP. HOLTZMAN: I think

21 MS. CARSON: I think I sent it --

22 REP. HOLTZMAN: Yes, on the 8th.

1 I have it.

2 CDR KING: Oh, she has it. Okay.

3 REP. HOLTZMAN: Sorry.

4 CHAIR FERNANDEZ: Julie, why don't
5 you continue.

6 MS. CARSON: Okay. So I start out
7 with the history of the SAPR Program and how
8 it has all come to be, and then summarize the
9 NDAA provisions that came after the DTF SAMS
10 report.

11 So that gives the framework,
12 really, of what the requirements and
13 recommendations have been, and then we start
14 discussing the history of sexual assault in
15 the military with Section 4, and how we
16 report, the restricted reporting, introduce
17 the SARCs, and then we go, in Section 5,
18 through the responsibilities of, really, the
19 fundamental part of the SAPR Program, which is
20 the SARCs and the victim advocates.

21 And the overview is kind of where
22 they -- what they are and where they fall in

1 the program, and then Section B is their
2 training. Section C is their
3 responsibilities, and these are set out in
4 policy, so they are just laid out there for
5 you.

6 And Section D, then, is the victim
7 advocate's responsibilities, which are not
8 nearly as extensive as the SARC. So that
9 shows you right there the difference between
10 what a SARC is and a VA.

11 JUDGE MARQUARDT: Well, it would
12 have been helpful to have that laid out at the
13 very beginning of this document.

14 CDR KING: We've talked about ways
15 to rearrange it, and I think that was one of
16 Colonel Ham's suggestions to us, that when we
17 write it or -- that we lay out the SARC and --
18 you know, the people, and who they are and
19 what their responsibilities are first, and
20 then put the policy sections maybe in a chart
21 or something in the back, or in the NDAA for
22 the history.

1 JUDGE MARQUARDT: This is Christel.
2 I just meant to put where the sections are and
3 what pages, and so forth.

4 BG McGUIRE: This is Colleen. And
5 I would recommend that we -- in your NDAA
6 terms of reference, or even before then, just
7 let us know what we can anticipate in this
8 report. So, for example, you know, we are
9 going to, you know, discuss, you know, the
10 terms of this, the referenced terms of the
11 NDAA. You'll find our recommendations and
12 findings, and then you'll also see, you know,
13 explanations of the military or the DoD sexual
14 assault programs and so on, and then followed
15 by the civilian. Just kind of, you know --
16 kind of what our appetite what we can
17 anticipate.

18 One of the observations I wanted to
19 make was that I think, Julie, this is a great
20 compendium of a lot of all of the sexual
21 assault programs and the players and
22 everything. But I don't really see a

1 comparison. But we can justify that by saying
2 it's kind of hard to compare a DoD series of
3 programs with the programs of 34,000
4 jurisdictions of civilian -- civilian
5 jurisdiction programs.

6 But I think we just need to be very
7 candid and up front that they are not going to
8 see a one-for-one comparison, we do this and
9 they do that. It's more than -- because I
10 think it's more of a you read and you make
11 your comparisons, because that's essentially
12 how it's written right now.

13 CDR KING: I think that would help
14 to put it all together, if we do something
15 like that. Thank you, ma'am.

16 BG McGUIRE: And also -- this is
17 Colleen again -- I'm missing a Part 7, by the
18 way.

19 CHAIR FERNANDEZ: This is Mai. Did
20 somebody just join us?

21 DEAN SCHENCK: Yes. This is Lisa.
22 I just joined you. Sorry, I had another

1 conference call.

2 CHAIR FERNANDEZ: Okay. Thanks,
3 Lisa.

4 JUDGE MARQUARDT: This is Christel.
5 Does it make more sense to put the findings
6 and recommendations at the end of that report?

7 COL HAM: Ma'am this is just for
8 the ease of your review. This is Colonel Ham,
9 I'm sorry. This is just for the ease of your
10 review for the draft.

11 JUDGE MARQUARDT: Okay.

12 COL HAM: When the final report is
13 put together, we can put them wherever you
14 want them, if you want them after each
15 section. But our overall plan is to have an
16 abstract about the recommendations right at
17 the front of the report, and a full table of
18 findings and recommendations as an appendix,
19 and then however you want to put them
20 throughout the report, either section by
21 section or all at the end of the report,
22 whichever way you want to do it.

1 CDR KING: Just for clarification,
2 it appears we miscounted when we did this, and
3 there is no Section 7.

4 MS. CARSON: Yes. This was chopped
5 several times, so we -- it looks like it goes
6 from Section 6 to Section 8. So there is no
7 Section 7. And Section 8 is not there, as
8 you'll see. It is going to be inserted. It's
9 special victims counsel. It's being worked on
10 separately, so that will be a part of it when
11 the final report is put together.

12 But before that is the Family
13 Advocacy Program. That's Section 6. And so
14 that's giving you -- laying out a bit about
15 the Family Advocacy Program, which is the
16 predecessor, really, of SAPRO and a much older
17 organization, a very different structure than
18 SAPRO. And so we've put it there next to the
19 SARCs and VAs to give you an example of a
20 different program and one that has been there
21 since --

22 CDR KING: Well, and there were a

1 couple of issues with that program. We were
2 trying to not make it too long, but a couple
3 issues that we noticed is the victim advocates
4 are certainly kind of organized different and
5 they're full-time and they're mostly
6 civilians.

7 And also, family advocacy handles
8 the sexual assault cases for families and
9 other domestic violence cases -- or cases that
10 qualify as domestic cases, but then those are
11 actually reported in a different database than
12 all of the sexual assault cases handled by
13 SAPR.

14 And so once we have sorted things
15 out, that was one of the things we thought --
16 I don't know if you want to make a
17 recommendation about that, but that was one of
18 the things that we found that were different.

19 MS. CARSON: I would say the
20 primary differences in the Family Advocacy
21 Program are it is much smaller, much fewer
22 people. It is mostly civilians. They have

1 different job structures. They have the
2 victim advocates, but they also have program
3 managers and support staff and a separate
4 group who does the education and outreach.
5 And they are not deployable. None of them are
6 deployable.

7 CHAIR FERNANDEZ: Hi, Michelle.

8 MS. ANDERSON: Hi, you all. I'm
9 very sorry I'm late.

10 MS. CARSON: The other fundamental
11 difference in the program -- hi, Ms. Anderson.
12 I'm just going over the Family Advocacy
13 Program. This is Julie Carson.

14 MS. ANDERSON: Right.

15 MS. CARSON: The other fundamental
16 difference in the Family Advocacy Program is
17 that they incorporate clinicians in their
18 program. So they have the counselors that are
19 also part of the Family Advocacy Program, and
20 that is not the way -- like the civilians, and
21 that is not a part of the SAPR Program. And
22 that is much more like the civilian systems

1 operate.

2 CHAIR FERNANDEZ: Folks, why don't
3 we start going through the recommendations.
4 We'll start with Findings 1 and
5 Recommendations 1 and 1a.

6 My only thing was that I thought 1a
7 should come before 1. It seems like we need
8 to get a full implementation and data-
9 gathering before we evaluate. It's a small
10 change, but I just thought it should be
11 switched. Does anybody have any other
12 comments on that?

13 (No response.)

14 The last sentence in 1a is not
15 really -- needs to be rewritten, because you
16 can't improve and eliminate at the same time.
17 But other than that, I think it's fine.

18 JUDGE MARQUARDT: This is Christel.
19 Under Recommendation 1, it says, "The
20 Secretary of Defense direct" -- is it "should
21 direct"?

22 COL HAM: Ma'am, this is Colonel

1 Ham. I look -- my information about how to
2 specifically draft these is evolving as we
3 wrote those, the three different reports. I
4 look to the DTF SAMS report for samples I
5 guess of how to direct the different entities
6 to do things. So that is how they were worded
7 in that report. That doesn't mean that's how
8 you would need to do it, but that's why they
9 are worded that way.

10 It's a recommendation, so it's not
11 a "you have to," so your recommendation is
12 that he direct. But if you want to put
13 "should direct," we could do that as well.
14 I'm trying to -- I'm constantly trying to
15 refine the recommendations to make sure that
16 your recommendation is a direction to the
17 right entity to do the thing that you are
18 recommending, if that makes sense.

19 JUDGE MARQUARDT: Well, in the
20 other sections that we've already talked
21 about, I think we have inserted the word
22 "should." I think it's awkward the way it is

1 written, even though it may have been in some
2 other report.

3 COL HAM: Yes, ma'am. Whichever
4 view the Subcommittee members want.

5 CHAIR FERNANDEZ: Well, let's go
6 with Christel's recommendation.

7 DEAN SCHENCK: This is Lisa. It
8 just sounds funny when you say, "Recommend the
9 SecDef should." You know what I mean?
10 Sometimes -- I think in the other report it
11 says, "Recommend the following," and it just
12 lists -- "recommend the following," and the
13 following includes the SecDef doing things,
14 not "should" do things.

15 CHAIR FERNANDEZ: Is everybody okay
16 with that?

17 DEAN SCHENCK: I think at some
18 point in the report from the DTF SAMS we have
19 a list of just recommendations, not findings,
20 and, therefore, someone could just pull that
21 list out and give it to DoD. So that's why it
22 says, "The following recommendations." And it

1 mirrored those recommendations that were in
2 the -- spread out through the report.

3 COL HAM: This is Col Ham, and
4 that's the overall structure that we put in
5 your table of contents as well. So there is
6 an abstract of the recommendations right up
7 front, and then they are sprinkled throughout,
8 however you want to put them throughout the
9 rest of the report.

10 CHAIR FERNANDEZ: Okay. Should we
11 move on to Recommendation -- Findings and
12 Recommendations Number 2.

13 MS. ANDERSON: Yes. This is
14 Michelle, and I think this one is too wishy-
15 washy. It is basically we heard -- you all
16 will remember we heard about disclosures to --
17 of confidential information that without the
18 victim's consent converts the report to an
19 unrestricted report.

20 And recommendations -- the first
21 one is that, "They shall evaluate the extent
22 to which this happens." And the second is,

1 "They shall determine whether to implement a
2 policy that permits restricted reports to
3 remain restricted."

4 I would make a recommendation that
5 the Secretary of Defense direct the DoD SAPRO
6 to develop a policy that permits restricted
7 reports on sexual assault to remain restricted
8 in the event of an inadvertent or improper
9 disclosure.

10 You know, we are doing a lot of
11 directing that they evaluate when, if there
12 are instances in which this happens, there
13 should be a policy that it doesn't have to
14 happen that way, and that a restricted report
15 could remain restricted when there is
16 inappropriate or inadvertent disclosure.

17 BG MCGUIRE: So, Michelle, can you
18 clarify that? Because you're saying get rid
19 of one of the recommendations? So under
20 Recommendation 2 -- yes, you guys are looking
21 at Recommendation 2, it's on page 2?

22 MS. ANDERSON: Yes.

1 BG McGUIRE: Okay. There are two
2 bullets. The first bullet says essentially
3 SAPRO and the services should evaluate what is
4 the extent of inadvertent or improper
5 disclosures. I'm not sure why that's -- why
6 we should spend time on this. Like it happens
7 occasionally. Shouldn't we have a mechanism
8 by which, and a policy by which, that
9 inadvertent disclosure does not mandate or
10 lead inexorably to an unrestricted report?

11 And then, the second bullet doesn't
12 say that there should be a policy that does
13 that, but the Secretary of Defense shall
14 direct SAPRO to determine whether to implement
15 a policy.

16 MS. ANDERSON: Right.

17 BG McGUIRE: That seems like two
18 steps that are not necessary. I think the
19 recommendation should just be we direct that
20 there should be a policy.

21 DEAN SCHENCK: Okay. This is Lisa.
22 I don't think we should make a recommendation

1 based on minor anecdotal information. We
2 didn't talk to the cops. We didn't talk to
3 the commanders about this inadvertent
4 disclosure. But I think I -- I have talked to
5 some folks, and they believe that their hands
6 are tied. Once it's leaked out, it's leaked
7 out. We can't revert back. You see what I
8 mean? Because of all the policies in place
9 requiring them to take action. Cops have to
10 take action, commanders have to take action,
11 once that is leaked out.

12 So I think it requires more -- I
13 think it requires some research as to how
14 widespread this problem is, how often it
15 occurs, and whether or not a policy is a way
16 to do -- to change this. Do you see what I
17 mean? Because we're seeing anecdotal
18 information. We either have hard facts, we
19 have hard data, or we don't.

20 REP. HOLTZMAN: This is Liz
21 Holtzman. First of all, do we have any
22 testimony that I believe we've had, but I

1 could be wrong -- have we had any testimony
2 that there have been inadvertent disclosures
3 of restricted reports? Well, inadvertent,
4 improper. Either it was deliberately done or
5 inadvertently done, but a restricted report
6 was made public either by -- do we have any
7 information about that testimony about that?

8 MS. ANDERSON: This is Michelle.
9 Some of the victims talked about.

10 REP. HOLTZMAN: Okay. So then
11 assuming that that is the case, I completely
12 agree with Michelle. We should say, number
13 one, that we -- there should be a policy to --
14 just because it has been inadvertent or
15 improper, that the report should be treated as
16 restricted.

17 Now, to the extent that that
18 creates other problems, the Secretary of
19 Defense ought to examine what needs to be done
20 to ensure the privacy under these
21 circumstances to the fullest extent possible.
22 But this is just -- I mean, I completely

1 agree. The way it is now, they don't have to
2 do anything. I mean, maybe I have it
3 reversed. Maybe -- but I think that the
4 directive ought to be to the maximum extent
5 possible, steps are to be taken to ensure that
6 despite this breach of confidentiality that
7 confidentiality should be awarded or preserved
8 in some way. I don't know to -- you know, how
9 to do it.

10 COL HAM: This is Colonel Ham.
11 Just so everybody is clear on what the policy
12 currently is, if there is an inadvertent or --
13 if there is an improper disclosure, it's a --
14 disciplinary action can be taken. If it's an
15 inadvertent or improper disclosure, to anyone
16 other than commander or law enforcement, it
17 does remain restricted. So the person --

18 REP. HOLTZMAN: Yes. But, Colonel
19 Ham --

20 COL HAM: -- or entity --

21 REP. HOLTZMAN: Right. But
22 punishing it doesn't help the victim. This is

1 Liz Holtzman. That's my point. I think
2 that's Michelle's point.

3 COL HAM: I understand. I
4 understand what you're saying. I just want to
5 make everyone clear on what the current policy
6 is. So you're just talking about releases to
7 commanders and --

8 REP. HOLTZMAN: Correct.

9 COL HAM: -- law enforcement. So
10 --

11 REP. HOLTZMAN: Right. And by the
12 way -- right. Right. And by the way --

13 COL HAM: I'm sorry, ma'am.

14 REP. HOLTZMAN: -- Direction 2
15 doesn't even deal with the issue of what
16 happens when it's referred to law enforcement.
17 But I think -- I don't know if we could just
18 say it's our recommendation that it should
19 remain restricted, and the Secretary should
20 just take steps to implement, you know, that
21 policy. I don't know what they would be, but
22 that might be one way to do it. I mean, that

1 would be my way to do it actually, thinking
2 about it.

3 MR. CASSARA: Just so I'm clear,
4 maybe -- I think we are all sort of saying the
5 same thing, but I want to make sure. Are we
6 all in agreement that if there is an
7 inadvertent/improper disclosure of a
8 restricted report that there should be a
9 mechanism for that report to remain
10 restricted? I think we're all saying that.
11 Am I correct?

12 CDR KING: Yes.

13 MR. CASSARA: Okay.

14 CHAIR FERNANDEZ: This is Mai. Why
15 is there the policy of -- with inadvertent
16 that all of a sudden it has to become
17 restricted -- I mean, unrestricted?

18 MR. CASSARA: Because commanders
19 are required -- and, Patty, you can correct me
20 if I'm wrong -- but commanders are required
21 under the Uniform Code of Military Justice, if
22 they find about an alleged act of misconduct,

1 to initiate an investigation. Is that the
2 reason, Colonel Ham?

3 COL HAM: They are specifically
4 required under the NDAA, if they find out
5 about a sexual assault-related allegation,
6 they must report it to the military criminal
7 investigative organizations, without
8 determining its credibility or conducting any
9 investigation of their own.

10 MR. CASSARA: Yes. And RCM 303 or
11 304 as well. So, I mean, the law is pretty
12 clear that if the commander finds out about an
13 allegation of sexual assault they have to
14 report it.

15 So what we're saying is that we
16 want to amend that to where if the victim
17 says, you know, we want it to remain
18 restricted, you know, then we need to put in
19 there that that's what we're asking for and
20 that there needs to be a mechanism for that to
21 happen. Am I correct that that's what we're
22 all saying?

1 MS. ANDERSON: Yes, Bill. This is
2 Michelle. I think that when one looks at it
3 from the victim's perspective, the fact that
4 the disclosure was inadvertent; that is, a
5 mistake, it was mistaken; or it was improper;
6 that is, it was against procedure and violated
7 confidentiality, both of those circumstances
8 take the control out of the hands of the
9 victim.

10 And I think one of the things that
11 we are trying to do is try to wrest a little
12 bit more of the control -- not all of the
13 control, obviously, but a little bit more of
14 the control in the hands of the victim when he
15 or she wishes to make a restricted report.

16 MR. CASSARA: Right. And what I'm
17 saying is as long as we're all aware that what
18 we are saying is that the NDAA is going to
19 have to be amended in order to implement that,
20 then, you know, I'm fine -- frankly, I'm
21 comfortable with that recommendation.

22 But, you know, I just want

1 everybody to understand that what we're
2 basically saying is that the NDAA needs to be
3 amended to the degree -- to allow a commander
4 to not report under those exact circumstances.

5 MS. ANDERSON: Right.

6 MR. CASSARA: That's my point, and
7 that's -- you know, so -- but, yes, I have no
8 problem at all with saying that the -- you
9 know, the Secretary of Defense should
10 determine whether the NDAA needs -- should be
11 amended to allow for a commander to not report
12 an allegation of sexual assault, if that
13 information came to the commander
14 inadvertently or improperly, and if the victim
15 wishes for that report to remain restricted.

16 MS. ANDERSON: Yes. I think that's
17 exactly the language, Bill.

18 MR. CASSARA: Oh, come on. Because
19 then I'm going to have to --

20 REP. HOLTZMAN: There's one little
21 problem here, which is --

22 MR. CASSARA: Good thing we a Court

1 Reporter, because he wrote what I said. So,
2 okay.

3 REP. HOLTZMAN: This is Liz
4 Holtzman. There is one little problem here,
5 which is, is the commander responsible before
6 -- I mean, this could create a huge loophole.
7 If you require the commander to check, before
8 he or she has referred the case to
9 investigation, with the victim, I think that
10 would open a huge loophole, because where is
11 the victim, how do I find the victim, what is
12 happening, time could, you know, pass. God
13 knows what would happen. So I would make it
14 basically where the victim has somehow
15 communicated that to the commander or to law
16 enforcement, or somehow the commander has been
17 advised that this was -- by official military
18 personnel that this was an improper
19 communication of information.

20 I would not -- the minute you have
21 to have these -- some checking with the victim
22 before a report is made, I think that that

1 creates a problem of time, and I'm not sure
2 that I agree with that.

3 MS. ANDERSON: Well, this is
4 Michelle. On that issue, I think that the
5 problem is that a number of victims' testimony
6 of instances happened in circumstances in
7 which the victim found out that it had already
8 gone unrestricted. In other words, what -- no
9 one --

10 REP. HOLTZMAN: Right. That's --

11 MS. ANDERSON: Right. And that is
12 the problem, is that it goes unrestricted,
13 without consultation with the victim. If it
14 goes unrestricted -- if we're talking about
15 military investigators, for heaven's sake, the
16 investigator can contact the victim. That
17 should be one of the first things they do in
18 assessing the validity of a complaint, in
19 terms of whether or not it goes forward as an
20 unrestricted report.

21 REP. HOLTZMAN: I just think

22 MS. ANDERSON: It just puts too

1 much burden on anyone for them to check with
2 the victim first.

3 REP. HOLTZMAN: Well, it's not an
4 issue of a burden. It's not -- this is Liz
5 Holtzman. It's not an issue of burden. It's
6 an issue of time. Maybe the victim -- you,
7 maybe the victim is found -- you know, maybe
8 -- what you're saying is that the victim has
9 found out later that there is a -- that the
10 report has been made. It seems to me the
11 obligation is on the victim at that point to
12 communicate that.

13 Otherwise, I'm just saying to you
14 that if a commander, if a law enforcement
15 person has to check with the victim before
16 they start, you may say the first thing they
17 should do is talk to the victim. Maybe the
18 first thing they have to do, if they've gotten
19 sufficient reports, is go and find, apprehend
20 the culprit.

21 I mean, I don't want to be
22 dictating to law enforcement personnel what

1 their first step should be to take. And
2 finding the victim could be a problem. It
3 could be a matter of minutes in some cases, or
4 seconds, but it could be a matter of days. I
5 don't think you should hold up the
6 investigation or hold up the process because
7 you are looking for the victim.

8 MS. ANDERSON: Well, I don't think
9 that that --

10 REP. HOLTZMAN: It's a unique
11 problem.

12 MS. ANDERSON: Yes. I don't think
13 we need to micromanage how this shakes out.

14 REP. HOLTZMAN: This is a loophole
15 that is -- but this is a loophole that is
16 created that you --

17 MS. ANDERSON: But you're deciding
18 -- or you're proposing that you decide or that
19 we decide that they don't have to check with
20 the victim when we are not on the ground and
21 we don't know how realistic that is. Why not
22 defer to the policymakers, the SAPRO office,

1 to come up with the appropriate kinds of
2 policies to implement our basic position,
3 which is that victims should have a mechanism
4 by which it remains restricted.

5 Is this going to be foolproof? No.
6 Is it going to work in every instance? No.
7 There are going to be instances in which it
8 doesn't. But I wouldn't want to dictate from
9 our vantage point the precise contours of what
10 the policy looks like vis-à-vis who gets, you
11 know, assessed first or who gets consulted
12 first.

13 (Simultaneous speaking.)

14 CHAIR FERNANDEZ: Hold on one
15 second. This is Mai. Can I ask a quick
16 question that might be clarifying? My
17 understanding is you can go from restricted to
18 unrestricted to restricted again.

19 COL HAM: No, ma'am. You can go
20 from restricted to unrestricted, but you
21 cannot go back to restricted.

22 CHAIR FERNANDEZ: You cannot go

1 back to restricted. That's what we're talking
2 about.

3 COL HAM: You may decline to
4 participate in the investigation, even if you
5 make an unrestricted report or if you make a
6 restricted report --

7 CHAIR FERNANDEZ: Okay. I thought
8 that would be clarifying in that I thought
9 maybe you could go back to unrestricted. I
10 mean, back to restricted. So you can decline
11 to participate, but the investigation pushes
12 forward.

13 COL HAM: It may push -- it may go
14 forward.

15 CHAIR FERNANDEZ: Okay. Liz, I
16 don't understand what loophole you're talking
17 about. What exactly is --

18 REP. HOLTZMAN: Well, if we were --
19 I can't remember how somebody had phrased it,
20 but the way it was phrased suggested that they
21 had to check with the victim first, and that
22 was just my only concern. I completely agree

1 with the suggestion that Michelle made and
2 that everybody agrees with that we should,
3 even if the report has become unrestricted,
4 that if it's done in an improper way, against
5 the -- that it should be -- it should go back
6 to being restricted.

7 But I'm just wondering and worried
8 about -- it's just a question of wording here,
9 I think, because I think you could leave it
10 open enough so that they could figure out the
11 policy and how actually to implement such a
12 direction. I just don't want us to leave the
13 implication that they are required to check
14 with the victim before they initiate any
15 reporting or any investigation. Personally,
16 I think that would be a mistake. But that's
17 just my -- that's just my reaction, because --
18 today.

19 CHAIR FERNANDEZ: I'm just trying
20 to figure out the mechanics of that, though.
21 I file a restricted report. I called my
22 roommate, and she accidentally, while having

1 drinks with my commander, said something.

2 (Laughter.)

3 I'm putting it out there. Let's
4 just say that's the scenario. I mean, the
5 commander now knows and feels like he's got to
6 go forward. But he needs to check with me
7 first to find out if I was -- I mean, I think
8 it just logically seems that you always have
9 to check with the victim.

10 REP. HOLTZMAN: Well, let's take
11 another example. Let's just take another
12 example where this is -- the information is
13 not over a drink, but the information comes
14 from a SAPRO person or comes from a medical
15 person or comes from a military investigative
16 person. There is no reason to believe there
17 is any question about the legitimacy of its
18 being unrestricted.

19 And then the commander -- now what
20 you're saying is that no matter what the
21 circumstances are the commander then has to
22 check with the victim before reporting. First

1 of all, I don't think this is going to -- you
2 know, I think that that creates an unnecessary
3 burden, particularly when you are talking
4 about the way it's likely to happen, not over
5 a drink, but because somebody got -- made a
6 mistake or there is some -- something else
7 like that, but that it's under indicia that
8 it's totally -- that what the person is doing
9 who is reporting it is totally -- acting
10 totally appropriately.

11 But I think we haven't heard -- I
12 mean, I'm just concerned that we create -- we
13 are creating a new problem for the reporting
14 cycle. And I would not like -- I would not
15 recommend that. I would just -- I'd like to
16 recommend making this unrestricted to the full
17 extent it can be.

18 I mean, you've let the cat out of
19 the box. Can you put it -- or the toothpaste
20 out of the tubes? Can you ever put it back
21 in? Probably not perfectly. But to the
22 fullest extent of protecting the victim, I

1 completely agree with that. So --

2 MS. ANDERSON: I think we are -- I
3 think this is just a matter -- this is
4 Michelle. Sorry, you all. I definitely hear
5 Liz's concern, and I also hear Mai's impulse
6 to just have a policy whereby we inform the
7 victim.

8 I actually don't think that either
9 of those things need to be in the
10 recommendation. I think the recommendations
11 need to be something like "to the fullest
12 extent possible," you know, some of the
13 language that Liz just said is fine. None of
14 these things are going to be perfect, but
15 currently there is no mechanism by which one
16 can go from an unrestricted back to a
17 restricted. And that's what we're trying to
18 establish.

19 We're not trying to make it
20 foolproof. We're not trying to make it happen
21 every single time. But we are saying that
22 there should be a mechanism by which these

1 reports can go from unrestricted back to
2 restricted when the unrestricted nature of the
3 report was a mistake or was violative of the
4 rules. You know, it was inadvertent or
5 improper.

6 REP. HOLTZMAN: I agree. I mean,
7 it seems that there is just a wording issue.
8 That's what I think, but --

9 REP. HOLTZMAN: Yes, I agree.

10 COL HAM: This is Colonel Ham.
11 Again, Mr. Cassara pointed out that the NDAA
12 requires the commander -- I'm looking at it,
13 Section 1742, so you -- what I'm throwing out
14 to you is, does your recommendation need to
15 include enacting legislation? Right now,
16 there are no exceptions.

17 The statute says, "The commanding
18 officer who receives a report of a sex-related
19 offense involving a member of the Armed
20 Forces, and the chain of command of such
21 officer, shall act upon the receipt --
22 immediately after receipt of the report by the

1 commanding officer. The action required is
2 referral of the report to the military
3 criminal investigative organization with
4 responsibility for investigating that
5 offense."

6 MS. ANDERSON: I think you're right
7 to point that out, Colonel Ham, and -- this is
8 Michelle -- and I think that that is something
9 that we would need to make a recommendation
10 to --

11 REP. HOLTZMAN: Well, probably --
12 this is Liz Holtzman. Probably -- I mean,
13 just thinking about this practically, probably
14 the commander is not going to be the person
15 who is going to know because he or she has
16 already transmitted the information. This
17 probably is going to the -- this will probably
18 be rectified when it goes to the -- when the
19 matter is already in the hands of the
20 investigators, the military -- the law
21 enforcement personnel.

22 So, but even so, they have to --

1 there is nothing that allows them not to
2 investigate something, even if the victim
3 tells them they don't want to -- they don't
4 want to have an investigation, they're still
5 not compelled to listen to that.

6 So I do think that you may need a
7 statutory change. That's all.

8 CHAIR FERNANDEZ: I think if a
9 statutory change is needed, we are going to be
10 asking for that. So are we in agreement we
11 ask for Congress to make the statutory change?

12 MS. ANDERSON: I think so.

13 MR. CASSARA: I agree. I mean, you
14 know, in order to enact the recommendation,
15 that is what is going to have to happen.

16 DEAN SCHENCK: This is Lisa. I
17 agree. There's got to be something, because
18 the commanders sometimes are getting the
19 information from the roommates of the victims
20 or other parties, and the commander has got to
21 investigate that. This is a very strict
22 statutory requirement.

1 CHAIR FERNANDEZ: Okay. I think --
2 I think we are all in agreement. Pass it back
3 to Congress on this one.

4 Let's move on to Finding Number 3.
5 I'm just -- for matters of logistics --

6 REP. HOLTZMAN: Oh, can I -- on
7 Recommendation Number 2, by the way, it only
8 relates to the commander. It doesn't relate
9 to law enforcement, the second part of
10 Recommendation Number 2. Anyway, but it may
11 be moot because we have changed the
12 recommendation, so -- okay.

13 CHAIR FERNANDEZ: Okay. We've been
14 on the phone for 43 minutes. We have only got
15 another 47 to go, and we have several
16 recommendations to go. I'm just putting that
17 out there.

18 So let's look at Recommendation
19 Number 3. I thought that this one was pretty
20 clear up front.

21 JUDGE MARQUARDT: This is Christel.
22 I don't understand the last sentence in

1 Recommendation Number 3. I don't know what
2 "post sexual assault prevention" means.

3 CHAIR FERNANDEZ: Julie?

4 MS. CARSON: I don't think that was
5 my language. I --

6 COL HAM: No. This is Colonel Ham.
7 I think that's language directly from the DTF
8 SAMS recommendation. I just wanted -- which
9 required putting up, you know, in poster form,
10 making visibly apparent throughout the
11 military entrance processing stations the
12 sexual assault prevention --

13 JUDGE MARQUARDT: Well, it's
14 putting something on a wall. That's the
15 difference.

16 CHAIR FERNANDEZ: Christel, you are
17 reading it as some -- like something that
18 happens after the sexual assault, correct?

19 JUDGE MARQUARDT: Correct. But I
20 think we could use some other word if it
21 means, you know, making the information
22 available to others, like by posting.

1 COL HAM: This is Colonel Ham. I
2 was trying to -- I was trying to point out the
3 difference between what you're recommending
4 and what is already required.

5 JUDGE MARQUARDT: It is already
6 required that the information be made
7 available and be visibly posted.

8 COL HAM: My understanding was your
9 recommendation was provide additional
10 information on specific subjects, not by
11 putting up a poster or something like that, or
12 maybe that is what you mean. But that is
13 already required.

14 MS. ANDERSON: So, Colonel Ham,
15 this is Michelle. Just to clarify, the point
16 of this recommendation is the 14-day
17 differential between initial entry where the
18 recommendation says we should be making at
19 least an initial pass over this information
20 and entry. Does that happen under the status
21 quo?

22 COL HAM: My understanding is that

1 -- well, a couple of points. I think you
2 heard from some recruits at Lackland who saw
3 the information at the military entrance
4 processing stations and the DTF SAMS
5 recommendation, which to my understanding was
6 implemented, was that information be made
7 available and posted at the military entrance
8 processing stations.

9 Maybe Dean Schenck remembers some
10 more about that? Because she was a legal
11 advisor to -- or a senior advisor to DTF SAMS.

12 My understanding was you wanted
13 additional information made available earlier
14 than the 14-day briefing.

15 CDR KING: This is Sherry. My
16 understanding was, based on Bill Cassara's
17 language also, is that you wanted the material
18 provided to be more specific than just
19 information about the SAPR Program and what
20 victims could do, and that that information
21 should include the definition of what sexual
22 assault is and what can happen to an offender

1 also who commits those acts in the military,
2 as well as now information about the DoD
3 helpline.

4 So that it is more specific
5 information being provided at the MEP station
6 also. Because there is already a policy, or
7 at least in some places there is already being
8 some information provided at the MEP. So when
9 I was trying to interpret your
10 recommendations, I was trying to make it as
11 specific as possible to make it not be the
12 same as what is already happening in some
13 places.

14 CHAIR FERNANDEZ: This
15 recommendation seems pretty clear, I mean, to
16 me. Unless somebody has any real problems I'd
17 like to move on to Recommendation Number 4.
18 Okay. Going once, going twice, Recommendation
19 Number 4.

20 MS. ANDERSON: Sorry. Back on
21 Recommendation 3 -- I know it just went --
22 this is very minor, but I would just suggest

1 -- this is Michelle, sorry. I would just
2 suggest the word "visibly" in front of the
3 word "post," because then it identifies post
4 as a verb and not an adjective, because I have
5 the same read that Christel did. I was like,
6 post sexual assault? What happened after the
7 sexual assault? Rather than the verb. So I
8 think the adverb "visibly" is -- would solve
9 that problem.

10 On to four.

11 REP. HOLTZMAN: This is Liz
12 Holtzman. I don't really understand what the
13 objective here is. Is the point, do we need
14 it earlier than eight days? Or what is the --
15 what are we trying to get at with Number 4?

16 COL HAM: Ma'am, this is Colonel
17 Ham. The requirement only applies to
18 unrestricted reports, and our understanding
19 was that you wanted it to apply to all
20 reports, restricted reports as well.

21 REP. HOLTZMAN: Okay. Thank you.

22 MR. CASSARA: Hey, it's Bill. I

1 just had a quick question. On Recommendation
2 4, on the first bullet, I assume that we are
3 leaving it up to the services as to who
4 actually does the reporting? When it says we
5 require written --

6 CDR KING: I think Julie was -- we
7 were just trying to list what was in the NDAA
8 already.

9 MR. CASSARA: That's fine. That's
10 fine. All right. Thank you.

11 MS. ANDERSON: This is Michelle.
12 I think that this is a pretty straightforward
13 recommendation, and I support it. And perhaps
14 if that's true of many of you, or all of you,
15 it seems pretty -- yes, it's just
16 straightforward.

17 CDR KING: Is there anything
18 anybody wants to tell us to change or --

19 REP. HOLTZMAN: Where are you? On
20 Section 4, Recommendation 5 or 4?

21 CDR KING: Four.

22 JUDGE MARQUARDT: Well, you're

1 going to say "require written incident
2 reports," I think it should be either
3 "required written into the incident reports"
4 or "requires an incident report."

5 CDR KING: Okay.

6 CHAIR FERNANDEZ: If we're good on
7 Recommendation Number 4, let's go to
8 Recommendation Number 5.

9 BG McGUIRE: This is Colleen. I
10 only have a recommendation for Number 5 in
11 that we may want to leave room for waiver for
12 law enforcement units, so that if military
13 police is sexually assaulted, and they just
14 want to confide with their buddy that also
15 happens to be an MP --

16 CHAIR FERNANDEZ: That makes sense,
17 Colleen, if I understand you, to say that the
18 friend, roommate, or family member may also be
19 an MP. Is that what you're saying?

20 BG McGUIRE: Yes. Yes.

21 CHAIR FERNANDEZ: Got it. I think
22 that's right. That's a good clarification.

1 REP. HOLTZMAN: With regard to the
2 recommendation, it should be clear that --
3 that it can be -- it can remain confidential,
4 not just file a restricted or unrestricted
5 report. I mean, I'd just like it to say
6 somewhere that, you know, it's confidential
7 and the person does not preclude the
8 opportunity, that the -- that the confidence
9 can remain -- or that the statements can
10 remain confidential, and that the victim still
11 has the opportunity to file a restricted
12 report, because this doesn't -- you know, it's
13 just too technical, and I just want to make it
14 clear that it's confidential still.

15 COL HAM: Ma'am, this is Colonel
16 Ham. The wording was chosen I guess -- well,
17 I'll just -- current policy very clearly
18 states that it is not confidential. It just
19 isn't a -- it doesn't --

20 REP. HOLTZMAN: Okay. Well, so
21 then there -- so if you don't want to use the
22 word "confidential," then just say "before

1 determining whether to" -- and does not --
2 does not mean that the person can still -- and
3 means that the person can still file an
4 unrestricted -- a restricted report.

5 "Before determining" sounds like --
6 it's just a very complicated and abstract way
7 of describing the situation, and I'd like it
8 just to be more practical, so that someone who
9 is reading this -- I don't know if there is
10 any victim that would ever read this -- would
11 understand what this is about.

12 COL HAM: Ma'am, yes. This is
13 Colonel Ham. Thank you. I'm sorry. This one
14 was very hard to draft because of the way the
15 current policy is worded, which may be why you
16 saw that it's confused out in the site visits.
17 It's not --

18 REP. HOLTZMAN: Okay. So then
19 start out by saying, "Clarify policies to make
20 it clear to the victim that he or she can
21 discuss" -- you can use the word
22 "confidentiality." I don't -- just because

1 the policy doesn't say it doesn't mean we
2 can't use that word.

3 COL HAM: Yes, ma'am.

4 REP. HOLTZMAN: I think. So we
5 would just it -- that statements made in
6 confidence, you know, to a roommate, friend,
7 or family member, can remain in confidence and
8 don't -- you know, don't preclude or don't
9 prevent -- I don't know. I can't figure out
10 the language. You can figure it out better.

11 But I just think it's just too
12 technical. That's all.

13 COL HAM: Yes, ma'am.

14 REP. HOLTZMAN: Not that it's
15 inaccurate.

16 CHAIR FERNANDEZ: Are we good with
17 five?

18 (No response.)

19 Let's move to six, then.

20 BG McGUIRE: This is Colleen, and
21 I just wanted to start a conversation on this
22 particular recommendation. Speaking on behalf

1 of all of the experience of a commander, I
2 don't know -- this particular recommendation
3 is very weak, and I think it's kind of a --
4 it's wrought with all sorts of concerns.

5 One, we're asking them to -- we're
6 asking the Secretary of Defense to direct
7 SAPRO to extend the option to request an
8 expedited transfer following a credible report
9 of sexual assault for a victim.

10 Well, how are you going to justify
11 that to a commander, that this person needs to
12 leave, or needs to transfer? Well, why? What
13 is the reason? You know, immediately just by
14 identifying that a particular individual needs
15 to leave the area is a red flag that, you
16 know, something is up. And if you're not
17 going to tell me why they have to leave, then
18 I am going to assume it's because of a sexual
19 assault, because that's the only reason, if
20 that's the case here, that they would leave a
21 unit just to leave the unit.

22 Also, I see that this is -- the

1 potential for abuse for this is huge. If I
2 don't like my unit, I don't like my job, I can
3 make a request to transfer. This
4 recommendation is going to be very hard to
5 implement, let alone explain.

6 CHAIR FERNANDEZ: My initial
7 reaction is to -- this is Mai -- is to agree
8 with Colleen. But I understand that in
9 certain circumstances you want to provide that
10 flexibility. I just don't know if you can
11 have both.

12 BG MCGUIRE: I think they currently
13 already have it. There is nothing to preclude
14 a compelling reason for -- you know, if the
15 SAPRO community got together and talked to the
16 commander and said, "This person needs to
17 leave," this option already exists on the
18 table. I mean, I would suspect that they are
19 already doing it to some degree. But to
20 mandate it is just wrought with potential
21 abuse, and hard to implement.

22 COL HAM: This is Colonel Ham. Who

1 just joined the meeting, please? I'm sorry.

2 I couldn't hear.

3 (Brief interruption by a
4 participant who joined the
5 incorrect teleconference.)

6 MR. CASSARA: Wait. This isn't the
7 symphony meeting? What have I been doing here
8 for the last six months?

9 (Laughter.)

10 Sorry. A little levity here and
11 there.

12 I actually -- not actually, I tend
13 to agree with General McGuire. I think that
14 the option that we are seeking under
15 Recommendation 6 already exists for
16 commanders, and I'm not sure -- because I
17 think we have to draw that balance that I
18 think it was Mai was talking about, I think we
19 would have to water down the recommendation so
20 much that it really would have no -- little to
21 no effect outside of what we currently have in
22 place.

1 Colleen, am I understanding your
2 concerns correctly?

3 BG McGUIRE: Yes, you are. And the
4 potential for abuse by mandating this.

5 MR. CASSARA: Yes.

6 REP. HOLTZMAN: General McGuire --
7 this is Liz Holtzman -- my only question about
8 this, and I think you've raised very
9 legitimate points, is if you had the -- if the
10 requests were supported, for example, by -- by
11 the SAPRO person, by the -- by medical -- you
12 know, medical recommendation, it wasn't just
13 the victims were alone --

14 BG McGUIRE: Right.

15 REP. HOLTZMAN: -- does that solve
16 part of the problem here? And whether the
17 commander suspects or doesn't suspect it's one
18 thing. But the commander doesn't actually
19 know. So if the -- if there could be some,
20 you know, medical, mental health, or --

21 BG McGUIRE: Liz, I would tell you
22 that it doesn't tell you that --

1 COL HAM: The person joining the
2 meeting, who -- this is not the same meeting.

3 PARTICIPANT: I apologize. This is
4 the number that we were given by Louis Gardner
5 at Zuckerman. So maybe we're not supposed to
6 be on this, but this is the number he gave
7 everyone. So do you want the parties to drop
8 off?

9 COL HAM: Yes, please. And we'll
10 have to clarify with them.

11 PARTICIPANT: Okay. Thank you.

12 BG MCGUIRE: This is Colleen again,
13 and I want to quickly try to answer Liz's
14 point -- is that the scenario you described,
15 if the commander today -- and I'm going to
16 make the assumption that a good percentage of
17 the commanders are good commanders, would take
18 that and permit this individual to leave.
19 They would accept that currently, without this
20 --

21 REP. HOLTZMAN: So we wouldn't need
22 this. So this is not -- what you're saying is

1 that it's unnecessary.

2 BG MCGUIRE: Yes. Yes. Because
3 there have also been instances of the
4 commanders refusing to --

5 (Simultaneous speaking.)

6 CHAIR FERNANDEZ: You all, I'm
7 having trouble hearing. I think there's a lot
8 of people on who aren't necessarily -- I'm not
9 sure what's going on, but I just wanted to put
10 that out there, that --

11 COL HAM: If everybody can hold on
12 for one minute, we're going to make sure the
13 line is clear. If everybody could just hold
14 on for one minute.

15 (Whereupon, the proceedings in the
16 foregoing matter went off the
17 record at 3:32 p.m. and went back
18 on the record at 3:36 p.m.)

19 CHAIR FERNANDEZ: Let's go to
20 finding number six. It looks like we're all
21 pretty much in consensus that we should
22 eliminate it.

1 BG MCGUIRE: I move we can
2 eliminate it. This is Colleen.

3 MS. ANDERSON: And Colleen, this is
4 Michelle. Just to understand for sure for
5 someone who's not and has never been a
6 military officer, your understanding is that
7 there is already the authority --

8 BG MCGUIRE: Yes.

9 MS. ANDERSON: -- to engage in
10 this expedited transfer --

11 BG MCGUIRE: Yes.

12 MS. ANDERSON: -- for someone who
13 files a restriction report.

14 BG MCGUIRE: Correct.

15 MS. ANDERSON: Do we want to
16 clarify that that's the policy?

17 BG MCGUIRE: Well, it's not a
18 policy, it's always, you know, for the health
19 of the individual, the organization, whatever
20 and based on the recommendations of, you know,
21 dental, medical, health, mental health,
22 whatever, without a report, they will have

1 that meeting with the commander and make that
2 recommendation that this individual needs to
3 go. The commanders might want to keep that
4 individual there.

5 But if we put it as a
6 recommendation, that also means that, okay,
7 it's now -- we're holding the potential that
8 this could be used by those other than that
9 would need to use it. It is just what was a
10 potential of, like I said, abuse.

11 Now we're getting into how do you
12 define credible? And that I can tell you
13 right now, in the implementation of this,
14 you're going to have different installations
15 coming up with a check list of what defines a
16 credible, restricted report that would be
17 eligible for a transfer without identifying
18 the individual to the, you know, whole
19 population.

20 It would -- this would just be very
21 difficult to implement. Not only, I mean, as
22 you've written it now, it already is an option

1 and is already available to commanders. I
2 will tell you I've used it. It wasn't for
3 sexual assault but it was something else. It
4 was bullying and it made sense to move the
5 individual.

6 We do this all the time. It's call
7 rehab transfers. It doesn't even have to be
8 tied to sexual assault. We have instances
9 where we knew the individual was of a
10 particular sexual persuasion, they weren't
11 getting along with the individuals in the
12 unit, we transferred them.

13 CHAIR FERNANDEZ: I think in this
14 one, we have to give some deference to the
15 commander, that's my take on that.

16 BG MCGUIRE: Yes.

17 CHAIR FERNANDEZ: Is that you can't
18 -- somebody can't automatically say I've been
19 sexually assaulted, transfer me because you'd
20 get havoc. So I think to me, we need to give
21 deference to the commander in this one. And
22 I think we need to eliminate this.

1 I get why we put it in, but I think
2 after Colleen's talked about it, we need to
3 take it out.

4 MS. ANDERSON: But I just -- this
5 is Michelle, again, just to try to understand
6 the reason that you want to take it out is if
7 there's already the authority to do this.

8 BG MCGUIRE: Yes.

9 MS. ANDERSON: So, why wouldn't we
10 just have a recommendation that we clarify
11 that this authority to engage in expedited
12 transfer for restricted reports, that the
13 authority that they have to engage in any --
14 that the authority they have to engage in
15 transfer applies to those who file
16 unrestricted reports.

17 Because apparently, there is some
18 confusion about that or we would not have this
19 in front of us because -- go ahead.

20 BG MCGUIRE: Yes, I think that if
21 we use the verbiage of rehabilitation
22 transfer, that that would resonate better.

1 MS. ANDERSON: Well, let's do that.
2 Let's do that. Say that the current DoD
3 policy on -- what did you call it?

4 BG MCGUIRE: Well, I'm not so sure
5 there's a policy on that, it's just a tool
6 that's available to commanders for rehab
7 transfers.

8 MS. ANDERSON: Well, so what would
9 be the problem with saying that the current
10 DoD policy should provide explicitly that
11 rehab transfers apply and can be used for
12 circumstances of unrestricted reports.

13 BG MCGUIRE: Okay.

14 REP HOLTZMAN: Can I just make a
15 point. This is Liz Holtzman.

16 You know, the recommendation is
17 just to study whether this needs to be done.
18 It's not --

19 BG MCGUIRE: It's already being
20 done.

21 REP HOLTZMAN: Okay. Well because
22 my concern about this would be to see whether

1 there is any issue even what do you call it,
2 rehabilitation transfer? With each -- whether
3 there are problems in terms of getting
4 rehabilitation transfers in these
5 circumstances.

6 MS. ANDERSON: Right.

7 REP HOLTZMAN: So I have no problem
8 with studying that. That's what I, you know,
9 so I don't think General McGuire, that your
10 concern about this is really 100 -- I mean I
11 agree with the content of your concern. I
12 definitely do with that. But I think all
13 we've asked for here is to study the issue.

14 So I don't know. I mean you still
15 may be right, maybe we should just eliminate
16 it. I mean I'm not necessarily --

17 BG MCGUIRE: But you know, I'm
18 looking at the credibility of the report and
19 the credibility of the work that we have been
20 doing now for the last six months. To make a
21 recommendation like this on something that
22 already exists or is a tool that's available

1 to commanders just kind of looks like we're
2 filling up the report. I'll be blunt.

3 REP HOLTZMAN: Okay.

4 BG MCGUIRE: We felt compelled to
5 add another recommendation.

6 CHAIR FERNANDEZ: We have three
7 options here. We have the option to leave it
8 as is as a study. We have an option to
9 eliminate it completely and we have the option
10 to state specifically that the rehabilitative
11 transfer applies to restricted reports, people
12 who have filed a restricted report.

13 BG MCGUIRE: Well I don't know if
14 it even says it's a study, it says
15 recommendation is to determine whether or not
16 to extend the option to request an expedited
17 transfer following a credible report. It
18 doesn't say study.

19 MS. ANDERSON: Yes, so this is
20 Michelle. I think that the recommendation is
21 not really a recommendation, it's a
22 recommendation to think about and I guess then

1 determine whether or not there's something
2 that already exists apparently, according to
3 Colleen, and I defer to her expertise on this.
4 How about the recommendation is just to
5 clarify that the rehabilitation transfer
6 mechanism can apply to restricted sexual
7 assault victims.

8 BG MCGUIRE: There you go.

9 CHAIR FERNANDEZ: This is Mai. Can
10 I ask who we're clarifying for? And I'm
11 asking that in earnestness. Do commanders
12 need clarification on this or are we saying it
13 needs to be clarified to the victims and their
14 SVCs that are advocates know that this might
15 be something they ask for?

16 CHAIR FERNANDEZ: Well, there is a
17 finding that we have here that the policy does
18 not permit expedited transfer for those who
19 file restricted reports and Colleen has
20 indicated that actually it does go through a
21 different route.

22 It does seem that if the policy

1 says you can engage in temporary or permanent
2 expedited transfer for an unrestricted report,
3 but not for a restricted report, that by
4 implication, many commanders would conclude
5 that they may not be able to engage in a
6 transfer. All we want to do is clarify for
7 both victims, SARC folks who are set up to
8 support the victims and for commanders for
9 anyone in the military that this is an option.

10 BG MCGUIRE: Okay, I understand.

11 REP HOLTZMAN: Well, this is Liz
12 Holtzman. Have we had any testimony though
13 that people don't know that they can do this
14 with restricted reports? I mean I'm just
15 going to play devil's advocate here.

16 Do we have any testimony that
17 commanders don't know about this power? Do we
18 have any testimony that victims don't?

19 BG MCGUIRE: We had the testimony
20 on March the 13th --

21 COL HAM: You heard from one victim
22 who filed a restricted report and then changed

1 it to an unrestricted report so she could
2 request an expedited transfer.

3 REP HOLTZMAN: She lived next door
4 to him.

5 COL HAM: She lived next door to
6 him in a --

7 REP HOLTZMAN: Right, right, right,
8 I heard that. So maybe Mai's point is exactly
9 right that the clarification is really to the
10 victims and their, you know, as opposed to the
11 commanders.

12 And maybe the clarification is that
13 even though an unrestricted report -- even
14 though a restricted report does not
15 automatically confer the right to a transfer,
16 a transfer still can be made, clarify to
17 victims and to whoever, you know, their SARC
18 people and their counselors that a request for
19 transfer can still be made under the
20 rehabilitation.

21 COL HAM: That's the Army term --
22 this is Colonel Ham. I don't know if the

1 other services use that term but it refers to
2 -- General McGuire, correct me if I'm wrong --
3 it's the inherent authority of the commander
4 to do what's best for their unit and request
5 that personnel be moved for many, many reasons
6 or not moved for many reasons.

7 CHAIR FERNANDEZ: Could I just --
8 okay, while we're at this, okay, so I go and
9 my SARC to my victim's advocates advocates to
10 my commander and say, we've got to move this
11 woman to another base.

12 Now isn't the commander at that
13 point informed of my case and needs to move my
14 case -- make it unrestricted?

15 COL HAM: No, they don't need to
16 say for what reason, I mean it could be for
17 mental health, behavioral health and even
18 after -- as a result of, you know, sexual
19 assault. She's seeking, you know, counseling
20 or whatever. He doesn't know or she doesn't
21 know -- the commander does not need to know
22 those kinds of specifics.

1 And so it could be for a whole host
2 of reasons that it would be medical and/or
3 staffer or a FAP or whatever community can
4 come together and make that recommendation.

5 DEAN ANDERSON: But if it's the
6 SARC and the VA that's coming forward, isn't
7 that inherently just going to be like this is
8 for a sexual assault. Otherwise it would be
9 somebody else coming forward.

10 MS. CARSON: Yes, we'll have to
11 work through those mechanisms and that's what
12 that recommendation six is going to generate
13 is some other interpretation.

14 DEAN ANDERSON: It just seems that,
15 I get what you're saying, Colleen, that this
16 is available, but it's only available if the
17 commander knows. And once the commander
18 knows, it needs to go unrestricted.

19 BG MCGUIRE: I mean that is a --
20 because even as a commander, I think that I
21 could still work around it. I could. And if
22 I was a SARC or a staffer or individual, I

1 would probably work with maybe the mental
2 health community to maybe make my argument.

3 CHAIR FERNANDEZ: Well I think it's
4 important for us to acknowledge how truly
5 innovative a leader Colleen is and I am
6 impressed by that.

7 BG MCGUIRE: I know, I don't it
8 though, too, I'm sorry.

9 CHAIR FERNANDEZ: However, I guess
10 I'm just concerned about the clarification
11 question.

12 I think allowing both victims and
13 SAPRO offices and commanders understand that
14 they can creatively deploy, and that's not the
15 verb because that's something specific in the
16 military, but that they can creatively use
17 their ability to transfer people in the best
18 interest of the troops and that that can apply
19 to a circumstance in which there's an
20 unrestricted report, I think is worthy.

21 BG MCGUIRE: Okay.

22 CHAIR FERNANDEZ: That way,

1 everyone is as creative and innovative as
2 Colleen is.

3 MS. GARVIN: We can certainly lift
4 it and see how it falls out, but my fear is
5 that not everybody is as creative and
6 innovative as Colleen. I have --

7 BG MCGUIRE: I don't have faith in
8 most of mankind. So I just don't know that
9 once that commander finds out that they're
10 going to feel compelled to go unrestricted.

11 REP HOLTZMAN: Well, but the
12 commander's not going to find out the details.
13 The commander doesn't know what this has to do
14 with. The commander's just going to know that
15 a SARC has come, maybe there's a sexual
16 assault involved but the commander may not
17 know when the sexual assault took place. Did
18 it take place in the military? Did it take
19 place some other time? Exactly what the
20 reason is for the need to move.

21 I mean I think that a smart SARC or
22 a smart anybody doesn't have to give the

1 details and a commander can understand. So I
2 don't think it necessarily would trigger a
3 report.

4 COL HAM: It could be a case of a
5 civilian assault as well.

6 REP HOLTZMAN: Correct, correct.

7 CHAIR FERNANDEZ: Okay, so then,
8 Michelle, I think you had some phrasing. Why
9 don't you give it -- try to give it one more
10 shot?

11 MS. ANDERSON: Okay. That the
12 Secretaries in the military departments,
13 actually, I'm on the wrong one, hold on.

14 That the Secretary of Defense
15 direct SAPRO in conjunction with the services
16 to clarify that commanders can use their
17 inherent authority to engage in transfers of
18 an expedited nature when there is an
19 unrestricted report of sexual assault. I'm
20 sorry, when there is a restricted report of
21 sexual assault.

22 CHAIR FERNANDEZ: Everybody okay

1 with that language?

2 COL HAM: This is Colonel Ham. I
3 think it raises the same issue you've been
4 discussing, that if the commander knows it's
5 a restricted report, he's got to take action.
6 So perhaps some language just to move -- to
7 transfer service members for a myriad of
8 reasons, including mental, physical health, or
9 whatever. Something like that. I have not
10 run into that problem.

11 REP HOLTZMAN: Yes, maybe we should
12 just -- let's not write -- my suggestion, this
13 is Liz Holtzman, is not to write it right here
14 but to get some -- maybe the staff can write
15 up an option for us and we can maybe finish.

16 CHAIR FERNANDEZ: Agreed. Okay,
17 let's go to recommendation seven.

18 JUDGE MARQUARDT: This is Christel
19 and on the second recommendation there, I
20 thought that we wanted to make sure that DoD
21 Safe Helpline was established so that it would
22 be available for all the services and that it

1 would be manned for 24-hours. Because it
2 seems like some of them were not manned 24-
3 hours.

4 COL HAM: This is Colonel Ham,
5 Judge Marquardt. I think you did hear that a
6 local SARC or a local helpline was not
7 answered by one victim who appeared in March.
8 That would be the local one, not the DoD SAFE
9 Helpline.

10 I think this recommendation is
11 directed to your concern, if that makes sense.

12 JUDGE MARQUARDT: Didn't we suggest
13 that the same helpline be available -- the
14 same number be available for all the services?
15 Because it would be easy to remember if you
16 had one number.

17 MS. ANDERSON: Yes, could folks
18 just clarify, this is Michelle, I think what
19 I'm a little unclear on is why we publish our
20 RAINN number as well as information numbers
21 which are not 24/7 apparently.

22 CDR KING: I think we were trying

1 to accommodate what the regulations actually
2 are. So there's a SAFE helpline number that
3 RAINN runs. It is 24/7 and the agreement is,
4 per my understanding, is that they answer the
5 line when anyone calls that number and then
6 transfers the individual to a SARC or a Victim
7 Advocate at a local installation. And the
8 local installations are supposed to give
9 accurate phone numbers.

10 But the regulations also says that
11 military installations can have their own
12 phone lines that the RAINN number doesn't
13 prohibit installations from having their own
14 phone lines also.

15 MS. ANDERSON: Sorry, just to
16 clarify a question, Sherry, that's really
17 helpful what you just said.

18 Is the problem that when RAINN
19 gives the number to the local facility, that
20 local facility may not be staffed 24/7 or is
21 the problem that when we advertise two
22 numbers, the RAINN number which is always

1 supposed to be up, and the military
2 installation Safe Helpline that sometimes the
3 Safe Helpline is not always answered.

4 CDR KING: Yes, what DoD policy is
5 intending to do here is to establish this one
6 DoD help line as the universal phone number to
7 call for any kind of crisis sexual assault
8 support that will then connect you to a SARC
9 on the local installation.

10 The SARCs are required to have a
11 24/7 capability but what the installations are
12 doing is setting up their own 24/7 hotline.

13 If you go to the Fort Hood website
14 homepage, they advertise the SHARP hotline,
15 not the DoD hotline, on their homepage. And
16 so that's where the confusion is going. So
17 they're calling the local installation which
18 that's not monitored. We don't know whether
19 it's always going to be staffed 24/7. It's up
20 to the installation.

21 But the DoD policy intent is for
22 the helpline to be that 24/7 number and the

1 additional recommendation we have currently,
2 they only have to provide the -- commanders
3 only have to provide one phone number and one
4 alternate number for the SAFE helpline
5 responders to call.

6 And our recommendation, or your
7 recommendation, is that the installations need
8 to provide enough contact information so that
9 the DoD helpline responder can find someone on
10 that installation to help find a Victim
11 Advocate or a SARC.

12 MS. ANDERSON: So are the -- sorry,
13 this is Michelle, I've just got one clarifying
14 question on that. Is the local SAPRO office
15 or not the SAPRO office, the local SARC, are
16 they sort of on a 24/7 availability to victims
17 as they emerge?

18 CDR KING: Yes, they are required
19 to go to the victim wherever the victim is, if
20 it's in the emergency care, they are required
21 to go there 24/7, there's someone on call.

22 MS. ANDERSON: So I guess my

1 question is, what's falling through the
2 cracks?

3 CDR KING: Well, the falling
4 through the cracks I think is the immediate
5 availability and the clear understanding of
6 having someone always answer the phone at
7 whichever number they call.

8 MS. ANDERSON: Whatever number that
9 is. Is that they have to be there.

10 CDR KING: Right, so --

11 MS. ANDERSON: Go ahead.

12 CDR KING: We heard from some of
13 the victim advocates that sometimes the number
14 is a cell phone number, they have places where
15 there's not cell reception on the installation
16 and there's just a lot of problems. And then
17 we heard in Texas and we heard here in victim
18 testimony that when they call, they will
19 sometimes get a voice mail and the policy is
20 to call back within 15 minutes. So their
21 policy itself doesn't require someone to pick
22 up the phone.

1 MS. ANDERSON: Right. Okay, so is
2 the local safe helpline an advance over the
3 issue if RAINN is always available 24/7. I
4 mean that's pretty much all RAINN does is this
5 hotline.

6 MS. CARSON: That's right because
7 they have a staff of 80. They have crisis
8 counseling backgrounds. They have a Master's
9 degree supervisor who is there, so they've
10 invested a lot in this service the DoD has.

11 MS. ANDERSON: So I guess I'm just
12 wondering why we're not always directing folks
13 to the RAINN hotline. It does seem like
14 there's a little bit of slippage with the
15 local help line but maybe I'm -- that's what
16 I understood from the testimony. And the
17 staff is closer to the testimony having
18 reviewed it more carefully and more recently.
19 Is that accurate?

20 MS. CARSON: That's right. If you
21 search the website of installations, and I
22 made a couple of different checks, all the

1 Navy installations, the only number that they
2 post is the DoD SAFE Helpline. But you can
3 click on that link and get there.

4 The Air Force and the Army both, or
5 I believe it was Air Force -- no, the Air
6 Force was difficult to find any number and
7 then they had a local number. And Army
8 advertises SHARP as their program and their
9 hotline.

10 So it's different by service
11 really.

12 MS. ANDERSON: So the
13 recommendations are that there's clear
14 guidelines for the SAFE Helpline and to
15 establish an easy-to-remember number. Is that
16 sufficient to attend to the problems? In
17 other words, having an easily remembered
18 number doesn't attend to the --it may be good
19 or interesting but it doesn't necessarily --
20 it doesn't attend to the 24/7. But it looks
21 like the first bullet does. So right, I think
22 we're okay.

1 CDR KING: I think we added the
2 second bullet based on your discussions maybe
3 when we were in Texas. I know at some point,
4 we heard some subcommittee members discuss
5 that and that's why we put that in there.

6 And some of the things we put in
7 were just based on other discussions, not the
8 formal discussions here when we related to
9 Victim Services, so you may or may not want
10 that now. We just put it in there so it
11 didn't get lost in the paper, you know, in all
12 the prior discussion we'd had.

13 MS. ANDERSON: Yes, I don't have a
14 problem with recommendation seven. I think
15 I'm still somewhat interested in the
16 relationship between the RAINN hotline and the
17 DoD SAFE Helpline but not necessarily --

18 CDR KING: Those are the same --
19 the DoD SAFE Helpline and RAINN, they're the
20 same one. It's their local installations that
21 have separate lines. And maybe we're not
22 making it clear.

1 MS. ANDERSON: Yes, I'm not sure,
2 but I think I understand now.

3 BG MCGUIRE: RAINN also operates
4 their own hotline separate from the DoD
5 specific hotline. Is that maybe what the
6 confusion is?

7 MS. ANDERSON: Yes, that is. And
8 so we have 80 staff that are dedicated to the
9 Department of Defense SAFE Helpline
10 specifically, those two things don't cross.

11 CDR KING: I think we need to
12 change finding one to add the word SAFE
13 Helpline -- that it's called the SAFE Helpline
14 under the first finding under number seven
15 just to add SAFE Helpline to that for sure.

16 CHAIR FERNANDEZ: Doesn't it say
17 SAFE help line?

18 CDR KING: It's DoD SAFE Helpline
19 is what it's called.

20 CHAIR FERNANDEZ: Okay. What is
21 the E in there?

22 CDR KING: It's a typo.

1 CHAIR FERNANDEZ: Can we not use
2 the term warm hand-off and explain that that's
3 a referral to a person?

4 REP HOLTZMAN: Well the footnote
5 says that.

6 COL HAM: I'll change it to refer
7 the caller.

8 CDR KING: We can change that so
9 that if you want so that it says refer the
10 caller to a local SARC or connect the caller
11 to a local SARC.

12 BG MCGUIRE: That's actually the
13 language in their contract with RAINN.

14 CHAIR FERNANDEZ: It's 4:04 folks,
15 if we're okay with recommendation number
16 eight, we're done with the recommendations but
17 there also seems be these things that we could
18 work on and there's quite a few of those.

19 Sherry, do we have a suggestion on
20 how to move forward?

21 CDR KING: I'm sorry, on how to
22 move forward as far as the rest of these

1 discussions?

2 CHAIR FERNANDEZ: Yes.

3 CDR KING: Okay. Just to clarify,
4 we want to keep number seven somewhat as it is
5 but to be the main number and someone should
6 always -- and they should always make sure
7 someone answers.

8 CHAIR FERNANDEZ: Yes.

9 CDR KING: And as far as looking
10 forward on the additional recommendations,
11 they're really --

12 CHAIR FERNANDEZ: Number eight,
13 Sherry, let's do number eight. I skipped
14 over.

15 CDR KING: Oh, I'm sorry, I missed
16 that one. Yes.

17 MS. ANDERSON: Folks, this is
18 Michelle, I need to sign off and I appreciate
19 the hard work of everyone and we'll talk to
20 you all later.

21 CHAIR FERNANDEZ: Thanks Michelle.

22 MR. CASSARA: Hey Sherry, it's

1 Bill. I've got a meeting in like four
2 minutes, are we going to have enough for a
3 quorum?

4 CHAIR FERNANDEZ: We'll wait, Bill,
5 and if you've got to go, you've got to go but
6 let's --

7 MR. CASSARA: Oh, no, no, no, I
8 mean, if I'm going to bust quorum, then I'll
9 postpone my other call for a bit.

10 CHAIR FERNANDEZ: I think we can
11 keep going. If we have to without you.

12 MR. CASSARA: Okay, well I'm sure
13 it will be terribly difficult, but I'm sure
14 you all will manage, so.

15 CHAIR FERNANDEZ: I'm sure
16 everybody would prefer that you were here but
17 if you have to go, you have to go and we can
18 --

19 MR. CASSARA: All right, I'll talk
20 to y'all next week.,

21
22 CHAIR FERNANDEZ: Bye Bill.

1 MR. CASSARA: Take care, bye-bye.

2 CDR KING: Eight was just -- and
3 you may or may not even want this in here, we
4 had talked some about the evaluations and the
5 DoD evaluating the training for SARCs and VAs
6 and that the evaluation forms or the way they
7 do it are not even consistent at this point.

8 So, we were trying to make a
9 recommendation that the periodic evaluations
10 be consistent across the services.

11 JUDGE MARQUARDT: This is Christel.
12 I thought it was a good thing to include
13 because if we're going to ask for money or ask
14 money to continue the program, you need some
15 kind of evaluation. So I thought it was good
16 to include this.

17 COL HAM: And this is Colonel Ham.
18 They were directed -- this was their initial
19 evaluation. There's a document that the
20 National Defense Authorization Act required,
21 unfortunately, had to do 120 days from when
22 the Act was passed, which is the end of April,

1 so it's going to come out after your reports
2 are due that has the Secretary of Defense
3 report to Congress on the evaluation of this
4 training.

5 So we know there's something else
6 coming, we don't have it and we're not going
7 to have it for your reports. We may have it
8 for the whole Response Systems Panel final
9 report.

10 So, these were the initial
11 evaluations that were done. Evidently,
12 there's more coming. I don't know if we
13 didn't note that in the recommendation, you
14 might want us to do that. That's up to you
15 that you're aware there's additional
16 evaluation coming or a report to Congress on
17 this.

18 CHAIR FERNANDEZ: What are you
19 saying, that we should mention these
20 evaluations in any forthcoming evaluations?

21 COL HAM: We know that the NDAA
22 requires a report to Congress evaluating the

1 training. So the information that you have
2 right now is current but we know there's more
3 coming that we don't have and we're not going
4 to have. I don't know if that affects you or
5 your thoughts on the recommendation.

6 CHAIR FERNANDEZ: I guess it's
7 still that they be consistent. I mean I think
8 that whatever we have now, whatever is coming,
9 that they have to be consistent across the
10 services is what we're recommending.

11 CDR KING: Do you want us put in
12 the mention that of the NDAA requirements just
13 to show in case they make the same
14 recommendations that you are making yours
15 before theirs came out?

16 CHAIR FERNANDEZ: I think that
17 would be a good idea.

18 CDR KING: Okay. Okay, and then as
19 far as the additional recommendations if
20 there's no more on that, we kind of went
21 through the reports and kind of put in things
22 that you had mentioned in other deliberation

1 sessions and other -- or talked to witnesses
2 about and the first one -- maybe these are
3 kind of -- it might take too long for now.

4 I don't know if you want to give us
5 written comments about what you want, if you
6 want to include these or what you want --
7 which ones you might want to include and then
8 I can combine them and send them out to you so
9 you can read each other's and decide if you
10 even want them.

11 CHAIR FERNANDEZ: I think that's
12 fine. The only thing I didn't see in here,
13 Sherry, and tell me if I'm wrong, one of the
14 things that we discussed was that some of the
15 other services have civilian counterparts and
16 that the SARCS maybe should have some civilian
17 counterparts included. I didn't see anything
18 like that in here.

19 CDR KING: You mean as far as
20 having a certain part of them be civilians
21 like some in the Air Force might be civilians
22 and in the Navy they're not or vice versa or

1 in the Army? Is that --

2 CHAIR FERNANDEZ: Well, my sense
3 was that all the SARCS were active military,
4 that's not the case. No?

5 MS. CARSON: This is Julie, no, the
6 SARCS can be civilians or uniform in all the
7 services except the Coast Guard, I believe,
8 they're all civilians.

9 CHAIR FERNANDEZ: I know it was an
10 issue when we compared the family victim
11 services to the SARCS and they all have sort
12 of a consistent tour of people that don't --
13 that don't deploy, if they're Victim
14 Advocates.

15 MS. CARSON: We thought we had
16 talked about that in one of our deliberations
17 that maybe the SARCS should also have a
18 consistent number of civilian employees so
19 that you have a consistent core of individuals
20 at any given spot.

21 JUDGE MARQUARDT: Well I noticed,
22 this is Christel, I noticed in the report on

1 Page 26 that it's -- the Quick Compass Survey
2 noted that the SARCS had too many
3 responsibilities.

4 CHAIR FERNANDEZ: Right.

5 JUDGE MARQUARDT: And maybe that's
6 something that we should comment on.

7 CDR KING: I think we did in number
8 three of the additional recommendations. And
9 maybe it got kind of a little bit blurred but
10 we commented -- I think we tried to comment
11 that they have different recommendations.

12 We could make that one a little --
13 or different jobs, so many different jobs.
14 And so maybe you want to include that in both
15 that maybe they should break those out and
16 determine if some of them would be better as
17 civilian positions instead of all military or
18 instead of military or I'm not exactly sure
19 but I think that's where we tried to address
20 that issue.

21 BG MCGUIRE: I think we need to
22 talk about it maybe a little more clearly.

1 CDR KING: Do you want to do that
2 now or do you want to do that at the next
3 meeting or at another meeting?

4 CHAIR FERNANDEZ: I think at
5 another meeting. I've got to get going.

6 CDR KING: Okay, do you want us to
7 take that one and try to write it more clearly
8 and make an actual recommendation -- a
9 proposed recommendation for you?

10 CHAIR FERNANDEZ: Yes.

11 CDR KING: Okay. Are there any
12 other of these slots that we had that you want
13 us to work on making a more specific
14 recommendation?

15 CHAIR FERNANDEZ: I think we need
16 to get through them, Sherry. I mean or people
17 need to recommend on their own.

18 CDR KING: Okay.

19 BG MCGUIRE: I think folks need to
20 go through these and at least list out which
21 ones they think need to go forward into a
22 recommendation. I think if you could send a

1 message like that to all the subcommittee
2 members.

3 CHAIR FERNANDEZ: Okay.

4 CDR KING: I don't think we can
5 just say three, four, five right now.

6 CHAIR FERNANDEZ: Okay, I'll do
7 that and then people can let me know and then
8 I can send it out to everybody for at least
9 some more thought on it and more discussion at
10 another meeting and we can try to write it.
11 If people tell me they want recommendations on
12 these, we can try to write them out.

13 COL HAM: Or any others.

14 CDR KING: Right, or anything else
15 you have that we haven't mentioned.

16 CHAIR FERNANDEZ: Okay.

17 CDR KING: Okay, so I'll send out
18 an e-mail after this meeting with that so that
19 everybody can look at that since some of the
20 people aren't on the phone call anymore.

21 CHAIR FERNANDEZ: Okay.

22 REP HOLTZMAN: Okay. This is Liz

1 Holtzman. I'm going to get off now. I think
2 we're finished, right?

3 CDR KING: Okay.

4 REP HOLTZMAN: Thanks, bye.

5 CDR KING: Okay.

6 CHAIR FERNANDEZ: Okay. Thank you
7 guys.

8 COL HAM: Okay, thank you very
9 much.

10 CHAIR FERNANDEZ: Thanks everyone.

11 COL HAM: Oh, I think we need to
12 say the magic words.

13 CHAIR FERNANDEZ: Oh, yes.

14 MR. SPRANCE: This is Bill Sprance,
15 the DFO, and the meeting is closed.

16 CHAIR FERNANDEZ: Meeting
17 adjourned.

18 (Whereupon, the foregoing matter
19 went off the record at 4:15 p.m.)

20

21

22

A	
ability 68:17	88:14
able 64:5	agree 19:12 20:1 27:2 31:22 35:1 36:6,9 38:13,17 51:7 52:13 61:11
abstract 8:16 15:6 48:6	Agreed 71:16
abuse 51:1,21 53:4 57:10	agreement 22:6 38:10 39:2 73:3
accept 54:19	agrees 32:2
accidentally 32:22	ahead 59:19 76:11
accommodate 73:1	Air 78:4,5,5 87:21
accurate 73:9 77:19	allegation 23:5,13 25:12
acknowledge 68:4	alleged 22:22
act 22:22 36:21 84:20,22	allow 25:3,11
acting 34:9	allowing 68:12
action 18:9,10,10 20:14 37:1 71:5	allows 38:1
active 88:3	alternate 75:4
acts 43:1	amend 23:16
actual 90:8	amended 24:19 25:3,11
add 62:5 80:12,15	and/or 67:2
added 79:1	Anderson 1:18 11:8,11,14 15:13 16:22 17:16 19:8 24:1 25:5,16 27:3 27:11,22 29:8,12 29:17 35:2 37:6 38:12 41:14 43:20 45:11 56:3,9,12 56:15 59:4,9 60:1 60:8 61:6 62:19 67:5,14 70:11 72:17 73:15 75:12 75:22 76:8,11 77:1,11 78:12 79:13 80:1,7 82:17
additional 41:9 42:13 75:1 82:10 85:15 86:19 89:8	anecdotal 18:1,17
address 89:19	answer 54:13 73:4 76:6
adjective 44:4	answered 72:7 74:3
adjourned 92:17	answers 82:7
ADULT 1:3	anticipate 6:7,17
advance 77:2	anybody 12:11 45:18 69:22
adverb 44:8	
advertise 73:21 74:14	anymore 91:20
advertises 78:8	Anyway 39:10
advised 26:17	apologize 54:3
advisor 42:11,11	apology 54:3
advocacy 9:13,15 10:7,20 11:12,16 11:19	apparent 40:10
advocate 64:15 73:7 75:11	apparently 59:17 63:2 72:21
advocate's 5:7	appeared 72:7
advocates 4:20 10:3 11:2 63:14 66:9,9 76:13	appears 9:2
	appendix 8:18
	appetite 6:16
	applies 44:17 59:15 62:11
	apply 44:19 60:11 63:6 68:18
	appreciate 82:18
	apprehend 28:19
	appropriate 30:1
	appropriately 34:10
	April 1:9 3:11,12 3:14 84:22
	area 50:15
	argument 68:2
	Armed 36:19
	Army 65:21 78:4,7 88:1
	asked 61:13
	asking 23:19 38:10 50:5,6 63:11
	assault 1:3 4:14 6:14,21 10:8,12 16:7 23:13 25:12 40:2,12,18 42:22 44:6,7 50:9,19 58:3,8 63:7 66:19 67:8 69:16,17 70:5,19,21 74:7
	assault-related 23:5
	assaulted 46:13 58:19
	assessed 30:11
	assessing 27:18
	assume 45:2 50:18
	assuming 19:11
	assumption 54:16
	attend 78:16,18,20
	Attorney 1:22,22
	authority 56:7 59:7 59:11,13,14 66:3 70:17
	Authorization 84:20
	automatically 58:18 65:15
	availability 75:16 76:5
	available 40:22 41:7 42:7,13 58:1 60:6 61:22 67:16 67:16 71:22 72:13 72:14 77:3
	awarded 20:7
	aware 24:17 85:15
	awkward 13:22
	B
	B 5:1
	back 5:21 18:7 30:21 31:1,9,10 32:5 34:20 35:16 36:1 39:2 43:20 55:17 76:20
	backgrounds 77:8
	balance 52:17
	base 66:11
	based 18:1 42:16 56:20 79:2,7
	basic 30:2
	basically 15:15 25:2 26:14
	beginning 5:13
	behalf 49:22
	behavioral 66:17
	believe 18:5,22 33:16 78:5 88:7
	best 66:4 68:17
	better 3:3 49:10 59:22 89:16
	BG 1:18 6:4 7:16 16:17 17:1,17 46:9,20 49:20
	51:12 53:3,14,21 54:12 55:2 56:1,8 56:11,14,17 58:16 59:8,20 60:4,13 60:19 61:17 62:4 62:13 63:8 64:10 64:19 67:19 68:7 68:21 69:7 80:3 81:12 89:21 90:19
	Bill 2:3 24:1 25:17 42:16 44:22 83:1 83:4,22 92:14
	bit 2:10 9:14 24:12 24:13 77:14 83:9 89:9
	blunt 62:2
	blurred 89:9
	box 34:19
	breach 20:6
	break 89:15
	Brief 52:3
	briefing 42:14
	buddy 46:14
	bullet 17:2,11 45:2 78:21 79:2
	bullets 17:2
	bullying 58:4
	burden 28:1,4,5 34:3
	bust 83:8
	bye 83:22 92:4
	bye-bye 84:1
	C
	C 5:2
	call 1:6 8:1 58:6 60:3 61:1 74:7 75:5,21 76:7,18 76:20 83:9 91:20
	called 32:21 80:13 80:19
	caller 81:7,10,10
	calling 74:17
	calls 73:5
	candid 7:7
	capability 74:11

care 75:20 84:1	49:16 51:6 55:6	clarify 16:18 41:15	51:22 65:22 71:2	26:19
carefully 77:18	55:19 58:13,17	48:19 54:10 56:16	72:4 84:17	community 51:15
Carson 1:22 2:13	62:6 63:9,16 66:7	59:10 63:5 64:6	combine 87:8	67:3 68:2
3:10,14,16,21 4:6	68:3,9,22 70:7,22	65:16 70:16 72:18	come 2:14 4:8 12:7	compare 7:2
9:4 10:19 11:10	71:16 80:16,20	73:16 82:3	25:18 30:1 67:4	compared 88:10
11:13,15 40:4	81:1,14 82:2,8,12	clarifying 30:16	69:15 85:1	comparison 7:1,8
67:10 77:6,20	82:21 83:4,10,15	31:8 63:10 75:13	comes 33:13,14,15	comparisons 7:11
88:5,15	83:22 85:18 86:6	clear 20:11 21:5	comfortable 24:21	Compass 89:1
case 19:11 26:8	86:16 87:11 88:2	22:3 23:12 39:20	coming 57:15 67:6	compelled 38:5
50:20 66:13,14	88:9 89:4 90:4,10	43:15 47:2,14	67:9 85:6,12,16	62:4 69:10
70:4 86:13 88:4	90:15 91:3,6,16	48:20 55:13 76:5	86:3,8	compelling 51:14
cases 10:8,9,10	91:21 92:6,10,13	78:13 79:22	command 36:20	compendium 6:20
10:12 29:3	92:16	clearly 47:17 89:22	commander 20:16	complaint 27:18
Cassara 1:16 22:3	change 12:10 18:16	90:7	23:12 25:3,11,13	completely 19:11
22:13,18 23:10	38:7,9,11 45:18	click 78:3	26:5,7,15,16	19:22 31:22 35:1
24:16 25:6,18,22	80:12 81:6,8	clinicians 11:17	28:14 33:1,5,19	62:9
36:11 38:13 44:22	changed 39:11	closed 92:15	33:21 36:12 37:14	complicated 48:6
45:9 52:6 53:5	64:22	closer 77:17	38:20 39:8 50:1	concern 31:22 35:5
82:22 83:7,12,19	chart 3:2 5:20	Coast 88:7	50:11 51:16 53:17	60:22 61:10,11
84:1	check 26:7 28:1,15	Code 22:21	53:18 54:15 57:1	72:11
Cassara's 42:16	29:19 31:21 32:13	Col 1:21 8:7,12	58:15,21 66:3,10	concerned 34:12
cat 34:18	33:6,9,22 57:15	12:22 14:3 15:3,3	66:12,21 67:17,17	68:10
CDR 1:22 2:20	checking 26:21	20:10,20 21:3,9	67:20 69:9,13,16	concerns 50:4 53:2
3:18 4:2 5:14	checks 77:22	21:13 23:3 30:19	70:1 71:4	conclude 64:4
7:13 9:1,22 22:12	chopped 9:4	31:3,13 36:10	commander's	conducting 23:8
42:15 45:6,17,21	chosen 47:16	40:6 41:1,8,22	69:12,14	confer 65:15
46:5 72:22 74:4	Christel 1:17 6:1	44:16 47:15 48:12	commanders 18:3	conference 1:6 8:1
75:18 76:3,10,12	8:4 12:18 39:21	49:3,13 51:22	18:10 21:7 22:18	confide 46:14
79:1,18 80:11,18	40:16 44:5 71:18	54:1,9 55:11	22:20 38:18 52:16	confidence 47:8
80:22 81:8,21	84:11 88:22	64:21 65:5,21	54:17,17 55:4	49:6,7
82:3,9,15 84:2	Christel's 14:6	66:15 70:4 71:2	57:3 58:1 60:6	confidential 15:17
86:11,18 87:19	circumstance 68:19	72:4 81:6 84:17	62:1 63:11 64:4,8	47:3,6,10,14,18
89:7 90:1,6,11,18	circumstances	85:21 91:13 92:8	64:17 65:11 68:13	47:22
91:4,14,17 92:3,5	19:21 24:7 25:4	92:11	70:16 75:2	confidentiality
cell 76:14,15	27:6 33:21 51:9	Colleen 1:18 6:4	commanding 36:17	20:6,7 24:7 48:22
certain 51:9 87:20	60:12 61:5	7:17 46:9,17	37:1	confused 48:16
certainly 10:4 69:3	civilian 6:15 7:4,4	49:20 51:8 53:1	comment 89:6,10	confusion 59:18
chain 36:20	11:22 70:5 87:15	54:12 56:2,3 63:3	commented 89:10	74:16 80:6
Chair 1:12,15 2:6	87:16 88:18 89:17	63:19 67:15 68:5	comments 12:12	Congress 38:11
4:4 7:19 8:2 11:7	civilians 10:6,22	69:2,6	87:5	39:3 85:3,16,22
12:2 14:5,15	11:20 87:20,21	Colleen's 59:2	commits 43:1	conjunction 70:15
15:10 22:14 30:14	88:6,8	Colonel 5:16 8:8	communicate	connect 74:8 81:10
30:22 31:7,15	clarification 9:1	12:22 20:10,18	28:12	consensus 55:21
32:19 38:8 39:1	46:22 63:12 65:9	23:2 36:10 37:7	communicated	consent 15:18
39:13 40:3,16	65:12 68:10	40:6 41:1,14	26:15	consistent 84:7,10
43:14 46:6,16,21	clarified 63:13	44:16 47:15 48:13	communication	86:7,9 88:12,18

88:19
constantly 13:14
consultation 27:13
consulted 30:11
contact 27:16 75:8
content 61:11
contents 15:5
continue 4:5 84:14
contours 30:9
contract 81:13
control 24:8,12,13
 24:14
conversation 49:21
converts 15:18
cops 18:2,9
core 88:19
correct 21:8 22:11
 22:19 23:21 40:18
 40:19 56:14 66:2
 70:6,6
correctly 53:2
counsel 9:9
counseling 66:19
 77:8
counselors 11:18
 65:18
counterparts 87:15
 87:17
couple 10:1,2 42:1
 77:22
Court 25:22
cracks 76:2,4
create 26:6 34:12
created 29:16
creates 19:18 27:1
 34:2
creating 34:13
creative 69:1,5
creatively 68:14,16
credibility 23:8
 61:18,19
credible 50:8 57:12
 57:16 62:17
CRIMES 1:3
criminal 23:6 37:3
crisis 74:7 77:7

cross 80:10
culprit 28:20
current 21:5 47:17
 48:15 60:2,9 86:2
currently 20:12
 35:15 51:12 52:21
 54:19 75:1
cycle 34:14

D

D 5:6
data 12:8 18:19
database 10:11
date 3:11
Daylight 1:12
days 29:4 44:14
 84:21
deal 21:15
Dean 1:18,19 7:21
 14:7,17 17:21
 38:16 42:9 67:5
 67:14
decide 29:18,19
 87:9
deciding 29:17
decline 31:3,10
dedicated 80:8
Defense 1:1 12:20
 16:5 17:13 19:19
 25:9 50:6 70:14
 80:9 84:20 85:2
defer 29:22 63:3
deference 58:14,21
define 57:12
defines 57:15
definitely 35:4
 61:12
definition 42:21
degree 25:3 51:19
 77:9
deliberately 19:4
deliberation 86:22
deliberations 88:16
dental 56:21
Department 1:1
 80:9

departments 70:12
deploy 68:14 88:13
deployable 11:5,6
described 54:14
describing 48:7
Designated 1:21
 2:4
despite 20:6
details 69:12 70:1
determine 16:1
 17:14 25:10 62:15
 63:1 89:16
determining 23:8
 48:1,5
develop 16:6
devil's 64:15
DFO 92:15
diagram 3:3
dictate 30:8
dictating 28:22
difference 5:9
 11:11,16 40:15
 41:3
differences 10:20
different 9:17,20
 10:4,11,18 11:1
 13:3,5 57:14
 63:21 77:22 78:10
 89:11,13,13
differential 41:17
difficult 57:21 78:6
 83:13
direct 12:20,21
 13:5,12,13 16:5
 17:14,19 50:6
 70:15
directed 72:11
 84:18
directing 16:11
 77:12
direction 13:16
 21:14 32:12
directive 20:4
directly 40:7
Director 1:21
disciplinary 20:14

disclosure 16:9,16
 17:9 18:4 20:13
 20:15 22:7 24:4
disclosures 15:16
 17:5 19:2
discuss 6:9 48:21
 79:4
discussed 87:14
discussing 4:14
 71:4
discussion 79:12
 91:9
discussions 79:2,7
 79:8 82:1
document 3:9 5:13
 84:19
DoD 6:13 7:2 14:21
 16:5 43:2 60:2,10
 71:20 72:8 74:4,6
 74:15,21 75:9
 77:10 78:2 79:17
 79:19 80:4,18
 84:5
doing 14:13 16:10
 34:8 51:19 52:7
 61:20 74:12
domestic 10:9,10
door 65:3,5
draft 3:11 8:10
 13:2 48:14
draw 52:17
drink 33:13 34:5
drinks 33:1
drop 54:7
DTF 4:9 13:4 14:18
 40:7 42:4,11
due 85:2

E

E 80:21
e-mail 91:18
earlier 42:13 44:14
earnestness 63:11
ease 8:8,9
easily 78:17
Eastern 1:12

easy 72:15
easy-to-remember
 78:15
education 11:4
effect 52:21
eight 44:14 81:16
 82:12,13 84:2
either 8:20 18:18
 19:4,6 35:8 46:2
eligible 57:17
eliminate 12:16
 55:22 56:2 58:22
 61:15 62:9
ELIZABETH 1:17
emerge 75:17
emergency 75:20
employees 88:18
enact 38:14
enacting 36:15
enforcement 20:16
 21:9,16 26:16
 28:14,22 37:21
 39:9 46:12
engage 56:9 59:11
 59:13,14 64:1,5
 70:17
ensure 19:20 20:5
entities 13:5
entity 13:17 20:20
entrance 40:11
 42:3,7
entry 41:17,20
essentially 7:11
 17:2
establish 35:18
 74:5 78:15
established 71:21
evaluate 12:9 15:21
 16:11 17:3
evaluating 84:5
 85:22
evaluation 84:6,15
 84:19 85:3,16
evaluations 84:4,9
 85:11,20,20
event 16:8

everybody 14:15
20:11 25:1 32:2
55:11,13 69:5
70:22 83:16 91:8
91:19
Evidently 85:11
evolving 13:2
exact 25:4
exactly 25:17 31:17
65:8 69:19 89:18
examine 19:19
example 6:8 9:19
33:11,12 53:10
exceptions 36:16
exists 51:17 52:15
61:22 63:2
expedited 50:8
56:10 59:11 62:16
63:18 64:2 65:2
70:18
experience 50:1
expertise 63:3
explain 51:5 81:2
explanations 6:13
explicitly 60:10
expressed 2:16
extend 50:7 62:16
extensive 5:8
extent 15:21 17:4
19:17,21 20:4
34:17,22 35:12

F

facility 73:19,20
fact 24:3
facts 18:18
faith 69:7
fall 4:22
falling 76:1,3
falls 69:4
families 10:8
family 9:12,15 10:7
10:20 11:12,16,19
46:18 49:7 88:10
FAP 67:3
far 81:22 82:9

86:19 87:19
fear 69:4
Federal 1:21 2:4
feel 69:10
feels 33:5
felt 62:4
Fernandez 1:12,15
2:6,7 4:4 7:19 8:2
11:7 12:2 14:5,15
15:10 22:14 30:14
30:22 31:7,15
32:19 38:8 39:1
39:13 40:3,16
43:14 46:6,16,21
49:16 51:6 55:6
55:19 58:13,17
62:6 63:9,16 66:7
68:3,9,22 70:7,22
71:16 80:16,20
81:1,14 82:2,8,12
82:21 83:4,10,15
83:22 85:18 86:6
86:16 87:11 88:2
88:9 89:4 90:4,10
90:15 91:3,6,16
91:21 92:6,10,13
92:16
fewer 10:21
figure 32:10,20
49:9,10
file 32:21 47:4,11
48:3 59:15 63:19
filed 62:12 64:22
files 56:13
filling 62:2
final 8:12 9:11 85:8
find 6:11 22:22
23:4 26:11 28:19
33:7 69:12 75:9
75:10 78:6
finding 29:2 39:4
55:20 63:17 80:12
80:14
findings 2:13 6:12
8:5,18 12:4 14:19
15:11

finds 23:12 69:9
fine 12:17 24:20
35:13 45:9,10
87:12
finish 71:15
finished 92:2
first 5:19 15:20
17:2 18:21 27:17
28:2,16,18 29:1
30:11,12 31:21
33:7,22 45:2
78:21 80:14 87:2
five 49:17 91:5
flag 50:15
flexibility 51:10
folks 12:2 18:5 64:7
72:17 77:12 81:14
82:17 90:19
followed 6:14
following 14:11,12
14:13,22 50:8
62:17
foolproof 30:5
35:20
footnote 81:4
Force 78:4,5,6
87:21
Forces 36:20
foregoing 55:16
92:18
form 40:9
formal 79:8
forms 84:6
Fort 74:13
forth 6:3
forthcoming 85:20
forward 3:18 27:19
31:12,14 33:6
67:6,9 81:20,22
82:10 90:21
found 10:18 27:7
28:7,9
four 44:10 45:21
83:1 91:5
frame 2:8
framework 4:11

frankly 24:20
friend 46:18 49:6
front 7:7 8:17 15:7
39:20 44:2 59:19
full 8:17 12:8 34:16
full-time 10:5
fullest 19:21 34:22
35:11
fundamental 4:19
11:10,15
funny 14:8

G

Gardner 54:4
GARVIN 1:16 69:3
gathering 12:9
General 52:13 53:6
61:9 66:2
generate 67:12
getting 38:18 57:11
58:11 61:3
give 2:8,10 9:19
14:21 58:14,20
69:22 70:9,9 73:8
87:4
given 54:4 88:20
gives 4:11 73:19
giving 9:14
go 3:18 4:17 14:5
28:19 30:17,19,21
30:22 31:9,13
32:5 33:6 35:16
36:1 39:15,16
46:7 55:19 57:3
59:19 63:8,20
66:8 67:18 69:10
71:17 74:13 75:19
75:21 76:11 83:5
83:5,17,17 90:20
90:21
God 26:12
goes 9:5 27:12,14
27:19 37:18
going 6:9 7:7 9:8
11:12 12:3 24:18
25:19 30:5,6,7

34:1 35:14 37:14
37:15,17 38:9,15
43:18,18 46:1
50:10,17,18 51:4
54:15 55:9,12
57:14 64:15 67:7
67:12 69:10,12,14
74:16,19 83:2,8
83:11 84:13 85:1
85:6 86:3 90:5
92:1
good 25:22 46:6,22
49:16 54:16,17
78:18 84:12,15
86:17
gotten 28:18
great 6:19
ground 29:20
group 11:4
Guard 88:7
guess 13:5 47:16
62:22 68:9 75:22
77:11 86:6
guidelines 78:14
guys 16:20 92:7

H

Ham 1:21 8:7,8,12
12:22 13:1 14:3
15:3,3 20:10,10
20:19,20 21:3,9
21:13 23:2,3
30:19 31:3,13
36:10,10 37:7
40:6,6 41:1,1,8,14
41:22 44:16,17
47:15,16 48:12,13
49:3,13 51:22,22
54:1,9 55:11
64:21 65:5,21,22
66:15 70:4 71:2,2
72:4,4 81:6 84:17
84:17 85:21 91:13
92:8,11
Ham's 5:16
hand-off 81:2

handled 10:12
handles 10:7
hands 18:5 24:8,14 37:19
happen 16:14
 23:21 26:13 34:4
 35:20 38:15 41:20
 42:22
happened 27:6
 44:6
happening 26:12
 43:12
happens 15:22
 16:12 17:6 21:16
 40:18 46:15
hard 7:2 18:18,19
 48:14 51:4,21
 82:19
havoc 58:20
health 53:20 56:18
 56:21,21 66:17,17
 68:2 71:8
hear 35:4,5 52:2
 72:5
heard 15:15,16
 34:11 42:2 64:21
 65:8 76:12,17,17
 79:4
hearing 55:7
heaven's 27:15
help 7:13 20:22
 74:6 75:10 77:15
 80:17
helpful 5:12 73:17
helpline 43:3 71:21
 72:6,9,13 73:2
 74:2,3,22 75:4,9
 77:2 78:2,14
 79:17,19 80:9,13
 80:13,15,18
Hey 44:22 82:22
hi 2:6 11:7,8,11
history 2:17,22 4:7
 4:14 5:22
hold 29:5,6 30:14
 55:11,13 70:13

holding 57:7
Holtzman 1:17 3:7
 3:8,12,15,20,22
 4:3 18:20,21
 19:10 20:18,21
 21:1,8,11,14
 25:20 26:3,4
 27:10,21 28:3,5
 29:10,14 31:18
 33:10 36:6,9
 37:11,12 39:6
 44:11,12,21 45:19
 47:1,20 48:18
 49:4,14 53:6,7,15
 54:21 60:14,15,21
 61:7 62:3 64:11
 64:12 65:3,7
 69:11 70:6 71:11
 71:13 81:4 91:22
 92:1,4

homepage 74:14,15

HONORABLE

1:17,17
Hood 74:13
hoping 2:7
host 67:1
hotline 74:12,14,15
 77:5,13 78:9
 79:16 80:4,5
hours 72:3
huge 26:6,10 51:1

I

idea 86:17
ideas 2:15
identifies 44:3
identifying 50:14
 57:17
immediate 76:4
immediately 36:22
 50:13
implement 16:1
 17:14 21:20 24:19
 30:2 32:11 51:5
 51:21 57:21
implementation

12:8 57:13
implemented 42:6
implication 32:13
 64:4
important 68:4
impressed 68:6
improper 16:8 17:4
 19:4,15 20:13,15
 24:5 26:18 32:4
 36:5
improperly 25:14
improve 12:16
impulse 35:5
inaccurate 49:15
inadvertent 16:8
 16:16 17:4,9 18:3
 19:2,3,14 20:12
 20:15 22:15 24:4
 36:4
inadvertent/impr...
 22:7
inadvertently 19:5
 25:14
inappropriate
 16:16
incident 46:1,3,4
include 36:15 42:21
 84:12,16 87:6,7
 89:14
included 87:17
includes 14:13
including 71:8
incorporate 11:17
incorrect 52:5
indicated 63:20
indicia 34:7
individual 50:14
 54:18 56:19 57:2
 57:4,18 58:5,9
 67:22 73:6
individuals 58:11
 88:19
inexorably 17:10
inform 35:6
information 13:1
 15:17 18:1,18

19:7 25:13 26:19
 33:12,13 37:16
 38:19 40:21 41:6
 41:10,19 42:3,6
 42:13,19,20 43:2
 43:5,8 72:20 75:8
 86:1
informed 66:13
inherent 66:3 70:17
inherently 67:7
initial 41:17,19
 51:6 84:18 85:10
initiate 23:1 32:14
innovative 68:5
 69:1,6
inserted 9:8 13:21
installation 73:7
 74:2,9,17,20
 75:10 76:15
installations 57:14
 73:8,11,13 74:11
 75:7 77:21 78:1
 79:20
instance 30:6
instances 16:12
 27:6 30:7 55:3
 58:8
intending 74:5
intent 74:21
interest 68:18
interested 79:15
interesting 78:19
interpret 43:9
interpretation
 67:13
interruption 52:3
introduce 4:16
invested 77:10
investigate 38:2,21
investigating 37:4
investigation 23:1
 23:9 26:9 29:6
 31:4,11 32:15
 38:4
investigative 23:7
 33:15 37:3

investigator 27:16
investigators 27:15
 37:20
involved 69:16
involving 36:19
issue 21:15 27:4
 28:4,5,6 36:7 61:1
 61:13 71:3 77:3
 88:10 89:20
issues 10:1,3

J

J 1:18
job 11:1 51:2
jobs 89:13,13
join 7:20
joined 7:22 52:1,4
joining 54:1
Judge 5:11 6:1 8:4
 8:11 12:18 13:19
 39:21 40:13,19
 41:5 45:22 71:18
 72:5,12 84:11
 88:21 89:5
Julie 1:22 2:7 4:4
 6:19 11:13 40:3
 45:6 88:5
jurisdiction 7:5
jurisdictions 7:4
Justice 22:21
justify 7:1 50:10

K

keep 57:3 82:4
 83:11
kind 2:17 4:21 6:15
 6:16 7:2 10:4
 50:3 62:1 74:7
 84:15 86:20,21
 87:3 89:9
kinds 30:1 66:22
KING 1:22 2:20
 3:18 4:2 5:14
 7:13 9:1,22 22:12
 42:15 45:6,17,21
 46:5 72:22 74:4
 75:18 76:3,10,12

79:1,18 80:11,18 80:22 81:8,21 82:3,9,15 84:2 86:11,18 87:19 89:7 90:1,6,11,18 91:4,14,17 92:3,5 knew 58:9 know 2:20 3:13,16 5:18 6:7,8,9,9,12 6:15 10:16 14:9 16:10 20:8,8 21:17,20,21 23:17 23:18 24:20,22 25:7,9 26:12 28:7 29:21 30:11 34:2 35:12 36:4 37:15 38:14 40:1,9,21 43:21 47:6,12 48:9 49:6,8,9 50:2 50:13,16 51:10,14 53:12,19,20 56:18 56:20 57:18 60:16 61:8,14,17 62:13 63:14 64:13,17 65:10,17,22 66:18 66:19,20,21,21 68:7 69:8,13,14 69:17 74:18 79:3 79:11 85:5,12,21 86:2,4 87:4 88:9 91:7 knows 26:13 33:5 67:17,18 71:4	46:12 lay 5:17 laying 9:14 lead 17:10 leader 68:5 leaked 18:6,6,11 leave 32:9,12 46:11 50:12,15,17,20,21 51:17 54:18 62:7 leaving 45:3 legal 42:10 legislation 36:15 legitimacy 33:17 legitimate 53:9 let's 14:5 33:3,10 33:11 39:4,18 46:7 49:19 55:19 60:1,2 71:12,17 82:13 83:6 levity 52:10 lift 69:3 line 55:13 73:5 74:6 77:15 80:17 lines 73:12,14 79:21 link 78:3 Lisa 1:19 7:21 8:3 14:7 17:21 38:16 list 3:4 14:19,21 45:7 57:15 90:20 listen 38:5 lists 14:12 little 2:10 24:11,13 25:20 26:4 52:10 52:20 72:19 77:14 89:9,12,22 lived 65:3,5 Liz 3:7 18:20 21:1 26:3 28:4 31:15 35:13 37:12 44:11 53:7,21 60:15 64:11 71:13 91:22 Liz's 35:5 54:13 local 72:6,6,8 73:7 73:8,19,20 74:9 74:17 75:14,15	77:2,15 78:7 79:20 81:10,11 logically 33:8 logistics 39:5 long 10:2 24:17 87:3 look 13:1,4 39:18 91:19 looking 16:20 29:7 36:12 61:18 82:9 looks 9:5 24:2 30:10 55:20 62:1 78:20 loophole 26:6,10 29:14,15 31:16 lost 79:11 lot 2:9 6:20 16:10 55:7 76:16 77:10 Louis 54:4	12:18 13:19 39:21 40:13,19 41:5 45:22 71:18 72:5 72:12 84:11 88:21 89:5 Master's 77:8 material 2:9 42:17 matter 29:3,4 33:20 35:3 37:19 55:16 92:18 matters 39:5 maximum 20:4 McGUIRE 1:18 6:4 7:16 16:17 17:1,17 46:9,20 49:20 51:12 52:13 53:3,6,14,21 54:12 55:2 56:1,8 56:11,14,17 58:16 59:8,20 60:4,13 60:19 61:9,17 62:4,13 63:8 64:10,19 66:2 67:19 68:7,21 69:7 80:3 81:12 89:21 90:19 mean 13:7 14:9 18:8,17 19:22 20:2 21:22 22:17 23:11 26:6 28:21 31:10 33:4,7 34:12,18 36:6 37:12 38:13 41:12 43:15 47:5 48:2 49:1 51:18 57:21 61:10,14,16 64:14 66:16 67:19 69:21 77:4 83:8 86:7 87:19 90:16 means 40:2,21 48:3 57:6 meant 6:2 mechanics 32:20 mechanism 17:7 22:9 23:20 30:3 35:15,22 63:6	mechanisms 67:11 medical 33:14 53:11,12,20 56:21 67:2 meeting 2:5 52:1,7 54:2,2 57:1 83:1 90:3,3,5 91:10,18 92:15,16 meetings 2:15 MEG 1:16 member 36:19 46:18 49:7 members 14:4 71:7 79:4 91:2 mental 53:20 56:21 66:17 68:1 71:8 mention 85:19 86:12 mentioned 86:22 91:15 MEP 43:5,8 message 91:1 Michelle 1:18 11:7 15:14 16:17 19:8 19:12 24:2 27:4 32:1 35:4 37:8 41:15 44:1 45:11 56:4 59:5 62:20 70:8 72:18 75:13 82:18,21 Michelle's 21:2 micromanage 29:13 military 4:15 6:13 22:21 23:6 26:17 27:15 33:15 37:2 37:20 40:11 42:3 42:7 43:1 46:12 56:6 64:9 68:16 69:18 70:12 73:11 74:1 88:3 89:17 89:18 minor 18:1 43:22 minute 26:20 55:12 55:14 minutes 29:3 39:14	
<hr/> L <hr/> Lackland 42:2 laid 5:4,12 language 25:17 35:13 40:5,7 42:17 49:10 71:1 71:6 81:13 late 11:9 Laughter 33:2 52:9 law 20:16 21:9,16 23:11 26:15 28:14 28:22 37:20 39:9					
		<hr/> M <hr/> ma'am 3:19 7:15 8:7 12:22 14:3 21:13 30:19 44:16 47:15 48:12 49:3 49:13 magic 92:12 Mai 1:12,15 2:6 7:19 22:14 30:15 51:7 52:18 63:9 Mai's 35:5 65:8 mail 76:19 main 82:5 making 34:16 40:10,21 41:18 79:22 86:14 90:13 manage 83:14 managers 11:3 mandate 17:9 51:20 mandating 53:4 mankind 69:8 manned 72:1,2 March 64:20 72:7 Marquardt 1:17 5:11 6:1 8:4,11			

76:20 83:2
mirrored 15:1
misconduct 22:22
miscounted 9:2
missed 82:15
missing 7:17
mistake 24:5 32:16
 34:6 36:3
mistaken 24:5
money 84:13,14
monitored 74:18
months 52:8 61:20
moot 39:11
move 15:11 39:4
 43:17 49:19 56:1
 58:4 66:10,13
 69:20 71:6 81:20
 81:22
moved 66:5,6
MP 46:15,19
myriad 71:7

N

National 84:20
nature 36:2 70:18
Navy 78:1 87:22
NDAA 4:9 5:21 6:5
 6:11 23:4 24:18
 25:2,10 36:11
 45:7 85:21 86:12
nearly 5:8
necessarily 55:8
 61:16 70:2 78:19
 79:17
necessary 17:18
need 7:6 12:7 13:8
 23:18 29:13 35:9
 35:11 36:14 37:9
 38:6 44:13 54:21
 57:9 58:20,22
 59:2 63:12 66:15
 66:21 69:20 75:7
 80:11 82:18 84:14
 89:21 90:15,17,19
 90:21 92:11
needed 38:9

needs 12:15 19:19
 23:20 25:2,10
 33:6 50:11,12,14
 51:16 57:2 60:17
 63:13 66:13 67:18
never 56:5
new 34:13
note 85:13
noted 89:2
noticed 10:3 88:21
 88:22
number 15:12
 19:12 27:5 39:4,7
 39:10,19 40:1
 43:17,19 44:15
 46:7,8,10 54:4,6
 55:20 72:14,16,20
 73:2,5,12,19,22
 74:6,22 75:3,4
 76:7,8,13,14 78:1
 78:6,7,15,18
 80:14 81:15 82:4
 82:5,12,13 88:18
 89:7

numbers 72:20
 73:9,22
numeral 2:18

O

objective 44:13
obligation 28:11
observations 6:18
obviously 24:13
occasionally 17:7
occurs 18:15
offender 42:22
offense 36:19 37:5
office 29:22 75:14
 75:15
officer 36:18,21
 37:1 56:6
offices 68:13
official 1:21 2:4
 26:17
Oh 3:12 4:2 25:18
 39:6 82:15 83:7

92:11,13
okay 2:13 3:15 4:2
 4:6 8:2,11 14:15
 15:10 17:1,21
 19:10 22:13 26:2
 31:7,15 39:1,12
 39:13 43:18 44:21
 46:5 47:20 48:18
 54:11 57:6 60:13
 60:21 62:3 64:10
 66:8,8 68:21 70:7
 70:11,22 71:16
 77:1 78:22 80:20
 81:15 82:3 83:12
 86:18,18 90:6,11
 90:18 91:3,6,16
 91:17,21,22 92:3
 92:5,6,8
older 9:16
once 10:14 18:6,11
 43:18 67:17 69:9
one-for-one 7:8
ones 87:7 90:21
open 2:5 26:10
 32:10
operate 12:1
operates 80:3
opportunity 47:8
 47:11
opposed 65:10
option 50:7 51:17
 52:14 57:22 62:7
 62:8,9,16 64:9
 71:15
options 62:7
order 24:19 38:14
organization 9:17
 37:3 56:19
organizations 23:7
organized 10:4
other's 87:9
ought 19:19 20:4
outreach 11:4
outside 52:21
overall 8:15 15:4
overview 4:21

P

P-R-O-C-E-E-D-...
 2:1
p.m 1:12 2:2 55:17
 55:18 92:19
page 2:19 16:21
 89:1
pages 6:3
Panel 1:3 85:8
paper 79:11
part 4:19 7:17 9:10
 11:19,21 39:9
 53:16 87:20
participant 52:4
 54:3,11
participate 31:4,11
particular 49:22
 50:2,14 58:10
particularly 34:3
parties 38:20 54:7
pass 26:12 39:2
 41:19
passed 84:22
PATRICIA 1:21
Patty 22:19
people 5:18 10:22
 55:8 62:11 64:13
 65:18 68:17 88:12
 90:16 91:7,11,20
percentage 54:16
perfect 35:14
perfectly 34:21
periodic 84:9
permanent 64:1
permit 54:18 63:18
permits 16:2,6
person 20:17 28:15
 33:14,15,16 34:8
 37:14 47:7 48:2,3
 50:11 51:16 53:11
 54:1 81:3
Personally 32:15
personnel 26:18
 28:22 37:21 66:5
perspective 24:3
persuasion 58:10

phone 39:14 73:9
 73:12,14 74:6
 75:3 76:6,14,22
 91:20
phrased 31:19,20
phrasing 70:8
physical 71:8
pick 76:21
place 18:8 52:22
 69:17,18,19
places 43:7,13
 76:14
plan 8:15
play 64:15
players 6:21
please 52:1 54:9
point 14:18 21:1,2
 25:6 28:11 30:9
 37:7 41:2,15
 44:13 54:14 60:15
 65:8 66:13 79:3
 84:7
pointed 36:11
points 42:1 53:9
police 46:13
policies 18:8 30:2
 48:19
policy 5:4,20 16:2,6
 16:13 17:8,12,15
 17:20 18:15 19:13
 20:11 21:5,21
 22:15 30:10 32:11
 35:6 43:6 47:17
 48:15 49:1 56:16
 56:18 60:3,5,10
 63:17,22 74:4,21
 76:19,21
policymakers
 29:22
population 57:19
position 30:2
positions 89:17
possible 19:21 20:5
 35:12 43:11
post 40:2 44:3,3,6
 78:2

posted 41:7 42:7	11:21 42:19 78:8	77:4,13 79:16,19	63:4 67:4,12	47:9,10 49:7
poster 40:9 41:11	84:14	80:3 81:13	71:17,19 72:10	remains 30:4
posting 40:22	programs 6:14,21	raised 53:8	75:1,6,7 79:14	remember 15:16
postpone 83:9	7:3,3,5	raises 71:3	81:15 84:9 85:13	31:19 72:15
potential 51:1,20	prohibit 73:13	RCM 23:10	86:5 90:8,9,14,22	remembered 78:17
53:4 57:7,10	proposed 90:9	reaction 32:17 51:7	recommendations	remembers 42:9
power 64:17	proposing 29:18	read 7:10 44:5	2:14 4:13 6:11	REP 3:7,12,15,20
practical 48:8	protecting 34:22	48:10 87:9	8:6,16,18 12:3,5	3:22 4:3 18:20
practically 37:13	provide 41:9 51:9	reading 3:9 40:17	13:15 14:19,22	19:10 20:18,21
precise 30:9	60:10 75:2,3,8	48:9	15:1,6,12,20	21:8,11,14 25:20
preclude 47:7 49:8	provided 42:18	real 43:16	16:19 35:10 39:16	26:3 27:10,21
51:13	43:5,8	realistic 29:21	43:10 56:20 78:13	28:3 29:10,14
predecessor 9:16	provisions 4:9	really 4:12,18 6:22	81:16 82:10 86:14	31:18 33:10 36:6
prefer 83:16	public 19:6	9:16 12:15 44:12	86:19 89:8,11	36:9 37:11 39:6
PRESENT 1:14,20	publish 72:19	52:20 61:10 62:21	91:11	44:11,21 45:19
preserved 20:7	pull 14:20	65:9 73:16 78:11	recommending	47:1,20 48:18
presiding 1:12	punishing 20:22	82:11	13:18 41:3 86:10	49:4,14 53:6,15
pretty 23:11 39:19	push 31:13	rearrange 5:15	record 55:17,18	54:21 60:14,21
43:15 45:12,15	pushes 31:11	reason 23:2 33:16	92:19	61:7 62:3 64:11
55:21 77:4	put 2:21 5:20 6:2	50:13,19 51:14	recruits 42:2	65:3,7 69:11 70:6
prevent 49:9	7:14 8:5,13,13,19	59:6 66:16 69:20	rectified 37:18	71:11 81:4 91:22
prevention 40:2,12	9:11,18 13:12	reasons 66:5,6 67:2	red 50:15	92:4
primary 10:20	15:4,8 23:18	71:8	refer 81:6,9	report 3:4,11 4:10
prior 79:12	34:19,20 55:9	receipt 36:21,22	reference 6:6	4:16 6:8 8:6,12,17
privacy 19:20	57:5 59:1 79:5,6	receives 36:18	referenced 6:10	8:20,21 9:11 13:4
probably 3:2 34:21	79:10 86:11,21	reception 76:15	referral 37:2 81:3	13:7 14:2,10,18
37:11,12,13,17,17	puts 27:22	recommend 6:5	referred 21:16 26:8	15:2,9,18,19
68:1	putting 2:11 33:3	14:8,11,12 34:15	refers 66:1	16:14 17:10 19:5
problem 18:14 25:8	39:16 40:9,14	34:16 90:17	refine 13:15	19:15 22:8,9 23:6
25:21 26:4 27:1,5	41:11	recommendation	refusing 55:4	23:14 24:15 25:4
27:12 29:2,11	Q	10:17 12:19 13:10	regard 47:1	25:11,15 26:22
34:13 44:9 53:16	qualify 10:10	13:11,16 14:6	regulations 73:1,10	27:20 28:10 31:5
60:9 61:7 71:10	question 3:8 30:16	15:11 16:4,20,21	rehab 58:7 60:6,11	31:6 32:3,21 36:3
73:18,21 79:14	32:8 33:17 45:1	17:19,22 21:18	rehabilitation	36:18,22 37:2
problems 19:18	53:7 68:11 73:16	24:21 35:10 36:14	59:21 61:2,4 63:5	46:4 47:5,12 48:4
43:16 61:3 76:16	75:14 76:1	37:9 38:14 39:7	65:20	50:8 56:13,22
78:16	quick 30:15 45:1	39:10,12,18 40:1	rehabilitative	57:16 61:18 62:2
procedure 24:6	89:1	40:8 41:9,16,18	62:10	62:12,17 64:2,3
proceedings 55:15	quickly 54:13	42:5 43:15,17,18	relate 39:8	64:22 65:1,13,14
process 29:6	quite 81:18	43:21 45:1,13,20	related 79:8	68:20 70:3,19,20
processing 40:11	quo 41:21	46:7,8,10 47:2	relates 39:8	71:5 85:3,9,16,22
42:4,8	quorum 83:3,8	49:22 50:2 51:4	relationship 79:16	88:22
program 2:18 3:1	R	52:15,19 53:12	releases 21:6	reported 10:11
4:7,19 5:1 9:13,15	RAINN 72:20 73:3	57:2,6 59:10	remain 16:3,7,15	Reporter 26:1
9:20 10:1,21 11:2	73:12,18,22 77:3	60:16 61:21 62:5	20:17 21:19 22:9	reporting 4:16
11:11,13,16,18,19		62:15,20,21,22	23:17 25:15 47:3	32:15 33:22 34:9

34:13 45:4	57:16 59:12 62:11	SAPR 3:1 4:7,19	9:3,6,6,7,7,13	sexually 46:13
reports 13:3 16:2,7	62:12 63:6,19	10:13 11:21 42:19	36:13 45:20	58:19
19:3 28:19 36:1	64:3,14,22 65:14	SAPRO 9:16,18	sections 5:20 6:2	shakes 29:13
44:18,20,20 46:2	70:20 71:5	16:5 17:3,14	13:20	SHARP 74:14 78:8
46:3 59:12,16	restriction 56:13	29:22 33:14 50:7	see 3:5 6:12,22 7:8	Sherry 1:22 42:15
60:12 62:11 63:19	result 66:18	51:15 53:11 68:13	9:8 18:7,16 50:22	73:16 81:19 82:13
64:14 85:1,7	Ret 1:18	70:15 75:14,15	60:22 69:4 87:12	82:22 87:13 90:16
86:21	reversed 20:3	SARC 5:8,10,17	87:17	shot 70:10
request 50:7 51:3	revert 18:7	64:7 65:17 66:9	seeing 18:17	show 86:13
62:16 65:2,18	review 8:8,10	67:6,22 69:15,21	seeking 52:14	shows 5:9
66:4	reviewed 77:18	72:6 73:6 74:8	66:19	sign 82:18
requests 53:10	rewritten 12:15	75:11,15 81:10,11	send 87:8 90:22	Simultaneous
require 26:7 45:5	rid 16:18	SARCs 4:17,20	91:8,17	30:13 55:5
46:1 76:21	right 5:9 7:12 8:16	9:19 74:10 84:5	senior 42:11	single 35:21
required 22:19,20	11:14 13:17 15:6	87:16 88:3,6,11	sense 8:5 13:18	site 48:16
23:4 32:13 37:1	17:16 20:21 21:11	88:17 89:2	46:16 58:4 72:11	situation 48:7
40:9 41:4,6,13	21:12,12 24:16	saw 42:2 48:16	88:2	six 49:19 52:8
46:3 74:10 75:18	25:5 27:10,11	saying 7:1 16:18	sent 3:13,21	55:20 61:20 67:12
75:20 84:20	36:15 37:6 45:10	21:4 22:4,10	sentence 12:14	skipped 82:13
requirement 38:22	46:22 53:14 57:13	23:15,22 24:17,18	39:22	slippage 77:14
44:17	61:6,15 65:7,7,7,9	25:2,8 28:8,13	separate 11:3 79:21	slots 90:12
requirements 4:12	65:15 71:13 76:10	33:20 35:21 46:19	80:4	small 12:9
86:12	77:1,6,20 78:21	48:19 54:22 60:9	separately 9:10	smaller 10:21
requires 18:12,13	83:19 86:2 89:4	63:12 67:15 85:19	series 7:2	smart 69:21,22
36:12 46:4 85:22	91:5,14 92:2	says 12:19 14:11,22	service 71:7 77:10	solve 44:8 53:15
requiring 18:9	Roman 2:18	17:2 23:17 36:17	78:10	somebody 7:20
research 18:13	room 46:11	41:18 45:4 62:14	services 1:4 3:10	31:19 34:5 43:16
resonate 59:22	roommate 32:22	62:14 64:1 73:10	17:3 45:3 66:1	58:18 67:9
responder 75:9	46:18 49:6	81:5,9	70:15 71:22 72:14	somewhat 79:15
responders 75:5	roommates 38:19	scenario 33:4 54:14	79:9 84:10 86:10	82:4
response 1:3 12:13	route 63:21	Schenck 1:19 7:21	87:15 88:7,11	sorry 4:3 7:22 8:9
49:18 85:8	rules 36:4	14:7,17 17:21	sessions 87:1	11:9 21:13 35:4
responsibilities	run 71:10	38:16 42:9	set 5:3 64:7	43:20 44:1 48:13
4:18 5:3,7,19 89:3	runs 73:3	search 77:21	setting 74:12	52:1,10 68:8
responsibility 37:4		SecDef 14:9,13	seven 71:17 79:14	70:20 73:15 75:12
responsible 26:5		second 15:22 17:11	80:14 82:4	81:21 82:15
rest 15:9 81:22		30:15 39:9 71:19	sex-related 36:18	sort 3:2 22:4 75:16
restricted 4:16 16:2		79:2	sexual 1:3 4:14	88:11
16:3,6,7,14,15	safe 71:21 72:8	seconds 29:4	6:13,20 10:8,12	sorted 10:14
19:3,5,16 20:17	73:2 74:2,3 75:4	Secretaries 70:12	16:7 23:5,13	sorts 50:4
21:19 22:8,10,17	77:2 78:2,14	Secretary 12:20	25:12 40:2,12,18	sounds 14:8 48:5
23:18 24:15 25:15	79:17,19 80:9,12	16:5 17:13 19:18	42:21 44:6,7 50:9	speaking 30:13
30:4,17,18,20,21	80:13,15,17,18	21:19 25:9 50:6	50:18 58:3,8,10	49:22 55:5
31:1,6,10 32:6,21	sake 27:15	70:14 85:2	63:6 66:18 67:8	special 9:9
35:17 36:2 44:20	samples 13:4	section 4:15,17 5:1	69:15,17 70:19,21	specific 41:10
47:4,11 48:4	SAMS 4:9 13:4	5:2,6 8:15,20,21	74:7	42:18 43:4,11
	14:18 40:8 42:4			
	42:11			
	S			

68:15 80:5 90:13 specifically 13:2 23:3 62:10 80:10 specifics 66:22 spend 17:6 spot 88:20 Sprance 1:21 2:3,3 92:14,14 spread 15:2 sprinkled 15:7 staff 1:21 11:3 71:14 77:7,17 80:8 staffed 73:20 74:19 staffer 67:3,22 start 2:17 4:6,13 12:3,4 28:16 48:19 49:21 state 62:10 statements 47:9 49:5 states 1:1 47:18 station 43:5 stations 40:11 42:4 42:8 status 41:20 statute 36:17 statutory 38:7,9,11 38:22 step 29:1 steps 17:18 20:5 21:20 straightforward 45:12,16 strict 38:21 structure 9:17 15:4 structures 11:1 study 60:17 61:13 62:8,14,18 studying 61:8 subcommittee 1:4 1:11 2:5,16 14:4 79:4 91:1 subjects 41:10 sudden 22:16 sufficient 28:19	78:16 suggest 43:22 44:2 72:12 suggested 31:20 suggestion 32:1 71:12 81:19 suggestions 5:16 summarize 4:8 Supervising 1:22 supervisor 77:9 support 11:3 45:13 64:8 74:8 supported 53:10 supposed 54:5 73:8 74:1 sure 3:9 13:15 17:5 22:5 27:1 52:16 55:9,12 56:4 60:4 71:20 80:1,15 82:6 83:12,13,15 89:18 Survey 89:1 suspect 51:18 53:17 suspects 53:17 SVCs 63:14 switched 12:11 symphony 52:7 systems 1:3 11:22 85:8	talking 21:6 27:14 31:1,16 34:3 52:18 technical 47:13 49:12 teleconference 1:11 52:5 tell 45:18 50:17 53:21,22 57:12 58:2 87:13 91:11 tells 38:3 temporary 64:1 tend 52:12 term 65:21 66:1 81:2 terms 6:6,10,10 27:19 61:3 terribly 83:13 testimony 18:22 19:1,7 27:5 64:12 64:16,18,19 76:18 77:16,17 Texas 76:17 79:3 thank 7:15 44:21 45:10 48:13 54:11 92:6,8 Thanks 8:2 82:21 92:4,10 theirs 86:15 thing 12:6 13:17 22:5 25:22 28:16 28:18 53:18 84:12 87:12 things 10:14,15,18 13:6 14:13,14 24:10 27:17 35:9 35:14 79:6 80:10 81:17 86:21 87:14 think 3:20,21 5:15 6:19 7:6,10,13 12:17 13:21,22 14:10,17 15:14 17:18,22 18:4,12 18:13 20:3 21:1 21:17 22:4,10 24:2,10 25:16	26:9,22 27:4,21 29:5,8,12 32:9,9 32:16 33:7 34:1,2 34:11 35:2,3,8,10 36:8 37:6,8 38:6,8 38:12 39:1,2 40:4 40:7,20 42:1 44:8 45:6,12 46:2,21 49:4,11 50:3 51:12 52:13,17,18 52:18 53:8 55:7 58:13,20,22 59:1 59:20 61:9,12 62:20,22 67:20 68:3,12,20 69:21 70:2,8 71:3 72:5 72:10,18,22 76:4 78:21 79:1,14 80:2,11 83:10 86:7,16 87:11 89:7,10,19,21 90:4,15,19,21,22 91:4 92:1,11 thinking 2:11,22 22:1 37:13 thorough 2:9 thought 10:15 12:6 12:10 31:7,8 39:19 71:20 84:12 84:15 88:15 91:9 thoughts 86:5 three 2:19 13:3 62:6 89:8 91:5 throwing 36:13 THURSDAY 1:8 tied 18:6 58:8 time 1:12 3:17 12:16 17:6 26:12 27:1 28:6 35:21 58:6 69:19 times 9:5 today 32:18 54:15 tool 60:5 61:22 toothpaste 34:19 totally 34:8,9,10 tour 88:12	training 5:2 84:5 85:4 86:1 transcripts 2:14 transfer 50:8,12 51:3 56:10 57:17 58:19 59:12,15,22 61:2 62:11,17 63:5,18 64:2,6 65:2,15,16,19 68:17 71:7 transferred 58:12 transfers 58:7 60:7 60:11 61:4 70:17 73:6 transmitted 37:16 treated 19:15 tried 89:10,19 trigger 70:2 troops 68:18 trouble 55:7 true 45:14 truly 68:4 try 24:11 54:13 59:5 70:9 90:7 91:10,12 trying 10:2 13:14 13:14 24:11 32:19 35:17,19,20 41:2 41:2 43:9,10 44:15 45:7 72:22 84:8 tubes 34:20 twice 43:18 two 17:1,17 73:21 80:10 typo 80:22
	T			U
table 8:17 15:5 51:18 take 18:9,10,10 21:20 24:8 29:1 33:10,11 54:17 58:15 59:3,6 69:18,18 71:5 84:1 87:3 90:7 taken 20:5,14 talk 18:2,2 28:17 82:19 83:19 89:22 talked 5:14 13:20 18:4 19:9 51:15 59:2 84:4 87:1 88:16				unclear 72:19 understand 21:3,4 25:1 31:16 39:22 44:12 46:17 48:11 51:8 56:4 59:5 64:10 68:13 70:1 80:2 understanding

30:17 41:8,22 42:5,12,16 44:18 53:1 56:6 73:4 76:5 understood 77:16 unfortunately 84:21 uniform 22:21 88:6 unique 29:10 unit 50:21,21 51:2 58:12 66:4 UNITED 1:1 units 46:12 universal 74:6 unnecessary 34:2 55:1 unrestricted 15:19 17:10 22:17 27:8 27:12,14,20 30:18 30:20 31:5,9 32:3 33:18 34:16 35:16 36:1,2 44:18 47:4 48:4 59:16 60:12 64:2 65:1,13 66:14 67:18 68:20 69:10 70:19 updates 3:1 use 40:20 47:21 48:21 49:2 57:9 59:21 66:1 68:16 70:16 81:1	27:7,13,16 28:2,6 28:7,8,11,15,17 29:2,7,20 31:21 32:14 33:9,22 34:22 35:7 38:2 47:10 48:10,20 50:9 64:21 72:7 73:6 75:10,19,19 76:13,17 79:9 88:10,13 victim's 15:18 24:3 66:9 victims 9:9 19:9 27:5 30:3 38:19 42:20 53:13 63:7 63:13 64:7,8,18 65:10,17 68:12 75:16 view 14:4 violated 24:6 violative 36:3 violence 10:9 vis-à-vis 30:10 visibly 40:10 41:7 44:2,8 visits 48:16 voice 76:19	wanted 3:4 6:18 40:8 42:12,17 44:19 49:21 55:9 71:20 wants 45:18 warm 81:2 washy 15:15 wasn't 53:12 58:2 water 52:19 way 7:18 8:22 11:20 13:9,22 16:14 18:15 20:1 20:8 21:12,12,22 22:1 31:20 32:4 34:4 39:7 48:6,14 68:22 84:6 ways 5:14 we'll 12:4 54:9 67:10 82:19 83:4 we're 18:17 22:10 23:15,19,21 24:17 25:1 27:14 31:1 35:17,19,20 46:6 50:5,5 54:5 55:12 55:20 57:7,11 62:1 63:10 66:8 77:12 78:22 79:21 81:15,16 84:13 85:6 86:3,10 92:2 we've 5:14 9:18 13:20 18:22 39:13 61:13 66:10 weak 50:3 website 74:13 77:21 week 83:20 went 2:21 43:21 55:16,17 86:20 92:19 weren't 58:10 whet 6:16 whichever 8:22 14:3 76:7 widespread 18:14 WILLIAM 1:16,21 wishes 24:15 25:15	wishy 15:14 witnesses 87:1 woman 66:11 wondering 32:7 77:12 word 13:21 40:20 44:2,3 47:22 48:21 49:2 80:12 worded 13:6,9 48:15 wording 32:8 36:7 47:16 words 27:8 78:17 92:12 work 30:6 61:19 67:11,21 68:1 81:18 82:19 90:13 worked 9:9 worried 32:7 worthy 68:20 wouldn't 30:8 54:21 59:9 wrest 24:11 write 5:17 71:12,13 71:14 90:7 91:10 91:12 written 7:12 14:1 45:5 46:1,3 57:22 87:5 wrong 19:1 22:20 66:2 70:13 87:13 wrote 13:3 26:1 wrought 50:4 51:20	100 61:10 120 84:21 13th 64:20 14-day 41:16 42:14 15 76:20 1742 36:13 1a 12:5,6,14
				2
				2 15:12 16:20,21,21 21:14 39:7,10 2:30 1:12 2:34 2:2 2014 1:9 24 72:2 24-hours 72:1 24/7 72:21 73:3,20 74:11,12,19,22 75:16,21 77:3 78:20 26 89:1
				3
				3 39:4,19 40:1 43:21 3:32 55:17 3:36 55:18 303 23:10 304 23:11 34,000 7:3
				4
				4 4:15 43:17,19 44:15 45:2,20,20 46:7 4:04 81:14 4:15 92:19 43 39:14 47 39:15
				5
				5 4:17 45:20 46:8 46:10
				6
				6 9:6,13 52:15
V				
VA 5:10 67:6 validity 27:18 vantage 30:9 VAs 9:19 84:5 verb 44:4,7 68:15 verbiage 59:21 versa 87:22 vice 87:22 victim 1:4 3:10 4:20 5:6 10:3 11:2 20:22 23:16 24:9,14 25:14 26:9,11,11,14,21	want 3:19 8:14,14 8:19,22 10:16 13:12 14:4 15:8 21:4 22:5 23:16 23:17 24:22 28:21 30:8 32:12 38:3,4 46:11,14 47:13,21 51:9 54:7,13 56:15 57:3 59:6 64:6 79:9 81:9 82:4 84:3 85:14 86:11 87:4,5,6,6,7 87:10 89:14 90:1 90:2,6,12 91:11	we'll 12:4 54:9 67:10 82:19 83:4 we're 18:17 22:10 23:15,19,21 24:17 25:1 27:14 31:1 35:17,19,20 46:6 50:5,5 54:5 55:12 55:20 57:7,11 62:1 63:10 66:8 77:12 78:22 79:21 81:15,16 84:13 85:6 86:3,10 92:2 we've 5:14 9:18 13:20 18:22 39:13 61:13 66:10 weak 50:3 website 74:13 77:21 week 83:20 went 2:21 43:21 55:16,17 86:20 92:19 weren't 58:10 whet 6:16 whichever 8:22 14:3 76:7 widespread 18:14 WILLIAM 1:16,21 wishes 24:15 25:15	wishy 15:14 witnesses 87:1 woman 66:11 wondering 32:7 77:12 word 13:21 40:20 44:2,3 47:22 48:21 49:2 80:12 worded 13:6,9 48:15 wording 32:8 36:7 47:16 words 27:8 78:17 92:12 work 30:6 61:19 67:11,21 68:1 81:18 82:19 90:13 worked 9:9 worried 32:7 worthy 68:20 wouldn't 30:8 54:21 59:9 wrest 24:11 write 5:17 71:12,13 71:14 90:7 91:10 91:12 written 7:12 14:1 45:5 46:1,3 57:22 87:5 wrong 19:1 22:20 66:2 70:13 87:13 wrote 13:3 26:1 wrought 50:4 51:20	
				X
				Y
				y'all 83:20
				Z
				Zuckerman 54:5
				0
				1
				1 12:4,5,7,19 10 1:9

<hr/> <p style="text-align: center;">7</p> <hr/> <p>77:17 9:3,7</p> <hr/>				
<hr/> <p style="text-align: center;">8</p> <hr/> <p>82:19 9:6,7 80 77:7 80:8 8th 3:11,12,14,22</p>				

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Victim Services Subcommittee

Before: Mai Fernandez, Chair

Date: Thursday, April 10

Place: Teleconference

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