

# Appendix B: DoD Assessment of the United States Naval Academy



# Appendix B: U.S. Naval Academy



## Summary

The Department of Defense (DoD) assessed the United States Naval Academy's (USNA) policies, training, procedures, and initiatives for sexual assault prevention and response (SAPR) and sexual harassment prevention and response programs during Academic Program Year (APY) 2016-2017. The Department used the structure of the *2017-2021 DoD SAPR Strategic Plan* to organize its assessment of SAPR and sexual harassment prevention and response programs into five strategic goals. Compliance in each Goal was determined by comparing USNA's SAPR and sexual harassment prevention and response programs to the requirements outlined in the following policies that were applicable during APY 16-17.

- DoD Directive (DoDD) 6495.01, "*Sexual Assault Prevention and Response Program*," Incorporating Change 2, January 20, 2015;

### DoD SAPR Strategic Plan Goals

Goal	Objectives
<b>Goal 1:</b> Prevention	Prevent crime and misconduct before it occurs.
<b>Goal 2:</b> Advocacy/Victim Assistance	Deliver consistent and effective victim support, response, and reporting options.
<b>Goal 3:</b> Investigation	Achieve high competence in the investigation of sexual assault and sexual harassment.
<b>Goal 4:</b> Accountability	Achieve high competence in holding offenders appropriately accountable.
<b>Goal 5:</b> Assessment	Effectively standardize, measure, analyze, assess, and report program progress.

- DoD Instruction 6495.02, "*Sexual Assault Prevention and Response Program Procedures*," Incorporating Change 2, July 7, 2015;
- DoDD 1350.2 "Department of Defense Military Equal Opportunity Program," November 21, 2003; and
- DoDD 1020.02E "Diversity Management and Equal Opportunity (EO) in the Department of Defense," June 8, 2015.

Additionally, the Department referenced the following military service and academy sexual harassment and assault policies:

- Chief of Naval Operations Instruction 5354.1F, "EO Policy," September 20, 2011;
- Chief of Naval Operations Instruction 5800.7A, "Victim and Witness Assistance Program," March 4, 2008;
- Secretary of the Navy Instruction (SECNAVINST) 1752.4B, "Department of the Navy (DoN) Policy on SAPR," August 8, 2013;
- SECNAVINST 5300.26D, "DoN Policy on Sexual Harassment," January 3, 2006;
- United States Naval Academy Instruction (USNAINST) 1752.1G, "SAPR Program," October 7, 2013; and
- USNAINST 5354.5C, "Prevention and Deterrence of Sexual Harassment, Misconduct & Assault," June 23, 2011.

### Overall Status of Compliance:

● **In Compliance**

Overall, USNA is in compliance with the Department's policies regarding sexual harassment and sexual assault.

The Department found sufficient evidence of progress to close the previous Secretary of Defense initiatives and action items from prior assessment periods. Previous Secretary of Defense initiatives and action items can be found in the DoD Sexual Harassment and

Violence at the Military Service Academies Report for APY 15-16. The following pages capture observations on USNA's sexual assault and sexual harassment prevention and response programs program by utilizing

DoD SAPR strategic goals. These observations supplement the Department's overarching action items made for all three MSAs in the body of this report.

# Goal 1: Prevention

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USNA is in compliance with DoD and Department of Navy (DoN) policy requirements for the Prevention Goal.

USNA's approach to the SAPR program separates prevention and response into separate functions, the USNA Sexual Assault Prevention and Response Office (for prevention and program management) and the SAPR Response Team (for response and victim care). This practice can help USNA better prepare and support prevention

personnel, who require a different skillset and infrastructure than response personnel.

## Status of Compliance Goal 1:

### ● In Compliance

USNA's SAPR program employs an evidence-based approach to forming its program and frequently solicits midshipmen for program feedback.

USNA leadership employs an evidence-based, data-focused approach to program development. In response to results from the 2016 Service Academy Gender Relation (SAGR) Survey, USNA leadership decided to focus prevention efforts on the following areas: promoting responsible alcohol choices, changing attitudes and beliefs, and promoting a culture of dignity and respect.

The Commandant has convened an Alcohol Working Group led by a Battalion Officer (O-5) to coordinate brigade, faculty, and staff input. In response, a working group was established to create a plan that teaches "life skills" such as responsible alcohol use, solutions to personal relationship challenges, effective communication, and consent to midshipmen. USNA leadership indicated that further details of this program will be laid out in the Plan of Action and Milestones response to the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) memorandum of June 20, 2017 directed by the Secretary of Defense.

The Academy also continued its interactive prevention program, Sexual Harassment and Assault Prevention Education (SHAPE). This program employs peer-led, small group discussions to teach sexual harassment and sexual assault prevention fundamentals. SHAPE also empowers midshipmen with bystander intervention skills to better enable them to identify and address situations at risk for sexual assault. All peer educators volunteer, undergo auditions and rigorous training, and receive a summer session credit for participation.

## Commendations

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### Continuous updates to a comprehensive SAPR education and training program

USNA employs extensive feedback collection efforts to assess and update its SAPR education and training program. Faculty, staff, and midshipmen provide recommendations for improving the training and education program to the SAPR Program Manager and Director of Prevention Education through both face-to-face training sessions and on-line surveys administered after every session. One such improvement employs SHAPE peer educators to train faculty on the SHAPE program. Favorable feedback led to an expansion of SHAPE training for faculty during the following APY.

## Observations

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### Plan and sequence SAPR program to introduce and reinforce key prevention principles throughout the midshipman experience

The Department encourages USNA to continue its focus on improving its prevention programs and practices.

According to midshipman focus group feedback, students prefer training to include

real life scenarios that other officers have experienced. They were also interested in bystander intervention techniques and information on healthy relationships.

However, the Academy needs to balance the amount of training provided to midshipmen. A common perception is that the brigade receives too much SAPR training. For example, monthly or quarterly training sessions were seen as too frequent. This may be an indication that the courses/sessions provided midshipmen overlap without building on prior topics. USNA may want to review the take away messages in each of its prevention-focused sessions to determine what is repetitive and what new skills can be imparted or practiced.

### **Prepare Company Officers (CO) and Senior Enlisted Leaders (SEL) to support the academy's way forward in their sexual assault and harassment prevention programs**

The officers and senior enlisted personnel who lead midshipmen should be provided expanded preparation to help promote dignity and respect at USNA. Both COs and SELs receive SAPR training as part of their preparation to lead midshipmen. However, USNA should review its preparation efforts to

ensure that the officers and enlisted leaders are receiving education and experience that clearly defines their roles, the tools they are to use (e.g., climate surveys), and the skills to be imparted to midshipmen under their charge.

According to midshipman focus group feedback, company leadership and senior students have the greatest influence on academy culture. USNA's approach to prevention strategy could benefit by ensuring COs and SELs can support and extend upon the education and training provided to midshipmen.

### **Provide midshipmen with applied leadership experience using the climate assessment process**

USNA has an established program to teach leadership principles to midshipmen. Midshipmen may benefit from the opportunity to apply these principles within their companies, with the support and guidance of the COs and the SELs. This may help midshipmen understand and employ the climate assessment and improvement process used by commanders in the fleet.

# Goal 2: Advocacy and Victim Assistance

USNA is in compliance with DoD and DoN policy requirements for the Advocacy and Victim Assistance Goal.

The SAPR Response Team at USNA consists of two full-time SARCs, one full-time SAPR VA, and 19 collateral duty VAs to provide services for the Brigade of Midshipmen, faculty, and staff. All SARCs and VAs are Defense Sexual Assault Certification Program certified. There are also Command Military Equal Opportunity (CMEO) managers assigned to each brigade and one overall CMEO manager to the Superintendent.

The midshipman GUIDE program is a peer led resource that connects victims with SAPR resources. The GUIDEs also serve as a general peer resource on SAPR topics. GUIDEs and SHAPE Peer Educators begin their summer training together, but the GUIDE training then focuses on ways to provide peer-to-peer support to victims and facilitate referrals to a variety of resources.

Status of Compliance Goal 2:

● **In Compliance**

Education and support programs at USNA also address the unique needs of male victims. The Naval Academy has a chapter of the “One in Four” Men’s Program, a national college and military program that aims to confront rape myths, promote sexual assault prevention, and challenge gender stereotypes. Beyond this program, SAPR training and SHAPE sessions use statistics that highlight male victimization and example cases to educate midshipmen on the causes, biases, and best practices for support for men who have experienced sexual assault.

The Midshipmen Development Center (MDC) also offers a support group for male survivors of sexual assault and abuse, in addition to a women’s-only group. These weekly groups are designed to be a safe and confidential place for midshipmen to support

each other and engage in therapeutic discussions, facilitated by an MDC Clinical Social Worker.

The SAPR website and internal intranet also serve as important resources for victims seeking information. The public page provides information on how to get help, how to help a friend or loved one, reporting options, and the 24-hour response line phone number. The Intranet also contains information on the “It’s On Us” efforts, retaliation, and male victims. An informative website is an important resource for SAPR programs because it allows victims to learn about resources in an anonymous setting.

Both the SHAPE and GUIDE programs are conducted by midshipmen. The SHAPE program is peer-education focused, whereas GUIDEs are provided in-depth education on SAPR topics and initiatives and are available to the Brigade as in-company assets for information and referral support.

## Commendation

### Continued collaboration with Mercy Medical Center

The sexual assault nurse examiner program at Mercy Medical Center in Baltimore is an excellent resource for the Naval Academy. The current fellowship program offers the opportunity for military Sexual Assault Forensic Exam (SAFE) providers to shadow Mercy Medical Center SAFE nurses as a way to gain experience, competency, and confidence when providing a SAFE.

## Observations

### Codify SARC’s authority to obtain Sick in Quarters (SIQ) status for midshipmen in policy

The USNA SARC currently has the ability to send victims in need of SIQ status to the Brigade Medical Department, who then provides victims with a sanctioned reason to miss class, if needed. This process provides victims with the time to heal.

**Ensure administrative records that support Unrestricted and Restricted reporting follow privacy, security, and records management policies**

Victims' privacy is of utmost importance. All Academies should ensure that records of sexual assault and harassment are compliant with laws and privacy, security, and records management policies. Any sexual assault case tracking that occurs outside of Defense Sexual Assault Incident Database (DSAID), for the purposes of briefing leadership, should be maintained separately for Restricted and Unrestricted reports. To further protect privacy, all electronic files containing personally identifiable information (PII) should be password protected, encrypted, and stored in systems that appropriately safeguard PII. DSAID is the Department's official database for reporting, managing, tracking, and

protecting data drawn from sexual assault reports. Alternate data tracking systems are not authorized for use unless they meet Department standards for protection of personally identifiable information. The Department welcomes any recommendations to improve DSAID and increase user satisfaction with the system.

**Ensure that midshipman peer evaluations are conducted in such a way that do not hinder sexual harassment and sexual assault reporting**

Fear of ruining one's career or a classmate's career can be a barrier to reporting. This problem may be compounded by peer evaluations. A victim may refrain from reporting because he or she fears a poor peer rating. While the peer evaluation program serves several purposes, leadership should consider how this practice might impact midshipmen who have experienced a sexual assault. This practice sometimes alienates those having difficulty coping with sexual assault.

# Goals 3 and 4: Investigation and Accountability

## Investigation

This assessment does not address investigative policy or sufficiency of criminal investigations. Instead, this assessment addresses how well the academy SAPR program supports and integrates with the criminal investigative process. USNA has a policy in place to address sexual harassment complaints, informal or formal. USNA is in compliance with the Investigation Goal.

**Status of Compliance Goals 3 and 4:**

● **In Compliance**

Naval Criminal Investigative Service (NCIS) conducts investigations of all Unrestricted reports of sexual assault at USNA. Throughout

the investigative process, victim feedback is encouraged in order to improve response. The USNA Judge Advocates (JA) and NCIS agents coordinate their efforts from the initiation of an investigation to the final disposition of a case.

Regular communication by the investigative personnel, the SJAs office, and SAPR personnel have proven effective in keeping victims informed of the progress of their cases through the system. Further, the

investigators schedule interviews that fit within the victim and support providers' calendars.

There were no significant commendations or observations following this year's on-site assessment.

## Accountability

This assessment does not address sufficiency of criminal trials or case dispositions. Instead, this assessment addresses how well the academy SAPR program supports and integrates with the criminal investigative process. USNA is in compliance with the Accountability Goal.

USNA's Victims Legal Counsel (VLC) provides confidential legal representation to midshipmen. The VLC is located aboard the NCIS campus and looks for ways to provide command with a better understanding of the challenges victims face. The VLC also briefs GUIDEs and SHAPE peer educators on the support VLCs provide victimized midshipmen.

There were no significant commendations or observations following this year's on-site assessment.

# Goal 5: Assessment

USNA is in compliance with DoD and DoN policy requirements for the Assessment goal.

USNA uses the following activities to obtain data on sexual assault and sexual harassment:

- DSAID
- Academy Defense Equal Opportunity Climate Survey
- SAGR Survey
- SAGR Focus Groups

Status of Compliance Goal 5:

● **In Compliance**

USNA also employs multiple data collection methods to assess its SAPR training program. This

includes inviting midshipmen and Fleet Mentors to critique training that is provided by the SHAPE peer educators and guest speakers. The SAPR training team regularly uses these critiques to assess relevancy, currency, and effectiveness of presentations and curriculum.

A survey is administered to the Plebes during their briefing by the SAPR staff. This survey has been conducted since 2010, although it is routinely revised. It assesses general SAPR-related knowledge, cultural attitudes about gender bias, rape myths, and bystander intervention. Based on the results, SHAPE curriculum is modified to address certain areas.

The Academy is also conducting focus groups with the graduating class of SHAPE peer educators. The goal is to obtain information on program impact from Induction Day to Commissioning Day. In support of this, the Academy is working on administering a survey to graduating midshipmen in order to assess shifts in attitudes about sexual assault and sexual harassment. Tentative implementation is scheduled for April 2018.

## Observations

### Create a centralized data and decision resource

The Department acknowledges that USNA acquires a great deal of data pertaining to the SAPR program and has done an excellent job updating its training based on midshipman feedback. However, as USNA moves forward with its plans to address the four improvement areas directed by the USD(P&R), collection and analysis of data will become even more important to USNA's progress. The Department recommends that USNA develop a centralized resource responsible for regularly briefing data and other programmatic outcomes to the Superintendent. This resource should not only assemble data from a variety of sources, it should also make recommendations to the Superintendent based on that data. USNA should keep a record of these briefings and decisions as a part of its overall program evaluation efforts.