



## Department of Defense Fact Sheet: Report to the President of the United States on Sexual Assault Prevention and Response

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This fact sheet summarizes the Department of Defense's Report to the President on Sexual Assault Prevention and Response delivered Dec. 1, 2014, and highlights new initiatives to eliminate sexual assault in the military.

### **SUMMARY**

- Following significant Congressional interest and debate over the military's handling of sexual assault crimes in Fall 2013, President Obama directed the DoD to deliver a comprehensive report detailing progress in the prevention of and response to sexual assault in the military, including reforms to the military justice system. The report includes quantitative and qualitative research findings from an independent Military Workplace Survey conducted by the RAND Corporation, as well as a Survivor Experience Survey and military focus groups conducted by DMDC.
- The report documents substantive, comprehensive progress since Fiscal Year 2012 – the last year for which survey data is available – ignited by unprecedented leadership engagement:
  - Forty one Secretary of Defense Initiatives, many codified in law, have fundamentally changed how the military works to prevent, respond, and effectively adjudicate sexual assault crimes.
  - Prevalence of sexual assault is down significantly, but continued focus is needed to further reduce the occurrence of these crimes.
  - An unprecedented 50 percent increase in victims choosing to report their crime in 2013 was followed by even more choosing to report in 2014; we now receive a report from 1 in 4 victims – up from 1 in 10 in 2012.
  - Military justice system reforms have significantly elevated oversight of commanders' discretion over these cases, raising decision-making authority to more experienced levels of command, while expanding legal representation and protections for victims' interests, rights, and privacy.
- While other reforms will continue to enhance the military response system, the Department's approach – mirrored by White House efforts to improve college sexual assault response – pairs a prevention focus with an unparalleled commitment to helping victims heal and have a voice in the justice process.

### **EVIDENCE OF PROGRESS**

- The White House and the Department of Defense agreed upon a set of 12 metrics and 6 “non-metrics”<sup>1</sup> in February 2014 to demonstrate progress in sexual assault prevention and response. Ten of twelve metrics show evidence of progress across the response system.
  - The Department has made notable progress in several areas:
    - The vast majority (87%) of surveyed Service members reported taking action to prevent a sexual assault when they saw a situation at risk for sexual assault.
    - Most surveyed Service members highly rate their commanders' efforts to promote a healthy climate and discourage inappropriate gender-based behavior.
    - A representative survey indicates that past-year prevalence of unwanted sexual contact is significantly down for women and trended downward for men, but further action and attention is required to continue the decrease in coming years.
    - Underreporting, while still a problem, has lessened, with estimates indicating that about 24% of military victims chose to report in 2014, up from 11% in 2012.
    - The Department has more than 1,000 full-time certified response coordinators and victim advocates, as well as more than 17,000 collateral-duty advocates and volunteers to assist victims.

<sup>1</sup> “Non-metrics” describe aspects of the military justice system that should not be manipulated to produce a change in outcome, in that doing so may be considered unlawful command influence and prohibited by military law.

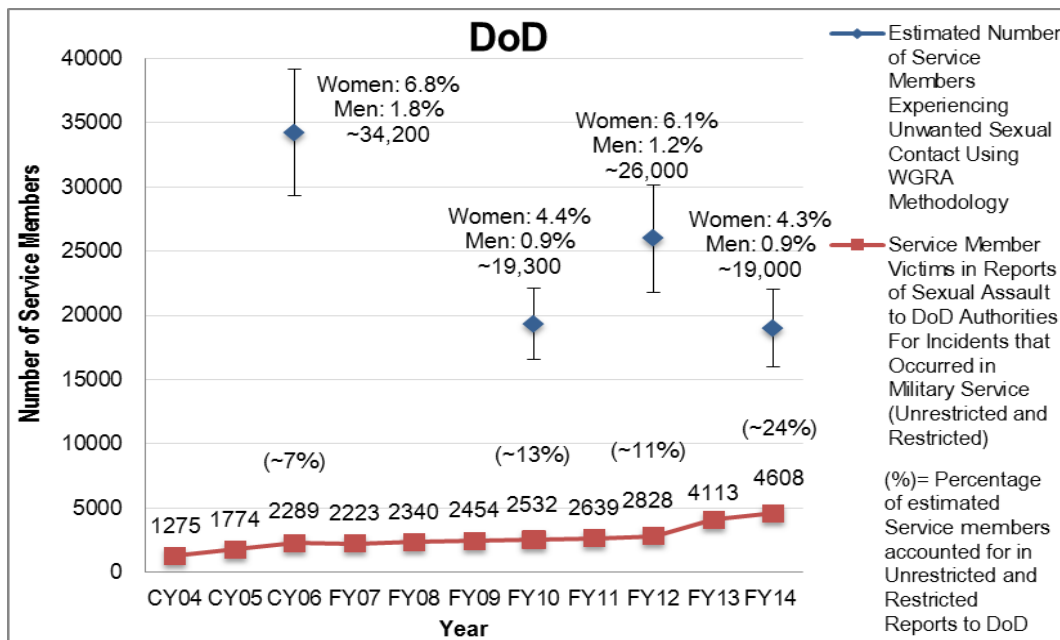
- Surveyed victims expressed great satisfaction with the assistance from response personnel and the Special Victim Counsel/Victims' Legal Counsel representing them.
- The vast majority of victims surveyed indicated they were kept regularly informed of the military justice process.
- Service members rate highly unit leadership efforts to advance sexual assault prevention and response.
- Sexual assault reporting in 2014 exceeded record levels of reporting in 2013, with nine percent of Service member reports being made for an incident that occurred prior to entering active duty.
- One metric demonstrates the Department must take focused action to produce the kind of progress seen in other areas:
  - Of the women who experienced unwanted sexual contact and made a report to a DoD authority, a majority reported perceiving some kind of retaliation, most of which was a form of ostracism by peers.
  - Other research indicates that most victims are satisfied with support from commanders, but response from others down the chain is not rated as highly.
- Other policy and program changes have substantively improved how the Department prevents and responds to sexual assault:
  - The unit climate assessment process enacted in 2013 drives organizational change by employing Service member feedback to hold commanders accountable for a climate of dignity and respect.
  - The Special Victim Investigation and Prosecution Capability provided fact finders with the knowledge and skills to conduct investigations minimizing the risk of re-traumatization and promoting continued victim engagement in the justice process.
  - Special Victims' Counsel/Victims' Legal Counsel now represents victim interests and give victims a voice in military justice.
  - Professional, certified victim advocates assist victims in person with reporting or accessing care, but since 2011 victims have had the option to anonymously contact the DoD Safe Helpline for crisis support and help 24/7.

### **SAPR PROGRAM IMPROVEMENTS**

- The Department continues to identify, share, and implement the best policies and practices in a coordinated effort among the entire DoD community. Services have responded by demonstrating an unparalleled commitment to helping victims heal and have a voice in the justice process.
  - Prevention: Published Prevention Strategy and initiated climate assessment process
  - Investigations: Fielded Special Victim Investigation and Prosecution Capability to equip Service personnel with the knowledge and skills to conduct investigations that minimize the risk of re-traumatization, launched advanced sexual assault investigations training; investigative quality and thoroughness improved through ongoing reviews by DoD Inspector General
  - Accountability: Expanded Special Victims' Counsel / Victims' Legal Counsel, a groundbreaking legal resource giving victims a voice in the military justice process, and implemented reforms of the military justice process to inspire victim confidence, including elevation of initial disposition authority to Special Court Martial Convening Authority in penetrating crimes
  - Advocacy / Victim Assistance: Launched DoD Safe Helpline, required professional victim assistance for SAPR responders, leveraged commanders to drive key victim assistance activities, involved SVC/VLC in response system
  - Assessment: Each year, DoD integrates data from sexual assault reports, scientifically conducted surveys, and research to provide a fully transparent review of DoD SAPR program progress.

**PREVALENCE & REPORTING RESULTS**

- **Decrease in prevalence rates:** The RAND Military Workplace Study indicates that military members experienced fewer sexual assaults in 2014 than in 2012
  - At the request of the leadership of the Senate Armed Services Committee, the Department externalized its 2014 Workplace and Gender Relations Survey of the Active Duty (WGRA) to the RAND Corporation. The Department requested that RAND review and, if indicated, improve how the Department asks its members about sexual assault and sexual harassment. The Department also requested that the survey be conducted to allow for comparison of results to prior years' trend data.
  - RAND invited more than 560,000 service members to take the survey, and received a weighted response rate of about 29%.
  - RAND fielded two survey forms to assess past-year prevalence: The WGRA form contained the same measures of unwanted sexual contact and sexual harassment that the DoD has used in previous years' surveys. A new form developed by RAND used newly developed measures of sexual assault and sexual harassment that were designed to more closely align with language from military and federal law, and more precisely identify criminal behavior.
  - Between FY12 to FY14, rates of unwanted sexual contact, as measured by the WGRA form, decreased significantly for women (from 6.2% to 4.3%, respectively) and trended downward for men (from 1.2% to 0.9%, respectively).
  - The RAND sexual assault measure found statistically similar rates for women (4.9%) and men (1%), and also provided a more precise measure of the types of crimes experienced in the military. Additional information about the RAND Military Workplace Study will be available in the Spring, and will accompany the Department's Annual Report to Congress.
  
- **More victims chose to report in FY14:** Survivors continue to report the crime in record numbers. Preliminary data indicates women reported at about a 40% rate; men reported at about a 10% rate. Restricted Reports (RR) connect victims to medical and legal support. Unrestricted Reports (UR) engage the military justice process in the form of an independent MCIO investigation.



## **NEXT STEPS**

While these accomplishments are encouraging, the mission is far from complete, as leadership and Service Members alike acknowledge the need for continued growth, persistence, and innovation in the elimination of sexual assault from the military.

- The Department is currently working to meet policy mandates in the FY14 National Defense Authorization Act and looks forward to ongoing collaboration with our Congressional partners.
- The Department is also working to align and implement a number of the 132 recommendations offered by the independent Response Systems Panel (RSP), a year-long, Congressionally-directed panel review of alternative measures to enhance the DoD response system. While the RSP provided numerous recommendations, it did **NOT** recommend removing commanders from the legal process, as such an action lacked any evidence of being a “silver bullet” of change – the kind of change the Department is already achieving with intensive leadership involvement at every point in the system.
- Finally, the Department will continue to implement current Secretary of Defense initiatives, as well as the new initiatives announced today:
  - **Installation Prevention Study:** To advance our knowledge and understanding of successful intervention policies, the Secretaries of the Military Departments, the Chiefs of the Military Services, and the Under Secretary of Defense for Personnel and Readiness will conduct a multi-year initiative to customize prevention efforts at select military installations. This effort will identify installation and community risk factors for sexual assault and develop associated actions leadership can take to mitigate sexual violence. The Under Secretary of Defense for Personnel and Readiness will provide a concept of operations for the initiative to the Secretary of Defense no later than January 30, 2015.
  - **Enhance First Line Supervisor Skills and Knowledge:** To further advance a climate of dignity and respect, and prevent the potential for retaliation associated with reporting, the Chiefs of the Military Services and the National Guard Bureau will augment all supervisor training to address the role of the supervisor in unit sexual assault prevention and response programs. This training will apply to all junior officers, junior enlisted supervisors, and civilian employees that supervise military members. Curriculum will emphasize the importance of engaging with subordinates on sexual assault prevention and response, recognizing the signs of possible acts of retaliation, and provide the opportunity to practice leadership skills to promote a healthy command climate. A curriculum development plan for this training will be provided to the Under Secretary of Defense for Personnel and Readiness by January 30, 2015.
  - **Engage Command to Prevent Retaliation:** To enhance victim safety and recovery, the Chiefs of the Military Services and the National Guard Bureau will develop new procedures for installation commanders who serve as the Sexual Assault Prevention and Response Case Management Group Chair. These procedures will require installation commanders to regularly assess, and refer for appropriate corrective action, all reports from a victim, witness, or first responder of retaliation, ostracism, maltreatment, or reprisal in conjunction with a report of sexual assault. These procedures will be provided to the Under Secretary of Defense for Personnel and Readiness by January 30, 2015.
  - **Provide Feedback to the Force:** To encourage greater victim reporting and demonstrate Department and Service progress, the Secretaries of the Military Departments will provide the findings in the Report to all Service members in an interactive manner. Please report your execution plan to the Under Secretary of Defense for Personnel and Readiness by January 30, 2015.