



# **2016–2017 Military Investigation and Justice Experience Survey (MIJES)**

**Overview Report**

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# 2016–2017 Military Investigation and Justice Experience Survey (MIJES)

## Overview Report

Ms. Natalie Namrow, Ms. Sarah De Silva, and Dr. Laura Severance  
Fors Marsh Group, LLC

Dr. Ashlea Klahr and Ms. Lisa Davis  
Office of People Analytics

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The results of this report would not be possible without the courage of the survivors who shared their opinions and experiences with us.

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## Executive Summary

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The Department of Defense (DoD) has a strong commitment to providing Sexual Assault Prevention and Response (SAPR) resources and services to all military members who report a sexual assault. The Department, under the guidance of the DoD Sexual Assault Prevention and Response Office (SAPRO), has worked to create and improve programs in an effort to provide support to military sexual assault survivors. The *Military Investigation and Justice Experience Survey (MIJES)* is an anonymous survey designed to assess the investigative and legal processes experienced by military members that have made a report of sexual assault, have gone through the military investigation process, and who have agreed to voluntarily participate in this survey. The *2016–2017 MIJES* reflects the attitudes and opinions of 371 military members who brought forward a report of sexual assault to military officials and completed the military justice process from investigation to case closure. The *2016–2017 MIJES* was not weighted; therefore, results of the study are not generalizable to those Service members who had a closed case in Defense Sexual Assault Incident Database (DSAID).

### Study Background and Methodology

This overview report discusses findings from responses provided in the *2016–2017 MIJES*, which includes data collected between August 29 to December 6, 2016 and March 17, 2017 and May 12, 2017.<sup>1</sup> This survey was conducted in response to a Secretary of Defense Directive requiring that a standardized and voluntary survey for military members who brought forward a report of sexual assault and participated in the military justice process be regularly administered to “provide the sexual assault victim/survivor the opportunity to assess and provide feedback on their experiences with SAPR victim assistance, the military health system, the military justice process, and other areas of support” (Secretary of Defense, 2014). The Health and Resilience (H&R) Research division within the Office of People Analytics (OPA) was tasked with this effort.

The *2016–2017 MIJES* focuses specifically on military members who made a report of sexual assault and have a closed case (e.g., investigation done, disposition complete, and case information entered into DSAID) between April 1, 2015 and September 30, 2016 (FY15 Q3–FY16 Q4).<sup>2</sup> Uniformed military members include members of the active duty (Army, Navy, Marine Corps, and Air Force), the Reserve (Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve), and the National Guard (Army National Guard and Air National Guard). Additionally, respondents who were not currently uniformed military members, whose report did not result in a criminal investigation by a Military Criminal Investigative Organization (MCIO), whose alleged perpetrator was not a military member, or who chose not to participate in the investigation or military justice process were ineligible.<sup>3</sup> The survey instrument and methodology were designed with input from SAPR representatives from

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<sup>1</sup> Data collected between August 29 to December 6, 2016 were reported in the *2016 MIJES Overview Report* (Namrow, De Silva, Barry, Klahr, and Ely, 2017). The current report combines these data with the data collected in 2017.

<sup>2</sup> The total eligible sample number was 3,688 members.

<sup>3</sup> *2016–2017 MIJES* Q1, Q10, Q11, Q16.

Department leadership, the Services, the National Guard Bureau, and other DoD stakeholders. All representatives had a shared goal of gathering accurate data on experiences, while balancing respect for the Service member and the need for anonymity. The population of interest for this survey is very specific. As such, a non-probability survey approach was appropriate to gather data on this specific subpopulation. As a result of this approach, the *2016–2017 MIJES* does not employ statistical sampling or scientific weighting. Therefore results from this survey cannot be generalized to the full population of military members who made a report of sexual assault; results can only be attributed to those eligible respondents who completed the survey.

The survey was administered via the web and paper-and-pen. The *2016 MIJES* administration process began on August 29, 2016 with an e-mail announcement message to members in the sample. The *2017 MIJES* administration process began on March 17, 2017 with an e-mail announcement message to members in the sample. Both announcement e-mails explained the data collection effort, why the survey was being conducted, instructions for how the Service member would take the survey, how the survey information would be used, and why participation was important, as well as information about how to opt-out of the survey if the Service member did not want to participate. Throughout the administration period, a limited number of additional e-mail reminders were sent to potential participants to remind them of the survey effort and to encourage them to take the survey. Data for the *2016 MIJES* were collected via the web between August 29, 2016 and December 6, 2016 and via paper-and-pen surveys between September 27, 2016 and December 2, 2016. Data for the *2017 MIJES* were collected via the web between March 17, 2017 and May 12, 2017.

The remainder of this executive summary provides a general overview of top-line results from the *2016–2017 MIJES*. Additional information about the construction of metrics and rates, as well as additional data on findings can be found in the full report. References to a “perpetrator,” “accused,” or “offender” throughout this report should be interpreted as “alleged perpetrator,” “alleged accused,” or “alleged offender”; without knowing the specific outcomes of particular allegations, the presumption of innocence applies unless there is an adjudication of guilt. References to “sexual assault” throughout the report do not imply legal definitions for sexual assault. Additionally, references to “retaliation,” “professional reprisal,” “ostracism,” or “other negative behaviors associated with reporting sexual assault,” or perceptions thereof, are based on negative behaviors as reported by the eligible survey respondents. Without knowing the specifics of cases or reports, this data should not be construed as substantiated allegations of professional reprisal, ostracism, or other negative behaviors.

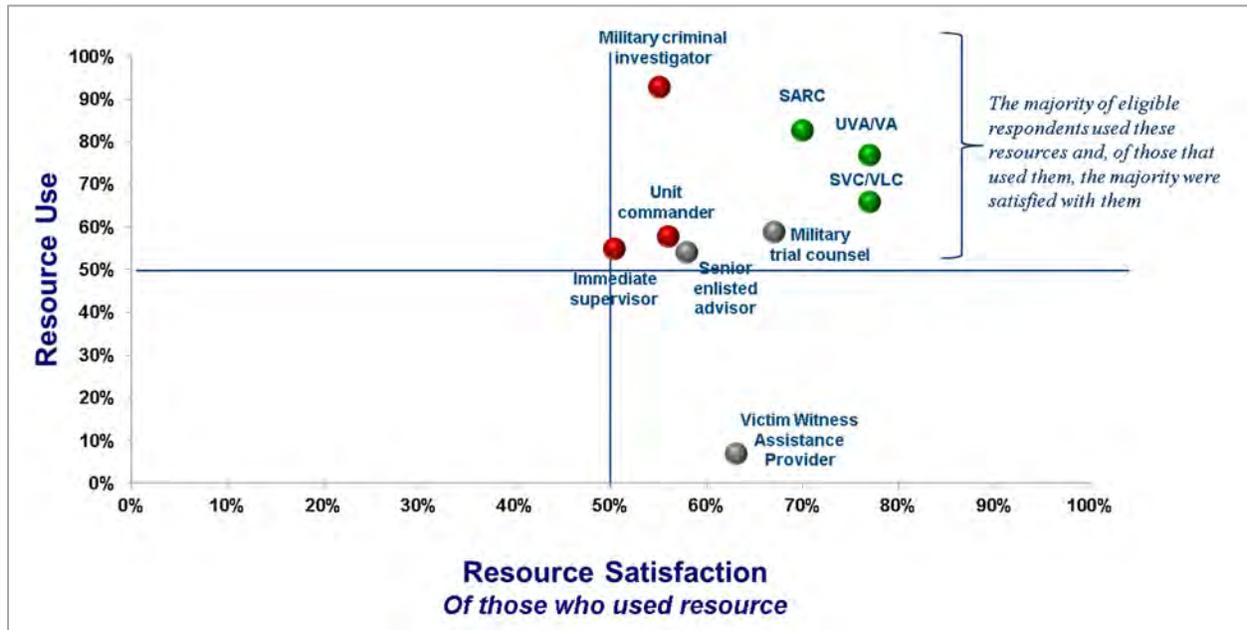
There are several themes apparent in the results of *2016–2017 MIJES* which underscore ways in which specific programs and resources provide support to military members who bring forward a report of sexual assault. The following sections discuss these themes and offer observations.

### **General Satisfaction With Individuals/Resources**

The majority of respondents indicated *interacting with a military criminal investigator after their report of sexual assault*, and also indicated interacting with a *SARC, a UVA or a VA, or a SVC/VLC* during the military justice process (see Figure 1). Of these respondents, the majority were also *satisfied* with those interactions. Less than two-thirds indicated interacting with members of their *command* or *military trial counsel* during the military justice process, and were

slightly *less satisfied* with the services those individuals provided. Overall, however, the majority of respondents used the nine resources discussed in this report, and of those respondents that interacted with them, most were satisfied.<sup>4</sup>

**Figure 1.**  
*2016–2017 Sexual Assault Prevention and Response Resources: Use and Satisfaction*



**Experience With Sexual Assault Response Coordinator (SARC).** Overall, 83% of respondents indicated interacting with a SARC during the military justice process, and 70% indicated that they were **satisfied** with their services. Similar to respondents' rates of satisfaction, more than two-thirds indicated they **agreed** that the SARC was supportive, helpful, and regularly contacted them during their case. However, as with other resources, contact was the least endorsed activity with 22% of respondents indicating they **disagreed** that the SARC *contacted them on a regular basis regarding their well-being while their case was open* and only 12% of respondents indicating the majority of information about the progress of their case was provided by the SARC. The large majority (78%) of respondents overall indicated the SARC used discretion in sharing details of their case, and half (50%) indicated the SARC was beneficial in preparing them for the military justice process.

**Experience With Uniformed Victim Advocate (UVA)/Victim Advocate (VA).** Overall, 77% of respondents indicated interacting with a Uniformed Victims' Advocate (UVA) and/or a Victims' Advocate (VA) during the military justice process; breaking this out, 54% indicated using a UVA and 49% used a VA. For respondents who interacted with either a UVA or VA, the majority indicated they **agreed** that both the UVA and VA were supportive, helpful, and regularly contacted them during their case. Respondents who interacted with a UVA indicated

<sup>4</sup> Respondents were first asked if they interacted with each individual/resource. Rates of satisfaction are only of those respondents who interacted with these individuals during the military justice process.

slightly higher levels of satisfaction and overall assessments with the services provided than those who interacted with a VA. Similar to respondents' assessments with the SARC, overall, 13% indicated the majority of information about the progress of their case was provided by a UVA/VA, while the large majority (81%) indicated that the UVA/VA used discretion in sharing details of their case, and half (50%) indicated the UVA/VA was beneficial in preparing them for the military justice process.

***Experience With Military Criminal Investigator (MCI).*** Making an unrestricted report of sexual assault triggers an investigation, and therefore it makes sense that 93% of respondents indicated *interacting with a military criminal investigator after their report of sexual assault*; however, while a little more than half (55%) were **satisfied**, 29% were **dissatisfied** with the resource and the services that were provided. Though more than half (56%–83%) of respondents who interacted with a MCI **agreed** that the MCI completed various aspects of their role and showed adequate care and respect for the respondent, 30% indicated they **disagreed** that the MCI *provided information about the progress of their investigation*, and separately, 7% of all respondents indicated the majority of information about the progress of their case was provided by a MCI. Overall, 70% of respondents indicated that the MCI used discretion in sharing details of their case and about one-quarter (26%) indicated the MCI was beneficial in preparing them for the military justice process.

***Experience With Military Trial Counsel.*** Overall 59% interacted with military trial counsel. The majority of these respondents indicated they **agreed** that military trial counsel treated them appropriately. Similar to other resources, *informing the respondent about the progress of the case* was the least endorsed action, and overall, 8% of respondents indicated the military trial counsel provided the majority of information about the progress of the case. Of respondents who interacted with military trial counsel, the majority indicated they discussed appropriate legal actions that might occur, and 33% of respondents overall indicated the military trial counsel was beneficial in preparing them for the military justice process. A little more than two-thirds (69%) of respondents indicated military trial counsel used discretion in sharing details of their case.

***Experience With Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC).*** Overall, though only two-thirds (66%) of respondents indicated interacting with SVCs/VLCs, they were the resource with the highest percentage of overall **satisfaction** (77%); only 12% indicated that they were **dissatisfied** with their services. The majority of respondents who interacted with a SVC/VLC indicated they **agreed** their SVC/VLC provided them with the relevant supportive actions, and almost all (98%) respondents who interacted with a SVC/VLC indicated they were available when needed. Though providing information about the progress of their case was one of the least endorsed actions, it yielded relatively high **agreement** (81%); also, a little more than half (53%) of respondents overall indicated the SVC/VLC provided them with the majority of information about the progress of the case, which was much greater than any other resource. For respondents overall, SVCs/VLCs were also the highest rated resource for use of discretion in sharing details of their case (84%) as well as being beneficial in preparing the respondent for the military justice process (66%).

***Experience With Victim Witness Assistance Provider (VWAP).*** Though this resource was the least endorsed as someone with whom respondents indicated interacting (7%), respondents were mostly **satisfied** (63%) with the services provided. The majority of those who interacted with a

VWAP **agreed** they treated them appropriately and most indicated the VWAP performed aspects of their role and discussed specific procedures. Consistent to the other resources, keeping the respondent informed about the status and progress of their case was the least endorsed action; overall, no respondent indicated that the majority of information about the progress of the case was provided by a VWAP. Only 2% of respondents indicated the VWAP was beneficial in preparing them for the military justice process and 61% indicated they used discretion in sharing details of their case.

**Experience With Members of Leadership.** Overall, a little more than half of respondents indicated interacting with members of leadership (unit commander [58%], senior enlisted advisor [54%], and immediate supervisor [55%]) during the military justice process. More than half of these respondents indicated they were **satisfied**, but about one-third indicated they were **dissatisfied** with the services members of leadership provided (unit commander [35%], senior enlisted advisor [30%], and immediate supervisor [35%]). In regards to their unit commander, about one-third of respondents **disagreed** that their unit commander *supported them throughout the military justice process* or *informed them about the progress of their case*, and only 2% of respondents overall indicated their unit commander provided the majority of information about the progress of the case. Overall, 62% of respondents indicated their unit commander used discretion in sharing details of their case, while 15% indicated their unit commander was beneficial in preparing them for the military justice process.

Lower ratings for senior enlisted advisors and immediate supervisors are also reflected in respondents' assessments of the activities provided. Of respondents who indicated interacting with their senior enlisted advisor and/or immediate supervisor, less than two-thirds indicated they **agreed** that their senior enlisted advisor and/or immediate supervisor *supported them throughout the military justice process*, whereas less than one-third **disagreed**; less than half indicated they **agreed** that their senior enlisted advisor and/or immediate supervisor *informed them about the progress of their case* (38%-47%), whereas less than half **disagreed** (39%-49%).<sup>5</sup> For respondents overall, less than 3% indicated their senior enlisted advisor and/or immediate supervisor provided the majority of information about the progress of the case. Similarly, overall, less than 15% of respondents indicated that their senior enlisted advisor and/or immediate supervisor was not as beneficial as other resources in preparing them for the military justice process, and less than half indicated they used discretion in sharing details about their case.

## Overall Military Justice Experience

Respondents were asked to provide their evaluations of aspects of the military justice process as a whole. This comprehensive analysis of general satisfaction with the military justice process included assessments of individual resources (e.g., used discretion, helped prepare respondents for the military justice process, informed respondents about the progress of their case). Evaluation of the military justice process also included broad assessments which included the respondent's opinions about the outcome for the alleged perpetrator, whether they perceived the

<sup>5</sup> Air Force, Air Force Reserve, and Air National Guard members did not receive this item.

military justice process to be easy or difficult, and whether they would recommend to another Service member to make a report.

**The Importance of Providing Preparation and Discretion.** Prior *MIJES* research found that general satisfaction with the reporting process was associated with overall preparedness for the military justice process and the perception of members of command using discretion about details of their case (Namrow, De Silva, Barry, Klahr, and Ely, 2017). Not surprisingly, analysis of the 2016–2017 *MIJES* revealed that respondents’ satisfaction with each resource was positively associated with both whether the resource was beneficial in helping the respondent prepare for the military justice process and whether the resource used discretion (Table 1). This pattern was observed across all resources and underscores the importance of resources providing preparation to Service members and using discretion.

**Table 1.**  
*Correlations Between Satisfaction With Resource and Preparation for the Military Justice Process and Discretion Used*

Satisfaction with Resource	Resource was Beneficial in Preparing	Discretion Used by Resource
<i>SARC</i>	0.41**	0.64**
<i>UVA/VA<sup>a</sup></i>	0.43**	0.66**
<i>Military Criminal Investigator</i>	0.28**	0.58**
<i>Military Trial Counsel</i>	0.22*	0.60**
<i>SVC/VLC</i>	0.37**	0.61**
<i>VWAP</i>	0.21	0.78**
<i>Unit Commander</i>	0.37**	0.71**
<i>Immediate Supervisor</i>	0.37**	0.70**
<i>Senior Enlisted Advisor</i>	0.38**	0.71**

Note. Q22, Q27, Q29, Q32, Q36, Q47, Q51, Q54, Q57, Q60, Q87, Q88, Q100.

<sup>a</sup>Satisfaction estimates for UVA and VA were averaged and combined.

\*  $p < .05$ .

\*\*  $p < .01$ .

Overall, 39% of respondents felt *well prepared* or *very well prepared* for the military justice process, and these respondents indicated SVCs/VLCs and SAPR-specific resources were most beneficial in preparing respondents for the military justice process. Respondents indicated these resource provided support during the military justice process by listening and “being there” for the respondent. For those who said they were *poorly prepared* or *very poorly prepared* for the military justice process, the most frequently mentioned aspects that could potentially have helped to better prepare them included better explanation of the military justice process, their rights, and better overall support.

**Kept Up to Date on the Progress of Their Case.** Communication about the progress of their report was assessed by respondents as occurring less often compared to other resource responsibilities, and therefore was identified by respondents as a potential area for improvement (Table 2). As a result, it makes sense that only 38% of respondents indicated that during the

military justice process they were kept up to date on the progress of their case to a *large extent/very large extent*; 12% indicated they were *not at all* kept up to date on the progress of their case. Of respondents who felt they were kept up to date on the progress of their case to a *large extent/very large extent*, the top three individuals or services which provided the majority of information about the progress of their case were SAPR-specific resources (e.g., UVA/VA, SARC) or their SVC/VLC. Of note, this high assessment also matches overall satisfaction with resources.

**Table 2.**  
*Informed About Status or Progress of Case Assessment*

Assessment of Experiences With Resources: Informed About Status or Progress of Case	Agree	Disagree
SVC/VLC informed you about the progress of your case.	81	13
Military Trial Counsel informed you about the progress of your case.	75	17
VWAP kept you informed about the status or progress of your case.	63	29
Military Criminal Investigator provided information about the progress of your investigation.	56	30
Unit commander informed you about the progress of your case.	48	36
Senior Enlisted Advisor informed you about the progress of your case.*	47	39
Immediate supervisor informed you about the progress of your case.*	38	49

\*Air Force, Air Force Reserve, and Air National Guard members did not receive this item.

**Official Action(s) Taken Against the Alleged Perpetrator.** Overall, 53% of respondents indicated charges were preferred against the alleged perpetrator and 43% indicated there was an Article 32 preliminary hearing on their case. Of these respondents, 41% indicated *the charges were what they had expected*, whereas almost half (46%) indicated *they were less severe than they had expected*. Of respondents who knew whether there was an action taken, 67% indicated that an official action was taken against the alleged perpetrator and overall, about one-fifth (19%) of respondents indicated that they were **satisfied** with the official action(s) taken against the alleged perpetrator, whereas 62% indicated that they were **dissatisfied**. One of the most frequently mentioned recommendations respondents suggested to improve the military justice process was to have a clearer protocol for punishments. As almost half of respondents indicated punishments were too soft or less severe than expected, some described that the resulting outcome for the alleged perpetrator impacted their ability to cope following the military justice process, and would potentially affect whether future Service members would come forward with a report.

**Ease and Satisfaction of the Military Justice Process.** Overall, 69% of respondents indicated they felt the military justice process was *difficult/very difficult*, whereas 14% indicated that the process was *easy/very easy*. Open-ended responses revealed that the most frequently mentioned services and groups that were the most helpful during difficult times were their *family, friends, their SVC/VLC, SAPR resources, and mental health providers and counselors*, whereas most frequently mentioned services and groups that helped make the process easier included the *SVC/VLC and SAPR services* (e.g., UVA/VA, SARC), specifically in helping respondents stay informed about their case. One metric to measure overall satisfaction with the military justice

process is whether a respondent would recommend to another Service member to make a report. Overall, 73% of respondents indicated that they would recommend others who experience a sexual assault make a report. Specifically, 50% of respondents indicated *yes, an unrestricted report*, and 24% indicated *yes, a restricted report*.

## Outcomes Associated With Reporting

Questions were designed to measure negative behaviors a respondent may have experienced as a result of making a sexual assault report and to account for additional motivating factors that may be consistent with prohibited actions in the Uniform Code of Military Justice (UCMJ) and military policies and regulations.<sup>6</sup> This includes the alleged perpetrator having knowledge about the report and that the actions were perceived to be taken with a specific intent (i.e., to discourage the military member from moving forward with the report of sexual assault or to abuse or humiliate the respondent). A full description of these measures can be found in Chapter 5 of this report.

Respondents were asked to indicate whether they perceived experiencing any negative behaviors from their leadership or peers as a result of reporting a sexual assault.<sup>7</sup> Professional reprisal is a personnel or other unfavorable action taken by the chain of command against an individual for engaging in a protected activity. Ostracism and other negative behaviors<sup>8</sup> can be actions of social exclusion or misconduct against the military member taken by peers or an individual in a position of authority, because the military member reported, or intends to report, a criminal offense.

***Perceived Professional Reprisal.*** For respondents overall, the *Rate of Perceived Professional Reprisal* was 28%. The vast majority of respondents who experienced *Perceived Professional Reprisal* indicated that the behaviors taken by their leadership yielded harm to their career. If respondents believed that the negative actions were taken by their senior enlisted leader, then they were more likely to believe their careers were harmfully impacted. Despite experiencing these behaviors, the majority decided to participate and/or move forward with their report of sexual assault; though respondents who perceived that their unit commander took the negative action were less likely to decide to move forward with their report. Overall, as actions from both senior enlisted leaders and unit commanders have an effect on respondents' perceptions of professional well-being, it may be beneficial for leadership SAPR training to address the impact of their behaviors following a report of sexual assault.

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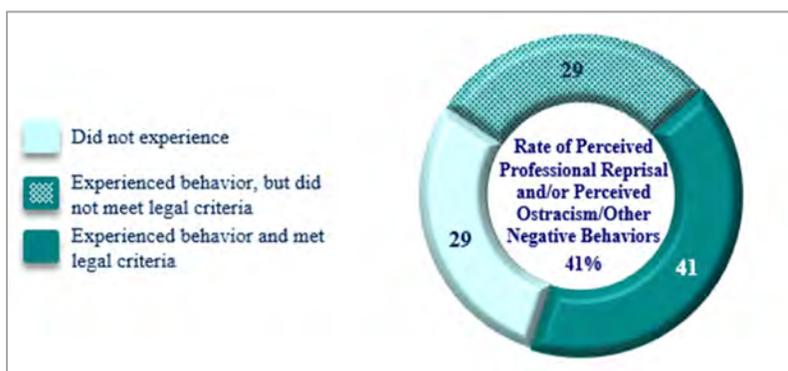
<sup>6</sup> Construction of perceived reprisal, ostracism, and other negative behaviors rates should not be construed as a legal crime victimization rate due to slight differences across the Services on the definition of behaviors and requirements of retaliation.

<sup>7</sup> Survey questions are only able to provide a general understanding of the self-reported outcomes that may constitute professional reprisal, ostracism, or other negative behaviors and therefore OPA refers to such outcomes as "perceived." Ultimately, only the results of an investigation can determine whether self-reported negative behaviors meet the requirements of prohibited retaliation. Therefore, the percentages discussed reflect the respondents' perceptions about a negative experience associated with their report of a sexual assault and not necessarily a reported or legally substantiated incident of retaliation.

<sup>8</sup> Because the *MIJES* assessment does not assess the relationship between the alleged perpetrator and the respondent to determine whether the behavior constitutes maltreatment, no definitive conclusions can be made regarding whether these alleged other negative behaviors are retaliatory or constitute maltreatment.

**Perceived Ostracism/Other Negative Behaviors.** For respondents overall, the *Rate of Perceived Ostracism/Other Negative Behaviors* was 29%. This estimated rate is a composite of respondents who indicated experiencing *Perceived Ostracism* (16%) and/or *Perceived Other Negative Behaviors* as a result of their report of sexual assault (26%). One-third of respondents indicated the perceived ostracism or perceived other negative actions they experienced involved some form of social media. Despite experiencing *Perceived Ostracism* and/or *Perceived Other Negative Behaviors*, the majority of respondents indicated they decided to participate and/or move forward with their report of sexual assault despite these negative experiences.

**Perceived Professional Reprisal and/or Perceived Ostracism/Other Negative Behaviors.** For respondents overall, the estimated *Rate of Perceived Professional Reprisal and/or Perceived Ostracism/Other Negative Behaviors* was 41%. Of respondents who experienced these behaviors, 63% indicated the individuals committing negative actions were *friends with the identified [alleged] perpetrator(s)* and 56% indicated they were *in the same chain of command*, whereas 21% indicated there was *no relationship* and 20% indicated the individual(s) was the *same person(s)*. As a result of experiencing the negative behaviors, the most common action respondents indicated taking was to *discuss the behaviors with their friends, family, coworkers, or a professional* (71%).



When respondents indicated experiencing negative actions in line with *Perceived Professional Reprisal*, *Perceived Ostracism/Other Negative Behaviors*, and chose to discuss these behaviors with a work supervisor or someone in their chain of command so that some corrective action would be taken, over half of respondents discussed with their *Senior Enlisted Leader* or *another member in their chain of command*. When asked if their leadership took action after the respondents discussed these negative behaviors with them, about half indicated the following results: *they were not aware of any action taken by the person that they told*, *the situation continued or got worse for them*, *they were told/encouraged to drop the issue*. Less than one-fifth of these respondents indicated they received help or assistance as a result of their discussion of these behaviors. As mentioned above, providing members of command with training specific to the impact of their actions following a report of sexual assault may be beneficial to help alleviate perceived retaliatory behaviors.

About one-quarter of respondents who experienced these negative behaviors chose to file a complaint. As a result of filing a complaint, respondents most frequently indicated *they were not aware of any action taken by the person that they told* (44%) and *the situation continued or got worse for them* (42%).<sup>9</sup> Of note, less than one-fifth of respondents indicated that as result of filing a complaint, they got help dealing with the situation (19%), or *their leadership took steps*

<sup>9</sup> Though this is a potential area for improvement for the Department to consider, caution should be taken when interpreting these data as our estimates are derived from a small pool of respondents.

to address the situation (14%). For those who chose not to file a complaint, they indicated several reasons for choosing not to: *they were worried that reporting would cause more harm to them than good* (68%), *they did not trust that the process would be fair* (65%), and *they did not think anything would be done or anyone would believe them* (60%). About one-third of respondents indicated they did not file a complaint because they did not know how to.

## **Summary and Opportunities for the Investigation and Military Justice Process**

The 2016–2017 MIJES provides the Department with experiences from military members' who participated in the investigation and military justice process after reporting a sexual assault. These findings provide a detailed account of the experiences of these military members as well as the types of impact programs and personnel have during the military justice process for this vulnerable population. These results highlight the importance of continuing to improve points of communication for all resources, educating resources about discretion, and aiding Service members in preparing for the military justice process.

Overall, all resources and personnel which Service members indicated interacting with were assessed as satisfactory in the services they provided. However, assessment of each resource revealed opportunities for the Department to consider which were specific to improving services provided to participants. Participants were dissatisfied with the amount of information they were provided throughout the investigation and military justice process. It would therefore be useful to consider from whom Service members would want to receive information about the progress of their investigation or case and ensure that the resource is prepared to offer information and Service members know from whom to expect this information. Because SVC/VLCs were the resource that respondents indicated provided the majority of information, it might be beneficial to encourage these personnel to continue to communicate with members about their cases. Increasing awareness of the SVC/VLC program may also be beneficial as knowing that this resource exists might encourage Service members to feel more comfortable making a report. For example, 69% of respondents who interacted with an SVC/VLC were not aware of the program prior to their report, and of the 31% who were aware, 61% indicated that their awareness of the program impacted their decision to report to some extent.

Assessment of resources also revealed that for about half of respondents, interaction with leadership during the military justice process was dissatisfactory. Of note, dissatisfaction might reflect a few issues (e.g., the amount of knowledge the individual in leadership had about handling sexual assault cases, their comfort about handling sexual assault cases, their overall involvement in the military justice process) which might impact respondents' overall assessment. Some respondents described that they perceived members in the chain of command to be unhelpful because they were inexperienced in how to handle cases, were overly judgmental, or they appeared to openly discuss details of the case with persons outside of the military justice process.

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## Chapter 1: Study Background and Design

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The Department of Defense (DoD) has a strong commitment to providing Sexual Assault Prevention and Response (SAPR) resources and services to all military members who report a sexual assault. Over the years, the Department, under the guidance of the DoD Sexual Assault Prevention and Response Office (SAPRO), has worked to create and improve programs in an effort to provide support to Service members who report sexual assault. The 2016–2017 Military Investigation and Justice Experience Survey (*MIJES*) was the third administration of this DoD-wide survey effort designed to assess the investigative and legal processes experienced by military members that made a formal report of sexual assault.

### Study Background

The 2016–2017 *MIJES* was conducted in response to a Secretary of Defense Directive requiring that a standardized and voluntary survey for military members who brought forward a report of sexual assault be regularly administered to “provide the sexual assault victim/survivor the opportunity to assess and provide feedback on their experiences with (Sexual Assault Prevention and Response) SAPR victim assistance, the military health system, the military justice process, and other areas of support” (Secretary of Defense, 2014). The Health and Resilience (H&R) research directorate, within the Office of People Analytics (OPA), was tasked with this effort in 2014.<sup>10</sup> This was the third and final administration of the *MIJES*.

The 2016–2017 *MIJES* was designed with input from DoD stakeholders. All representatives had a shared goal of gathering accurate data on the investigative and military justice experiences of military members who brought forward a report of sexual assault, while balancing respect for the military member and the need for anonymity. The *MIJES* is not intended to be a probability-based survey (i.e., employing statistical sampling and weighting). It is an anonymous effort providing the responding military members maximum protection of their privacy concerns. This is the only formal assessment of this population across DoD, including active duty and Reserve component members.

The *MIJES* fielded in the last quarter of FY16 in order to capture findings from those eligible military members that made a formal report of sexual assault any time after October 1, 2013, and the disposition of their case was complete and entered into Defense Sexual Assault Incident Database (DSAID) between April 1, 2015 and September 30, 2016 (FY15 Q3 – FY16 Q4). It includes data collected from August 29 to December 6, 2016 (2016 *MIJES*; FY15 Q3 – FY16 Q2) and March 17 to May 12, 2017 (2017 *MIJES*; FY16 Q3 – Q4), based on findings from investigations that were closed/adjudicated between Quarter 3 of fiscal year 2015 (FY15 Q3) and Quarter 4 of fiscal year 2016 (FY16 Q4). Data collected from August 29 to December 6, 2016 (2016 *MIJES*) were presented in the 2016 *MIJES Overview Report* (n = 225; Namrow, De Silva, Barry, Klahr, and Ely, 2017). The 2017 *MIJES* was fielded from March 17 to May 12, 2017

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<sup>10</sup> Prior to 2016, the Defense Research Surveys, and Statistics Center (RSSC) resided within the Defense Manpower Data Center (DMDC). In 2016, the Defense Human Resource Activity (DHRA) reorganized and moved RSSC under the newly established Office of People Analytics (OPA).

using an identical survey instrument to the *2016 MIJES*. In order to obtain a full picture of cases that were closed/adjudicated in the full fiscal year 2016 and to develop a more robust sample size, respondent data from the 2016 and 2017 administrations were combined. Results from the combined dataset are reported in this *2016-2017* report.

The survey focuses on experiences with the military investigation and justice process only and does not ask military members questions about the circumstances or details of the assault. This chapter outlines report content by chapter and provides an overview of the *2016–2017 MIJES* methodology. References to perpetrator/offender throughout this report should be interpreted as “alleged perpetrator” or “alleged offender” because without knowing the specific outcomes of particular allegations, the presumption of innocence applies unless there is an adjudication of guilt. References to “sexual assault” throughout the report do not imply legal definitions for sexual assault. Additionally, references to “retaliation,” “reprisal,” or “ostracism” or perceptions thereof, are based on the negative behaviors as indicated by the survey respondents; without knowing more about the specifics of particular cases or reports, this data should not be construed as substantiated allegations of reprisal or ostracism.

Some questions on the survey included a “*Not applicable*” option for respondents to select. In some instances, results exclude those who indicated “*Not applicable*.” Specifically, unless otherwise noted, estimates presented are of respondents who endorsed a valid response other than “*Not applicable*.” Items for which this applies can be found in the Tabulation of Responses (OPA, 2017b).

### **Survey Content by Chapter**

OPA worked closely with representatives from DoD components to create a survey that would enable the DoD to gauge whether the investigative and military justice processes are effectively meeting the needs of military members who bring forward a report of sexual assault. Areas that were of specific interest to the Department were: the reporting process and details about the military member’s choice to report; experience and satisfaction with specific SAPR resources (including Sexual Assault Response Coordinators [SARCs], Uniformed Victims’ Advocates/Victims’ Advocates [UVAs/VAs], military criminal investigators, military trial counsel, Special Victims’ Counsel [SVC]/Victims’ Legal Counsel [VLC], and Victim Witness Assistance Providers [VWAP]) as well as the military member’s command; outcomes associated with reporting (e.g., perceived professional reprisal, ostracism, and other negative behaviors as a result of reporting a sexual assault); satisfaction with the overall military justice experience; and experiences with expedited transfers. With these interests in mind, the *MIJES* was developed to provide self-reported details related to the overall investigative and military justice experience of military members who brought forward a report of sexual assault.

Specific topics covered in this report are organized across six chapters:

- Chapter 2 summarizes the type of report initially made by eligible respondents,<sup>11</sup> and for those respondents who made a restricted report, whether their report was

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<sup>11</sup> Respondents who were not currently uniformed military members, whose report did not result in a criminal investigation by a Military Criminal Investigative Organization, whose alleged perpetrator was not a military

converted to an unrestricted report and the time frame in which it was converted. Additionally, this chapter highlights the time frame for when their report was made in relation to the sexual assault, and the time frame in which the sexual assault investigation was closed, as well as whether the respondent was made aware of their legal rights.<sup>12</sup>

- Chapter 3 summarizes the experiences, satisfaction, and interactions of respondents with SAPR-related resources and command during the military justice process. Specific SAPR-related resources include the SARC, UVA/VA, military criminal investigators, military trial counsel, SVC/VLCs, and VWAPs. Command includes the respondent’s unit commander or other member of their chain of command, including senior enlisted advisor or immediate supervisor.
- Chapter 4 summarizes the experiences of respondents with the overall military justice process. This includes the extent respondents felt up to date on the progress of their case, their awareness of individuals involved with the case using discretion, whether charges were preferred or if there was an Article 32 preliminary hearing, whether official actions were taken against the alleged perpetrator, overall perceptions about the military justice process, and experiences of respondents with expedited transfers.
- Chapter 5 summarizes other perceived outcomes associated with reporting, specifically behaviorally-based questions designed to capture examples of perceived professional reprisal, perceived ostracism, and perceived other negative behaviors as a result of reporting a sexual assault along with questions regarding who took the action(s), overall perceived impact of these experiences on the respondent’s career, involvement of social media, and actions that may have occurred as a result of these perceived behaviors. The estimates presented in this chapter reflect the respondents’ perceptions about a negative experience associated with their reporting of a sexual assault and not necessarily a reported or legally substantiated incident of retaliation.
- Chapter 6 provides notable comparisons and a summary of all findings.

Five appendices are also included following the report:

- Appendix A contains Frequently Asked Questions (FAQs).
- Appendix B includes the dynamic Service-specific language presented on the web survey.
- Appendix C presents findings from members who were not eligible to respond to the full survey because they chose not to participate in the investigation or military

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member, and who chose not to participate in the investigation or military justice process were ineligible (Q1, Q10, Q11, Q16 *2016–2017 MIJES*).

<sup>12</sup> Appendix C provides findings for three questions, Q17, Q18, and Q127, which are not included in this report because they were only seen by members who were not eligible to complete the survey. These members indicated they chose not to participate in any part of the investigation or military justice process, but were asked follow-up questions about their decision not to participate.

justice process; findings summarize why these members chose not to report and whether they received supportive services and resources.

- Appendix D provides the survey instrument.
- Appendix E provides a description of the composition of the 2016 and 2017 *MIJES* administrations, including age, gender, paygrade, and Service.

## Methodology

### Population

The population of interest for the *2016–2017 MIJES* was current uniformed military members who had a closed case (e.g., investigation done, disposition complete, and case information entered into DSAID) between April 1, 2015 and September 30, 2016 (FY15 Q3 – FY16 Q4).<sup>13</sup> Uniformed military members include members of the active duty (Army, Navy, Marine Corps, and Air Force), the Reserve (Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve), and the National Guard (Army National Guard and Air National Guard) who were not eligible for participation in earlier *MIJES* administrations because their cases may have been pending. All respondents who met the above criteria were eligible to participate in the survey. Respondents who were not currently uniformed military members, whose report did not result in a criminal investigation by an MCIO, whose alleged perpetrator was not a military member, or who chose not to participate in the investigation or military justice process were ineligible.<sup>14</sup>

Survey items were constructed to be dynamic for web data collection so as to match the Service-specific resources available to each respondent. For example, for items that referenced “Uniformed Victims’ Advocate/Victims’ Advocate,” Army and Army Reserve respondents saw “SHARP Victim Advocate” and Navy and Navy Reserve respondents saw “Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victims’ Advocate (SAPR VA).” The Tabulation of Responses (OPA, 2017b) includes the glossary of specific language presented on the paper survey; both the Tabulation of Responses and Appendix B include the dynamic text used on the web version of the survey.

The *2016–2017 MIJES* was an anonymous and voluntary survey and did not employ scientific sampling/weighting which would allow generalizability to the full population of military members who have participated in the military investigative and justice processes. Although not generalizable to the full population of Service members who reported a sexual assault, *MIJES* results provide a rich data source based on the responses of hundreds of military members who brought forward a report of sexual assault.

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<sup>13</sup> The total eligible sample number was 3,688 members. There is a distinction between eligibility of respondents and the availability of the data in DSAID. Data were collected on military members whose investigation was completed in FY15 and FY16; therefore to be eligible for *MIJES*, a military member’s case had to be completed after October 1, 2013. However, the sample for the *2016–2017 MIJES* included military members whose cases were entered into DSAID during Q3 of 2015 (beginning April 1, 2015) and Q4 of 2016 (through September 30, 2016).

<sup>14</sup> *2016–2017 MIJES* Q1, Q10, Q11, Q16.

The survey was administered via the web and paper-and-pen. The 2016 MIJES administration process began on August 29, 2016 with an e-mail announcement message to members in the sample. The 2017 MIJES administration process began on March 17, 2017 with an e-mail announcement message to members in the sample. Both announcement e-mails explained the data collection effort, why the survey was being conducted, instructions for how Service members would take the survey, how the survey information would be used, and why participation was important as well as information about how to opt out of the survey if the Service member did not want to participate. Throughout the administration period, a limited number of additional e-mail reminders were sent to Service members to remind them of the survey effort and to encourage them to take the survey. Data for the 2016 MIJES were collected via the web between August 29, 2016 and December 6, 2016 and via paper-and-pen surveys between September 27, 2016 and December 2, 2016.<sup>15</sup> Data for the 2017 MIJES were collected via the web between March 17, 2017 and May 12, 2017.

The initial sample population for the 2016–2017 MIJES consisted of 6,103 members who made a report of sexual assault and who had a closed case (e.g., investigation done, disposition completed, and case information entered into DSAID) between April 1, 2015 and September 30, 2017 (FY15 Q3 – FY16 Q4).<sup>16</sup> Of the 6,103 members who made a report of sexual assault and who met the eligibility criteria in this timeframe, 3,688 Service members were current military members as of the Defense Manpower Data Center *May 2016 and January 2017 Active Duty Master File* or *Reserve Master File*, and comprised the eligible sample population. Individuals who were no longer members of the military were not surveyed. OPA used contact data to ensure the survey was directed to eligible respondents, however it was not used for any part of the data collection effort and all survey responses received (on both web and paper surveys) were completely anonymous. OPA maintained response anonymity by breaking the link between the sample members' addresses and the survey returns to ensure there was no way to link the respondents' identities to their responses. Additionally, disclosure protection was afforded by the OPA policy on sharing data and management of data per regulations.<sup>17</sup>

Overall, 510 members responded to the 2016–2017 MIJES. Of the respondents who took the survey, 139 were ineligible to answer all the survey questions based on their responses to four eligibility questions and whether they met completion criteria. Specifically, the four eligibility items confirmed that respondents who were not currently uniformed military members, whose report did not result in a criminal investigation by a Military Criminal Investigative Organization, whose alleged perpetrator was not a military Service member, and/or who chose not to participate in the investigation or military justice process were ineligible respondents (Q1, Q10, Q11, Q16). Completion criteria for the survey was defined as answering 50% or more of the questions asked of all respondents.

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<sup>15</sup> All sample members who had not taken the survey by early September 2016 received a paper survey via UPS. The package required the recipient's signature to ensure the sample member was the only one to receive the package in order to maximize privacy.

<sup>16</sup> The 2016 MIJES sample consisted of 3,230 members; the 2017 MIJES sample consisted of 2,873 members.

<sup>17</sup> DMDC (2014). The Office of the Under Secretary of Defense (Personnel and Readiness) Research Regulatory Oversight Office reviewed the MIJES and determined that the study was not research involving human subjects according to Department of Defense Instruction 3216.02.

As seen in Figure 2, after accounting for these five criterion, there were 371 responders who met all criteria, and therefore were considered eligible respondents.<sup>18</sup>

**Figure 2.**  
**2016–2017 MIJES Responders**

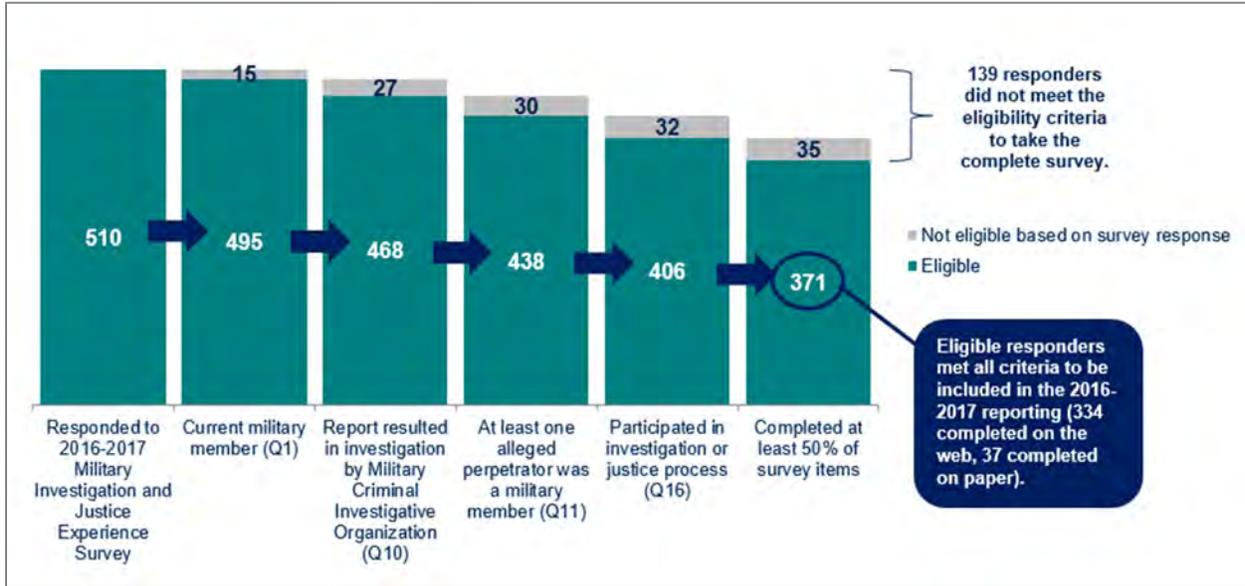


Table 3 shows the number of respondents for the 2016–2017 MIJES overall as well as broken out by gender, Service,<sup>19</sup> age, and administration.<sup>20</sup>

<sup>18</sup> In the *MIJES 2016* administration, 228 responders met all criteria and were considered eligible respondents; in the *MIJES 2017* administration 143 responders met all criteria and were considered eligible respondents.

<sup>19</sup> Reserve members are included in the Service totals (e.g., Army Reserve is included in the Army results). National Guard results include both Army National Guard and Air National Guard.

<sup>20</sup> Findings from the 2016 administration may not match the 2016 MIJES Tabulation Volume (OPA, 2017a). Three respondents participated in the 2016 MIJES following the compilation, reporting, and publication of 2016 MIJES data. The 2016 MIJES survey remained open to allow for participants to continue to enter the survey at their own pace. To have a final dataset, OPA recommended the 2017 MIJES close on May 12, 2017. Results from the 2016 MIJES sample were reported in the 2016 MIJES Overview Report (Namrow, De Silva, Barry, Klahr, and Ely, 2017) and were of 225 responders.

**Table 3.**  
**Number of Respondents by Reporting Category**

	Count	Percent
<b>Total DoD</b>	371	100%
<b>Gender</b>		
Men	43	12%
Women	325	88%
<b>Service/Component</b>		
Army	176	47%
Navy	59	16%
Marine Corps	29	8%
Air Force	84	23%
National Guard	21	6%
<b>Age</b>		
24 Years Old and Younger	140	38%
25-33 Years Old	168	45%
34 Years Old and Older	62	17%
<b>Administration</b>		
2016	228	61%
2017	143	39%

*Note.* Some reporting category percentages may not add up to 100% due to item nonresponse and/or rounding. Respondents who were not currently uniformed military members, whose report did not result in a criminal investigation by an MCIO, whose alleged perpetrator was not a military member, and who chose not to participate in the investigation or military justice process were ineligible (2016–2017 Q1, Q10, Q11, Q16 MIJES). Due to the anonymous nature of the survey, no administrative data was used to confirm the Service, gender, or paygrade of respondents. Therefore, data in these categories are classified according to self-reported data.

### **Analysis**

To further understand details and relationships present in the data, comparisons were conducted using chi square tests of independence (chi square) and correlation analyses. Comparisons presented were chosen by H&R analysts to explore findings revealed during qualitative analysis, or by investigating items of interest to the Department which potentially reflect programmatic change or yield data that may determine actionable results. As data in the survey were not scientifically weighted, statistical calculations are not generalizable to the population and should be interpreted with caution. All quantitative analyses reported as “significant” were statistically significant at either the .05 or .01 level.

Responses to ten open-ended questions were content coded by two reviewers to identify the major themes or concerns expressed. Because not every respondent left comments, no attempt was made to quantify comments or make general assertions about the population of respondents based on the comments. However, the summaries of these comments provide insights for consideration by the Department.

## **Summary**

The following chapters provide results from the *2016–2017 MIJES*. As mentioned, findings from this survey only reflect data from the sample members who responded to the survey and cannot be generalized to all military members who made a report of sexual assault. This was the third and final administration of the *MIJES*.

## Chapter 2: Reporting Sexual Assault

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This chapter provides information on the method used by the respondent to report the sexual assault. Throughout the survey, respondents were asked about their experience with the “military justice process.” While agencies often work together when handling sexual assault cases, for the purposes of this survey, OPA uses the term “military justice process” to refer only to the military justice legal proceedings associated with the report of sexual assault, separate from the investigation. Respondents who were not currently uniformed military members, whose report did not result in a criminal investigation by an MCIO, whose alleged perpetrator was not a military member,<sup>21</sup> and who chose not to participate in the investigation or military justice process were ineligible.<sup>22</sup>

The Department offers military members who experienced a sexual assault two options for formal reporting: *restricted* and *unrestricted* reporting. *Restricted* reporting allows military members to access medical care, mental health care, and advocacy services, without initiating a criminal investigation or notifying their command. An *unrestricted* report allows military members to access the same care as those who file a restricted report, but the report is also referred for investigation to a Military Criminal Investigative Organization (MCIO) and the military member’s command is notified of the incident. Military members may also initially make a restricted report, but may later choose to convert this report to an unrestricted report in order to initiate an investigation. Conversely, once a military member makes an unrestricted report, he/she cannot convert this to a restricted report.

This section includes data on the type of initial report respondents made; for respondents who made a restricted report, whether their report was converted to an unrestricted report, and the time frame in which it was converted; time frame for when the report was made in relation to the sexual assault; whether respondents were made aware of their legal rights and who to contact to help them assert their rights; and when the sexual assault investigation was closed. Results are presented for survey respondents at the Total DoD level.

### Report Type

#### *Initial Report Type*

As seen in Figure 3, 59% of respondents indicated they initially made an *unrestricted report*, whereas 21% indicated they initially made a *restricted report* and 19% indicated that *command or law enforcement was notified before they could make a reporting option choice*. Only 1% of respondents were *unable to recall* what type of initial report they made.

As mentioned, a military member who initially makes a restricted report may decide to convert the report to unrestricted in order to initiate an investigation by an MCIO. Alternatively, if

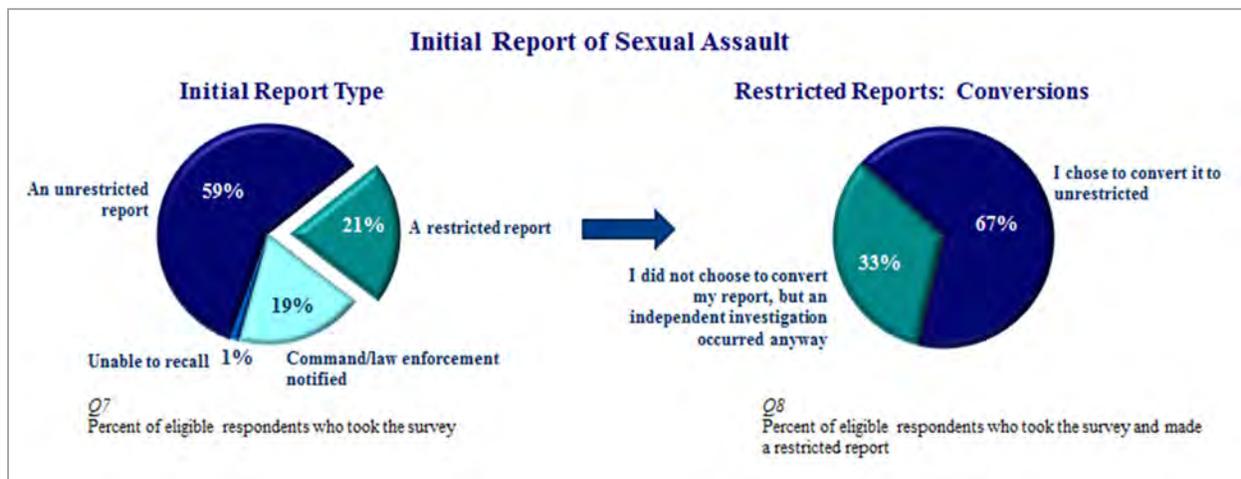
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<sup>21</sup> 90% of respondents indicated that *yes, an active duty member* was the alleged perpetrator of the sexual assault and 10% indicated that *yes, a National Guard or Reserve member* was the alleged perpetrator.

<sup>22</sup> 2016–2017 MIJES Q1, Q10, Q11, and Q16.

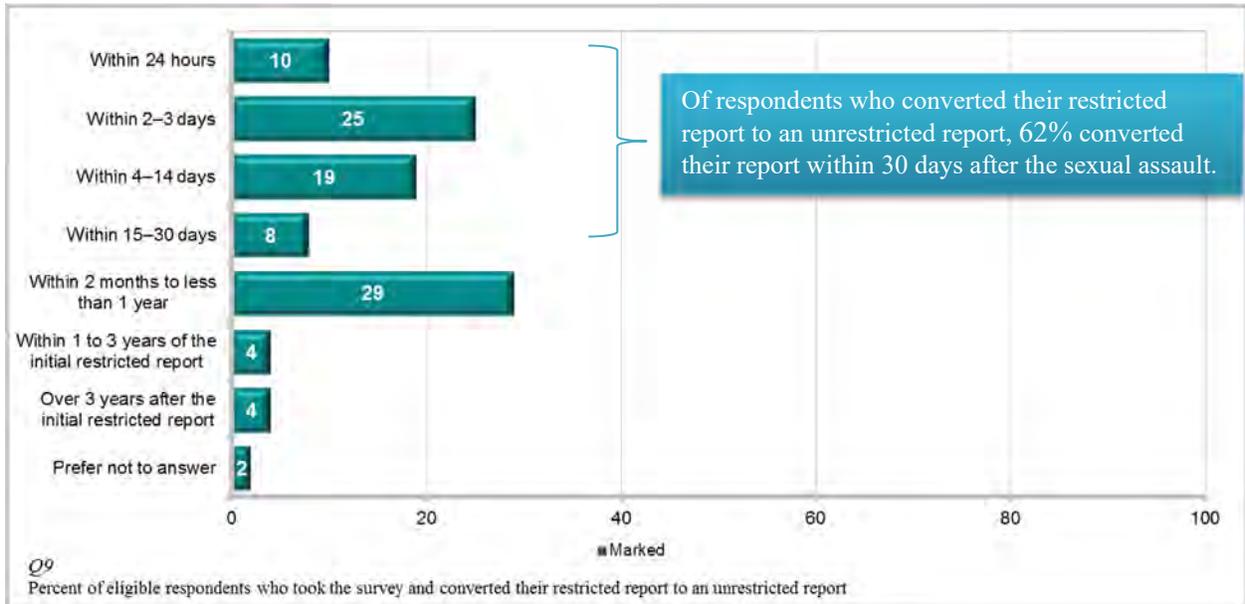
command or law enforcement is made aware of the incident, an investigation may proceed without the military member’s participation. The survey asked respondents to indicate whether their restricted report was converted to an unrestricted report for any reason. As seen in Figure 3, of the 21% of respondents who initially made a restricted report (n = 78), 67% indicated *they chose to convert it to unrestricted* and 33% indicated *they did not choose to convert their report, but an independent investigation occurred anyway* (for example, someone they talked to about it notified their chain of command and they initiated an investigation). Note that all sample members ultimately had an unrestricted report because this was one of the eligibility criteria for the survey.

**Figure 3.**  
*Initial Report Type and Restricted Report Conversions*



There are several factors that may impact a military member’s decision to convert a restricted report to an unrestricted report. Therefore, military members take varying lengths of time in deciding whether or not to make this decision. As seen in Figure 4, for respondents who chose to convert their restricted report to an unrestricted report (n = 52), the majority converted within 30 days following the assault and almost all converted by one year.

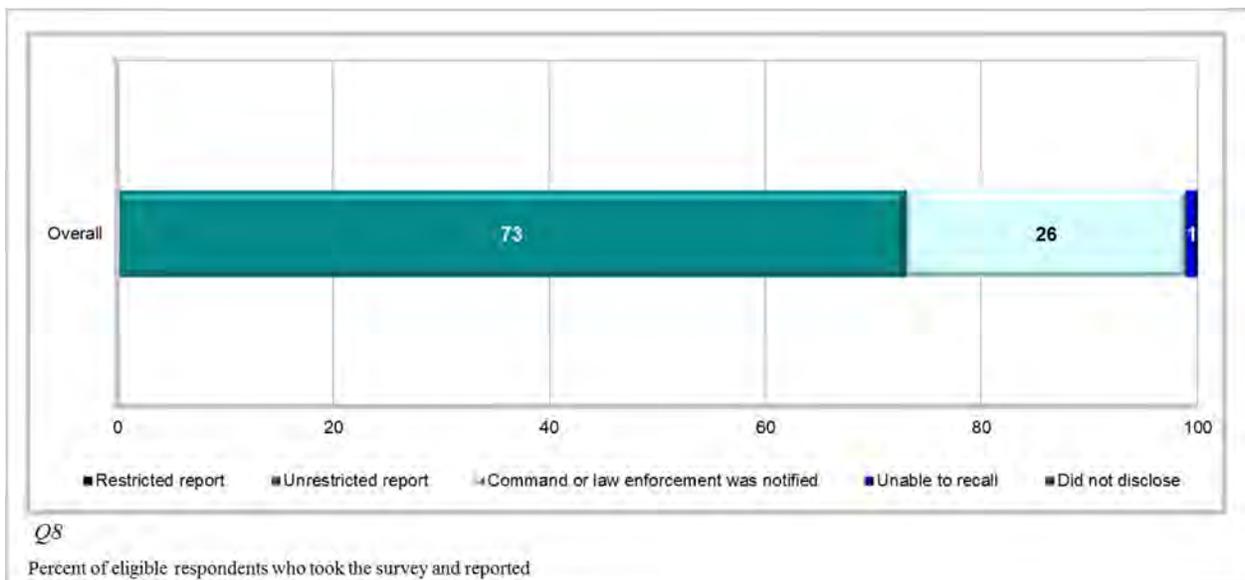
**Figure 4.**  
*Time to Convert Restricted Report to Unrestricted Report*



**Final Report Type**

As seen in Figure 5, 73% of respondents indicated their final report, including those restricted reports that were converted to unrestricted, was an *unrestricted report*, 26% indicated *command or law enforcement was notified*, and 1% indicated they were *unable to recall*.

**Figure 5.**  
*Final Report Type*

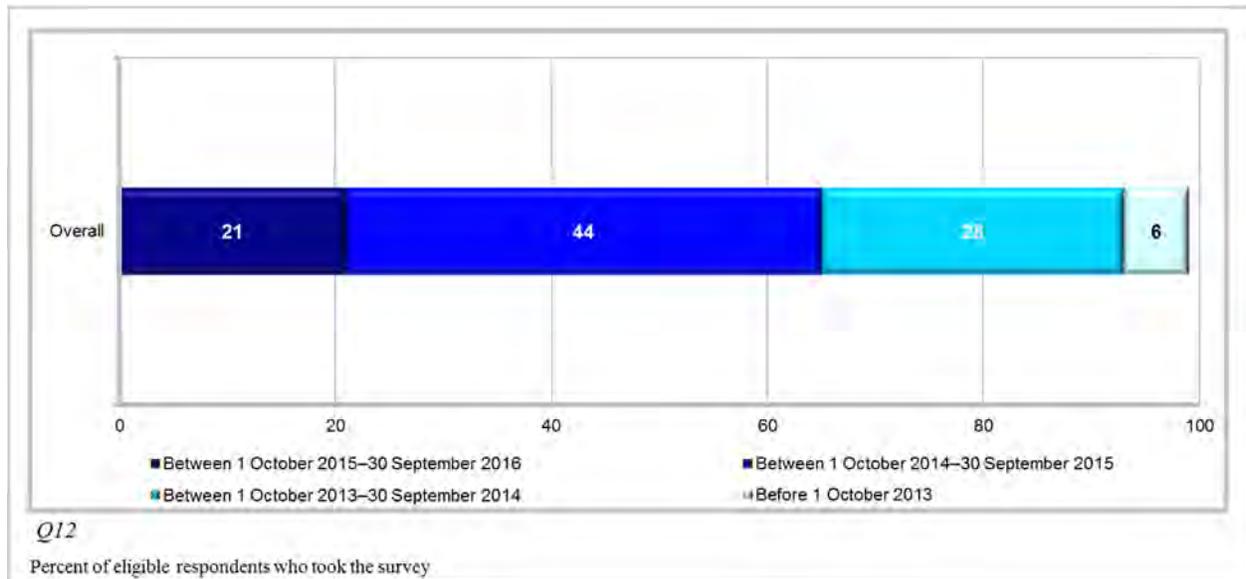


### Details of Reporting

Respondents were asked to specify certain details about the report they made. Specifically, they were asked about the time frame for when they made their report, how soon after the sexual assault occurred they chose to make their report, and the time frame for when the sexual assault investigation closed.

**Time Frame for When Report Was Made.** There have been many improvements and implementation of additional support for military members in Sexual Assault and Prevention Response (SAPR) resources and programs over the last few years. In order for the Department to know which services were available to the military member immediately after their report of sexual assault, respondents were asked to indicate the time frame that most accurately represents when they reported their sexual assault.<sup>23</sup> As seen in Figure 6, 21% indicated their report was made *between 1 October 2015–30 September 2016* (FY16), 44% indicated their report was made *between 1 October 2014–30 September 2015* (FY15), 28% indicated their report was made *between 1 October 2013–30 September 2014* (FY14), and 6% indicate their report was made *before 1 October 2013* (pre-FY14).<sup>24</sup>

**Figure 6.**  
**Time Frame for When Report Was Made**

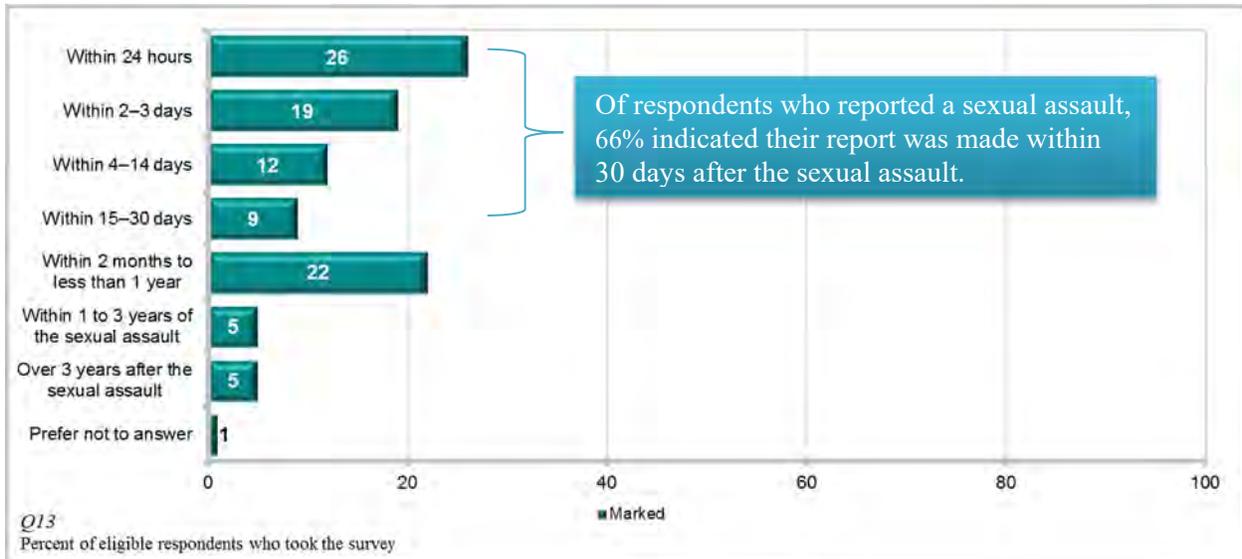


<sup>23</sup> Respondents who made an *unrestricted report*, were asked to provide information on that report. Those whose restricted report was *converted to an unrestricted report* were asked to provide information on the unrestricted report. Those whose report was *investigated before they could make a reporting option choice* were asked to provide information for when the command was notified.

<sup>24</sup> One percent of eligible respondents indicated their report was made after 1 October 2016. To be included in the 2016–2017 MIJES sample, reports needed to be made prior to 1 October, 2016. Therefore this percentage of respondents is not included in any discussions regarding *Time Frame for When Report Was Made*.

***Time Frame for How Soon the Report Was Made After the Sexual Assault Allegedly Occurred.*** The length of time between when an assault occurs and when a report is made can often impact the outcome of an investigation. Therefore it is of interest to the Department to know how long after the assault most military members report. As seen in Figure 7, of respondents who reported a sexual assault, the majority (66%) reported the assault *within 30 days* and one-quarter (26%) reported the assault *within 24 hours*.

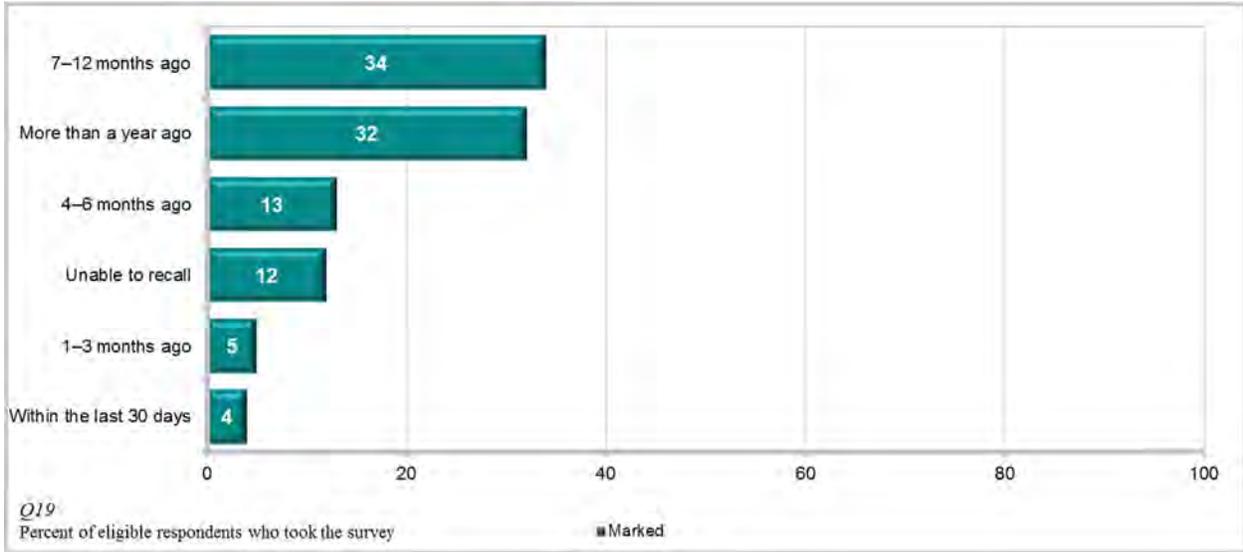
**Figure 7.**  
***Time Frame for How Soon the Report Was Made After the Sexual Assault Allegedly Occurred***



***Time Frame for When Sexual Assault Investigation Closed.*** Criteria for eligibility to take the 2016–2017 MIJES included SAPR personnel indicating that the military member’s case had been closed in Defense Sexual Assault Incident Database (DSAID). However, there may be a delay in entering this information into DSAID, and OPA cannot assure information is entered immediately after the case is closed. Therefore, the Department asked MIJES respondents when they believed the investigation closed.

As seen in Figure 8, of respondents who made a report of sexual assault, the majority indicated that the investigation closed *7 or more months ago*.

**Figure 8.**  
*Time Frame for When Sexual Assault Investigation Closed*



## Awareness and Assertion of Legal Rights

### *Made Aware of Legal Rights Throughout the Military Justice Process*

Military members who report a sexual assault are to be made aware of their legal rights including their right to be heard, right to confer with an attorney, and right to proceedings without unreasonable delay. Respondents were asked whether they had been made aware of their legal rights throughout the military justice process. As seen in Figure 9, the majority of respondents (78%) indicated *yes*, they were made aware.

***Knew Who to Contact to Help Assert Rights.*** As indicated above, military members who report a sexual assault have legal rights throughout the military justice process. Members who choose to report a sexual assault should be provided information regarding who they can contact to help them assert these legal rights. As seen in Figure 9, the majority of respondents (78%) indicated *yes*, they knew who to contact to help assert their rights.

**Figure 9.**  
*Awareness and Assertion of Legal Rights*





## Chapter 3: Experiences With Sexual Assault Prevention and Response-Related Resources and Command

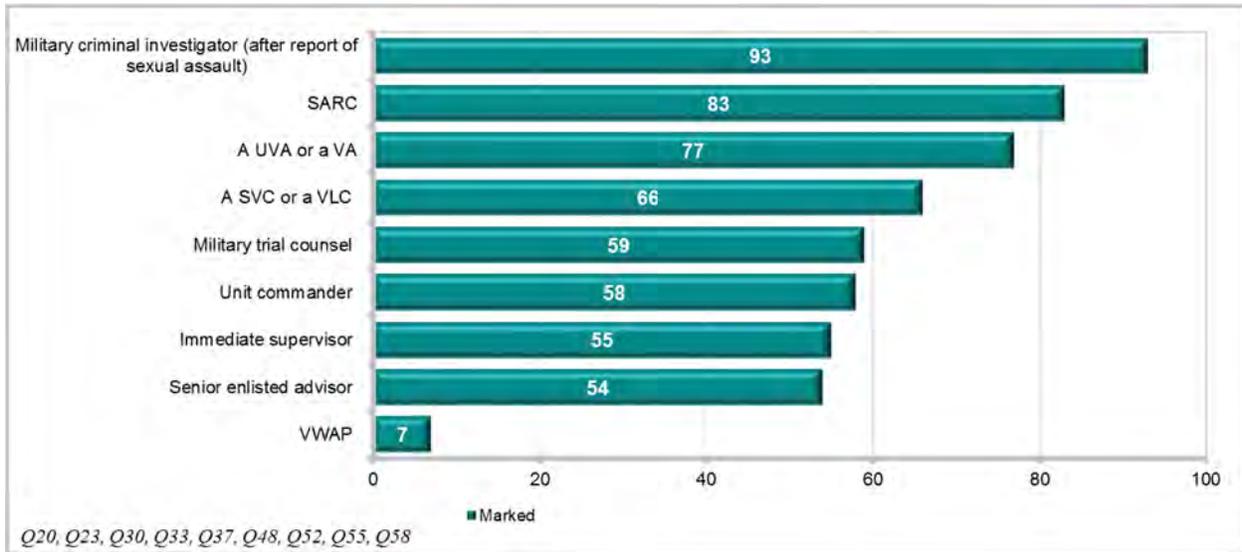
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Military members who make an unrestricted report of sexual assault have a variety of resources available to them throughout the military justice process. This chapter provides information about the experiences and assessments of resources that respondents elected to use and interact with during the military justice process as well as experiences with command. Resources include the Sexual Assault Response Coordinator (SARC), the Uniformed Victim Advocate (UVA)/Victim Advocate (VA), military criminal investigators (MCI), military trial counsel, Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC), and Victim Witness Assistance Provider (VWAP). Command includes the respondent's unit commander and their immediate supervisor and/or senior enlisted advisor. Overall, most resources were used by respondents, and most of the users were satisfied with the resources overall. Satisfaction ratings were highest for SVCs/VLCs and UVAs/VAs, with room for improvement in satisfaction for members of command and military criminal investigators.

### Interaction With Resources During the Military Investigation and Justice Process

As seen in Figure 10, the most frequently used resources were military criminal investigators (MCI), SARCs, and UVA/VA's, with 93% of respondents indicating interacting with *a MCI after their report of sexual assault*, 83% indicating interacting with *a SARC* and 77% indicating interacting with *a UVA or a VA*. Sixty-six percent indicated interacting with *a SVC or VLC*, 59% indicated interacting with *military trial counsel*, 58% indicated interacting with *their unit commander*, 55% indicated interacting with their *immediate supervisor*, and 54% indicated interacting with their *senior enlisted advisor* during the military justice process. Only 7% indicated they interacted with a *VWAP* during the military justice process. All information about resources used or available and levels of command highlighted in the rest of the chapter are based only on those respondents indicating that they interacted with the specific resource.

**Figure 10.**  
*Interaction With Resources During the Military Investigation and Justice Process*



### Experiences With Sexual Assault Response Coordinator (SARC)

The position of the SARC was established to coordinate sexual assault victim care. Upon receipt of a report of sexual assault, the SARC assigns a VA to help military members obtain necessary services and provides crisis intervention, referrals, and ongoing nonclinical support. This support includes providing information on available options and resources so the military member can make informed decisions about the case.

The SARC serves as the single point of contact to coordinate sexual assault victim care. The term “Sexual Assault Response Coordinator” is a term utilized throughout DoD and the Services to facilitate communication and transparency regarding sexual assault response capability. The SARC is responsible for providing a variety of resources to military members who bring forward a report of sexual assault, including ensuring there is 24/7 response capability, ensuring appropriate care is coordinated and provided to military members, and tracking the services provided from initial report through final disposition.

**83** % of respondents indicated interacting with a SARC during the military justice process. The remaining items in this section are of this 83%.

### Assessment of Experiences With SARC

As seen in Table 4, most respondents who interacted with a SARC during the military justice process **agreed** the SARC *supported them throughout the military justice process (79%); helped them work with military criminal investigators, attorneys, and commanders (70%); and contacted them on a regular basis regarding their well-being while their case was open (66%).*

**Table 4.**  
*Assessment of Experiences With SARC*

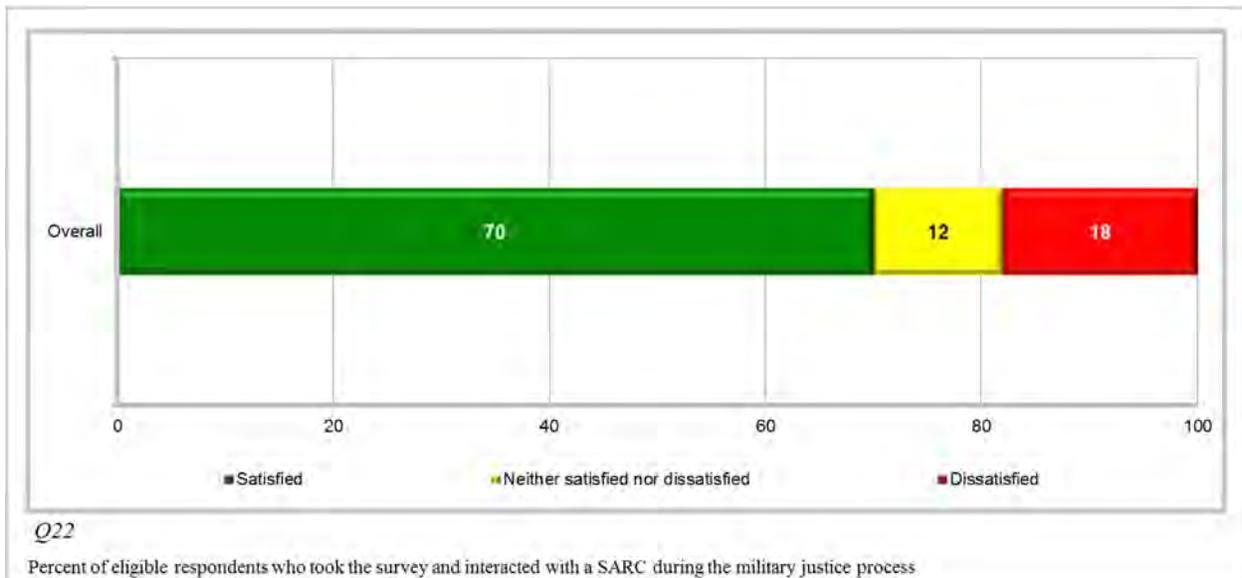
Assessment of SARC Experiences	Agree	Neither agree nor disagree	Disagree
He/She supported you throughout the military justice process.	79	8	13
He/She helped you work with military criminal investigators, attorneys, and commanders.	70	13	17
He/She contacted you on a regular basis regarding your well-being while your case was open.	66	12	22

*Note.* Q21. Percent of eligible respondents who took the survey and interacted with a SARC during the military justice process. The eligible number of respondents who answered the questions ranges from 298-300. Results exclude those who indicated “Not applicable.”

### **Satisfaction With SARC**

As seen in Figure 11, of respondents who interacted with a SARC during the military justice process, 70% indicated that they were **satisfied** with the services of their SARC; 18% were **dissatisfied**.

**Figure 11.**  
*Satisfaction With SARC*



### **Experiences With Uniformed Victim Advocate (UVA)/Victim Advocate (VA)**

The Department offers Service members with sexual assault assistance and services from SARCs and UVAs/VAs. A UVA is a Uniformed Victims’ Advocate (typically a military member) and a VA is an installation-level Victims’ Advocate (typically a DoD civilian). A military member

who makes a report of sexual assault may interact with a UVA, a VA, or potentially both.<sup>25</sup> As Services and components have different names for these providers, for the paper mode of the survey, a glossary was provided, and for the web version of the survey, dynamic text was used.<sup>26</sup> For the purposes of this report, these resources, when combined, will be referred to as UVA/VA.

UVAs/VAs are professionals trained to support victims of crime. UVAs/VAs offer information, emotional support, and help finding resources and filling out paperwork to military members who bring forward a report of sexual assault. A UVA/VA will accompany these military members to interviews and appointments and may continue to assist them until they no longer feel a need for support. UVAs/VAs also provide direct assistance to military members who bring forward a report of sexual assault, listen to their needs, and then connect them with appropriate resources, including medical care, mental health care, legal advice, and spiritual support. UVAs/VAs work with military members to help them make informed choices and then support them through each step of the process. UVAs/VAs report directly to the SARC for Victim Advocate duties, specifically that they are available to respond 24 hours a day, 7 days a week, provide ongoing nonclinical support, facilitate care for the military member, provide information on options and resources, assist the military member with accessing resources, accompany the military member to appointments, if desired, and provide monthly case status updates to the military member.

**77%** of respondents indicated interacting with a UVA and/or a VA during the military justice process. The remaining items in this section are of this 77%.

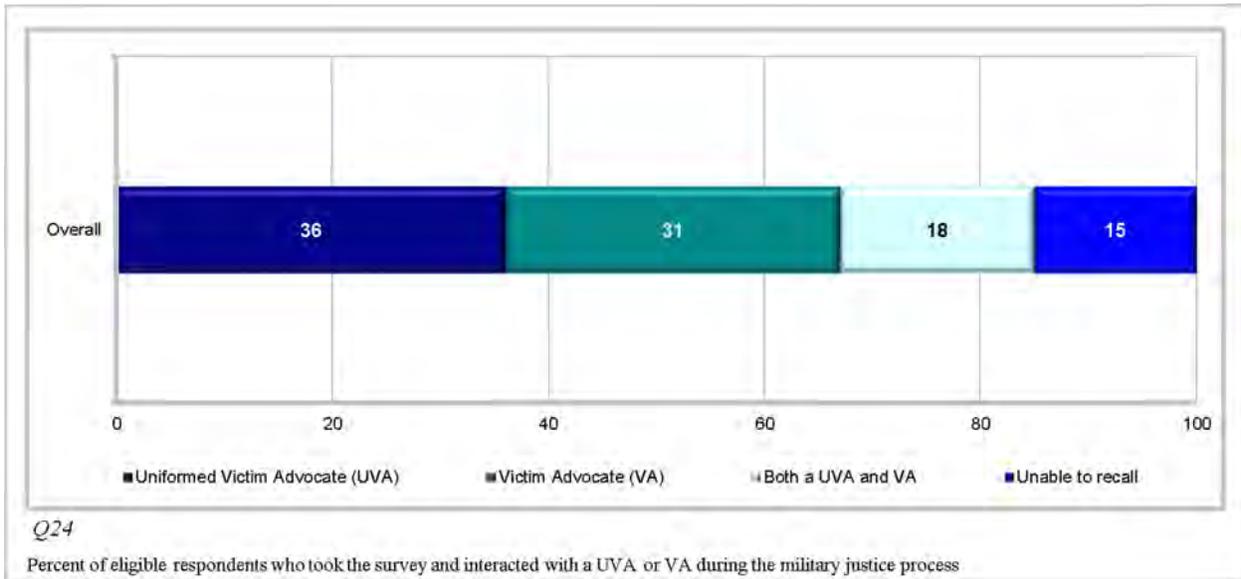
### ***Type of UVA/VA the Respondent Interacted With***

As seen in Figure 12, of respondents who interacted with a UVA or VA during the military justice process, 36% indicated they interacted with an UVA, 31% indicated they interacted with a VA, 18% indicated interacting with *both a UVA and VA*, whereas 15% were *unable to recall* with which type of advocate they interacted. Therefore, of those who indicated interacting with a UVA and/or a VA, 54% indicated using a UVA and 49% used a VA.

<sup>25</sup> A military member may interact with both a UVA and a VA in certain circumstances, including if the military member makes an initial report to the UVA and the UVA refers him/her to the installation VA.

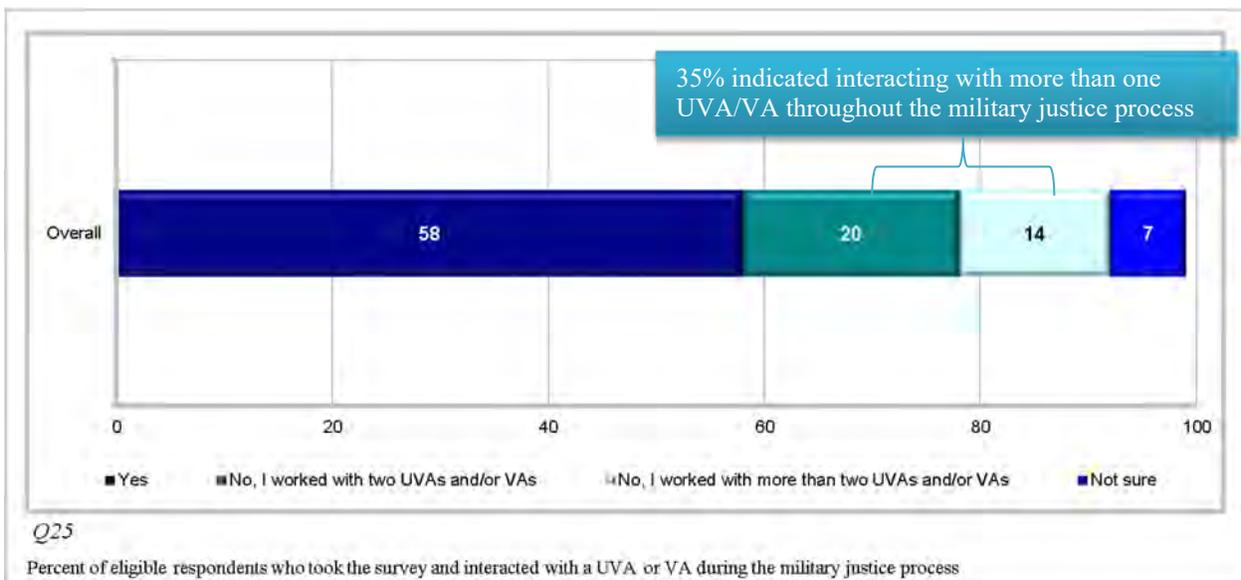
<sup>26</sup> Dynamic text used for the web version of the survey is provided in Appendix B. Glossary presented for paper mode is provided in the *2016–2017 Military Investigation and Justice Experience Survey: Tabulations of Responses* (OPA, 2017b).

**Figure 12.**  
*Type of UVA/VA the Respondent Interacted With*



**Worked With Same UVA/VA Throughout the Military Justice Process.** As seen in Figure 13, of respondents who interacted with a UVA or VA during the military justice process, 58% indicated *yes*, they worked with the same UVA/VA during the military justice process while 35% indicated interacting with more than one UVA/VA.

**Figure 13.**  
*Worked With Same UVA/VA Throughout the Military Justice Process*



**Assessment of Experiences With UVA**

The 54% of respondents who interacted with a UVA during the military justice process were asked whether they **agreed** with statements pertaining to their experience with the UVA. As seen in Table 5, most respondents who interacted with a UVA agreed that the UVA provided support. In particular, 81% indicated the UVA *supported them throughout the military justice process*; 78% indicated the UVA *helped them work with military criminal investigators, attorneys, and commanders*; and 76% indicated the UVA *contacted them on a regular basis regarding their well-being while their case was open*.

**Table 5.**  
*Assessment of Experiences With UVA*

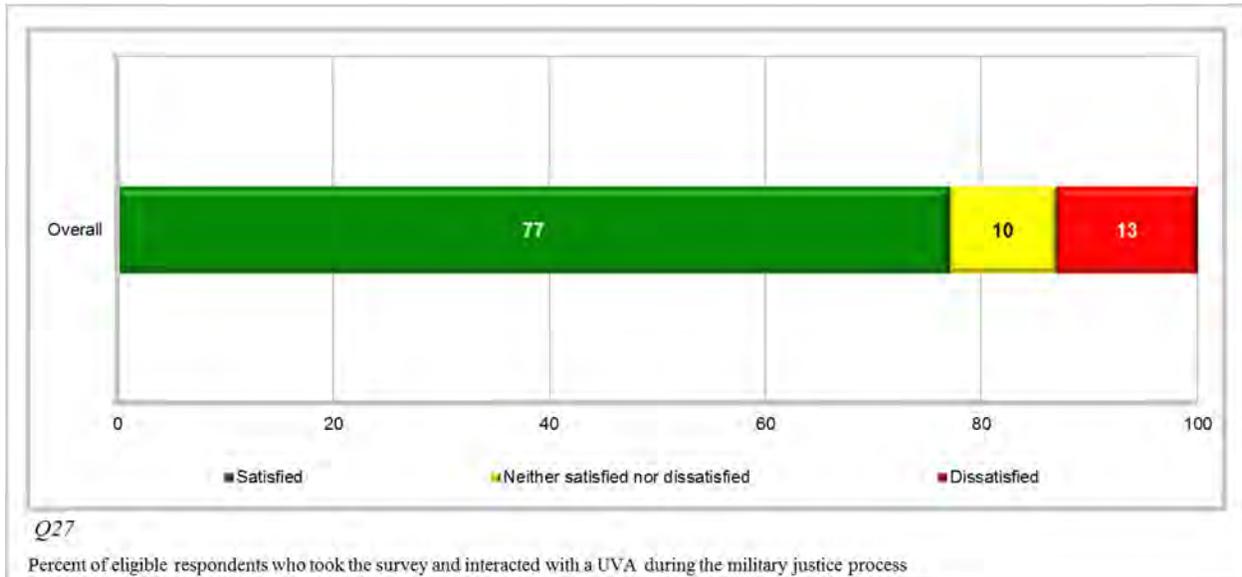
Assessment of UVA Experiences	Agree	Neither agree nor disagree	Disagree
He/She supported you throughout the military justice process.	81	6	13
He/She helped you work with military criminal investigators, attorneys, and commanders.	78	8	14
He/She contacted you on a regular basis regarding your well-being while your case was open.	76	7	17

*Note.* Q26. Percent of eligible respondents who took the survey and interacted with a UVA during the military justice process. The eligible number of respondents ranges from 147-149. Results exclude those who indicated “Not applicable.”

**Satisfaction With UVA**

As seen in Figure 14, of respondents who interacted with a UVA during the military justice process, the majority (77%) indicated that they were **satisfied** with the services of their UVA, whereas 13% were **dissatisfied**.

**Figure 14.**  
*Satisfaction With UVA*



### **Assessment of Experiences With VA**

The 49% of respondents who interacted with a VA during the military justice process were asked whether they **agreed** with statements pertaining to their experience with the VA. As seen in Table 6, most respondents agreed that their VA provided support, and these metrics were similar to the metrics for UVAs. In particular, 80% indicated the VA *supported them throughout the military justice process*; 72% indicated the VA *helped them work with military criminal investigators, attorneys, and commanders*; and 74% indicated the VA *contacted them on a regular basis regarding their well-being while their case was open*.

**Table 6.**  
*Assessment of Experiences With VA*

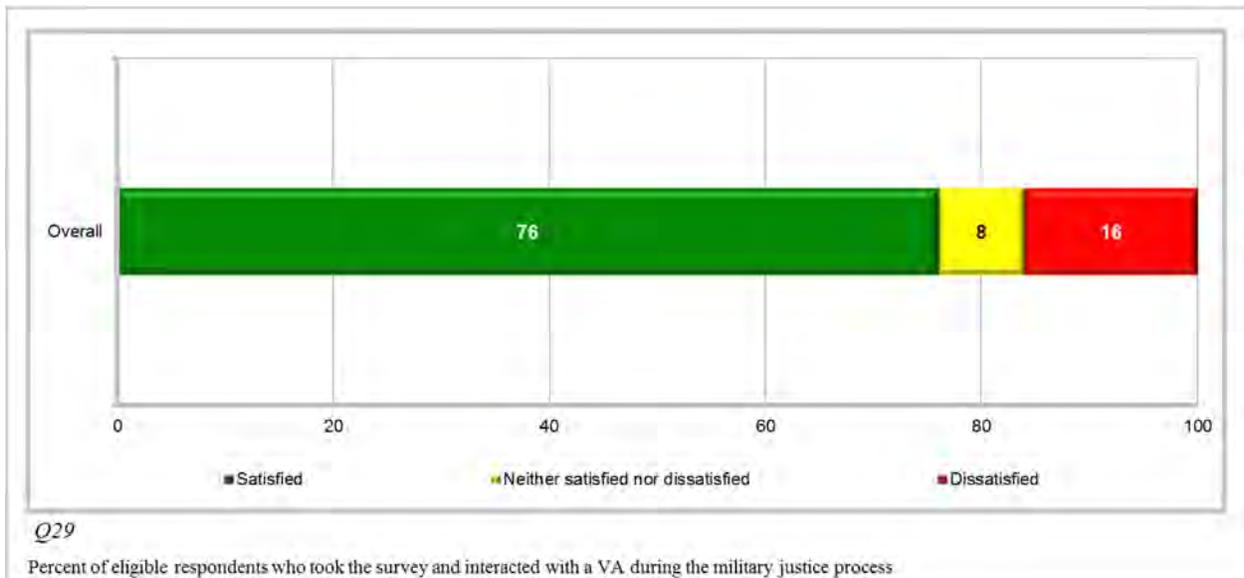
Assessment of VA Experiences	Agree	Neither agree nor disagree	Disagree
He/She supported you throughout the military justice process.	80	5	15
He/She contacted you on a regular basis regarding your well-being while your case was open.	74	8	18
He/She helped you work with military criminal investigators, attorneys, and commanders.	72	9	19

*Note.* Q28. Percent of eligible respondents who took the survey and interacted with a VA during the military justice process. The eligible number of respondents ranges from 136-138. Results exclude those who indicated “Not applicable.”

**Satisfaction With VA**

As seen in Figure 15, of respondents who interacted with a VA during the military justice process, 76% indicated that they were **satisfied** with the services of their VA, whereas 16% were **dissatisfied**.

**Figure 15.**  
*Satisfaction With VA*



**Experiences With Military Criminal Investigative Organizations (MCIO)**

The DoD Inspector General (IG) has statutory authority in accordance with the Inspector General Act of 1978, as amended, for policy, oversight, and performance evaluation with respect to “all DoD activities relating to criminal investigation programs.” This guidance directs the DoD IG to develop policy and to oversee the Department’s criminal investigative organizations’

investigations of sexual assaults. Within the Department, the Military Criminal Investigative Organizations (MCIOs) are responsible for investigating all adult sexual assaults.<sup>27</sup> The MCIOs are also responsible for the development of specific investigative policies and requirements to govern the investigation of adult sexual assault, as well as training assigned special agents in accordance with the Services' training standards.

DoDD 6495.01 requires:

“[A]n immediate, trained sexual assault response capability shall be available for each report of sexual assault in all locations, including in deployed locations. The response time may be affected by operational necessities, but will reflect that sexual assault victims shall be treated as emergency cases.”

Within the Department, MCIOs provide a trained response capability to investigate reports of sexual assaults in all locations. DoDI 6495.02 establishes requirements and responsibilities for DoD Components, including SAPRO, the DoD IG, and the Secretaries of the Military Departments, relating to DoD's response to sexual assault incidents. The Instruction designates the MCIO criminal investigators as DoD sexual assault first responders. DoDI 5505.18 establishes policy, assigns responsibilities, and provides procedures for the investigation of sexual assault with adult victims within the DoD. It is DoD policy that MCIOs will initiate investigations of all offenses of adult sexual assault of which they become aware.<sup>28</sup>

Military members who brought forward a report of sexual assault may interact with several military criminal investigators throughout the investigation process. Therefore respondents were asked to think about their overall experience working with military criminal investigator(s).

**93** % respondents indicated interacting with a military criminal investigator (MCI) after their report of sexual assault. The remaining items in this section are of this 93%.

### ***Assessment of Experiences With Military Criminal Investigator***

As seen in Table 7, most respondents who interacted with a MCI after their report of sexual assault **agreed** the MCI completed various aspects of their role and showed adequate care and respect for the respondent. The top two statements respondents **disagreed** with were the MCI *provided information about the progress of their investigation* (30%) and *allowed them to provide information at their own pace* (21%), however, the majority of respondents agreed that the MCI provided these elements.

<sup>27</sup> The MCIOs include the U.S. Army Criminal Investigation Command (CID), Naval Criminal Investigative Service (NCIS), and Air Force Office of Special Investigations (OSI).

<sup>28</sup> DoDIG (2015).

**Table 7.**  
*Assessment of Experiences With Military Criminal Investigator*

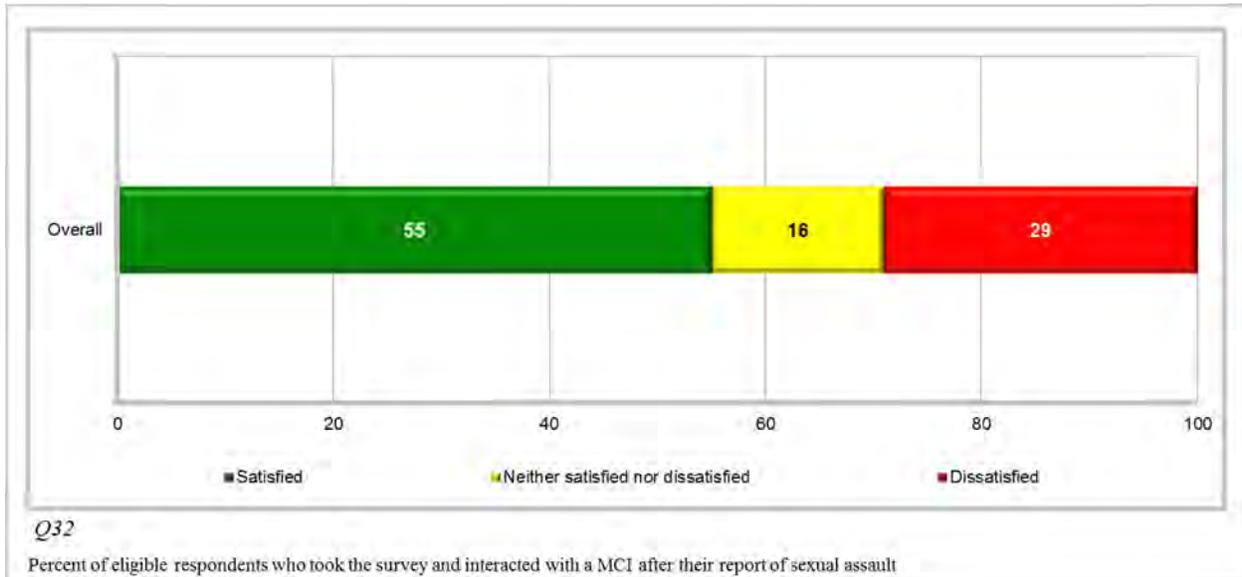
Assessment of MCI Experiences	Agree	Neither agree nor disagree	Disagree
He/She was professional in interactions with you.	83	8	9
He/She took your report seriously.	79	10	11
He/She treated you with dignity and respect.	79	8	13
He/She gave you sufficient time and professional consideration in hearing your complaint.	78	9	13
He/She answered your questions about the investigative process.	76	13	11
He/She provided initial information for victims (DD2701) and explained your legal rights.	72	16	12
He/She informed you of the availability of SVC or VLC assistance.	71	13	16
He/She allowed you to provide information at your own pace.	71	9	21
He/She listened to you without judgment.	70	11	18
He/She took steps to address your safety.	67	14	19
He/She provided information about the progress of your investigation.	56	14	30

*Note.* Q31. Percent of eligible respondents who took the survey and interacted with a MCI after their report of sexual assault. The eligible number of respondents who answered the question ranges from 325-342. Results exclude those who indicated “Not applicable.”

**Satisfaction With Military Criminal Investigators**

As seen in Figure 16, despite relatively high levels of agreement that the MCI performed their role, of respondents who interacted with a MCI after their report of sexual assault, only slightly more than half (55%) indicated that they were **satisfied** with the MCI(s) during the criminal investigation process, whereas 29% were **dissatisfied**.

**Figure 16.**  
*Satisfaction With Military Criminal Investigators*



## Experiences With Military Trial Counsel

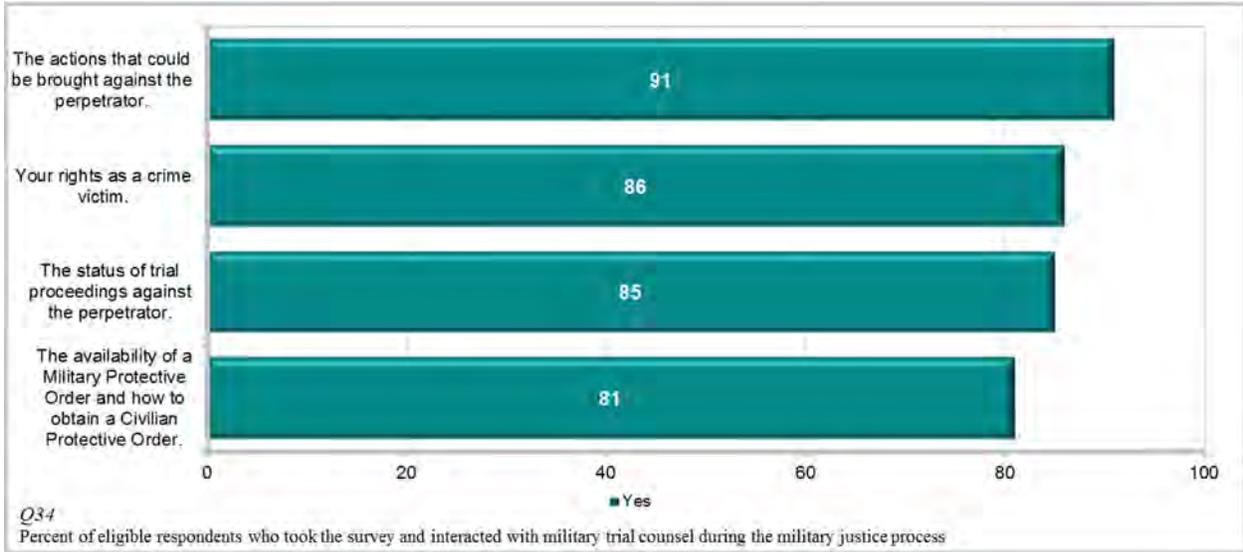
Respondents were asked about their experiences with military trial counsel (i.e., the military attorney who prosecuted their case). Military members who brought forward a report of sexual assault may interact with more than one military trial counsel throughout the military justice process, and therefore respondents were asked to think about their overall experience working with one or more attorneys from the military trial counsel office.

**59%** of respondents indicated interacting with military trial counsel during the military justice process. The remaining items in this section are of this 59%.

### ***Overall Information Provided by the Military Trial Counsel***

As seen in Figure 17, respondents who interacted with a military trial counsel during the military justice process were asked whether they discussed specific topics (e.g., their rights, trial status) with the military trial counsel. Overall, the majority of respondents reported that they had discussed these topics.

**Figure 17.**  
**Overall Information Provided by the Military Trial Counsel**



**Assessment of Experiences With Military Trial Counsel**

As seen in Table 8, most respondents who interacted with military trial counsel during the military justice process **agreed** the military trial counsel treated them appropriately. The top two statements respondents **disagreed** with were military trial counsel *informed them about the progress of their case* (17%) and *took steps to protect their safety* (14%).

**Table 8.**  
**Assessment of Experiences With Military Trial Counsel**

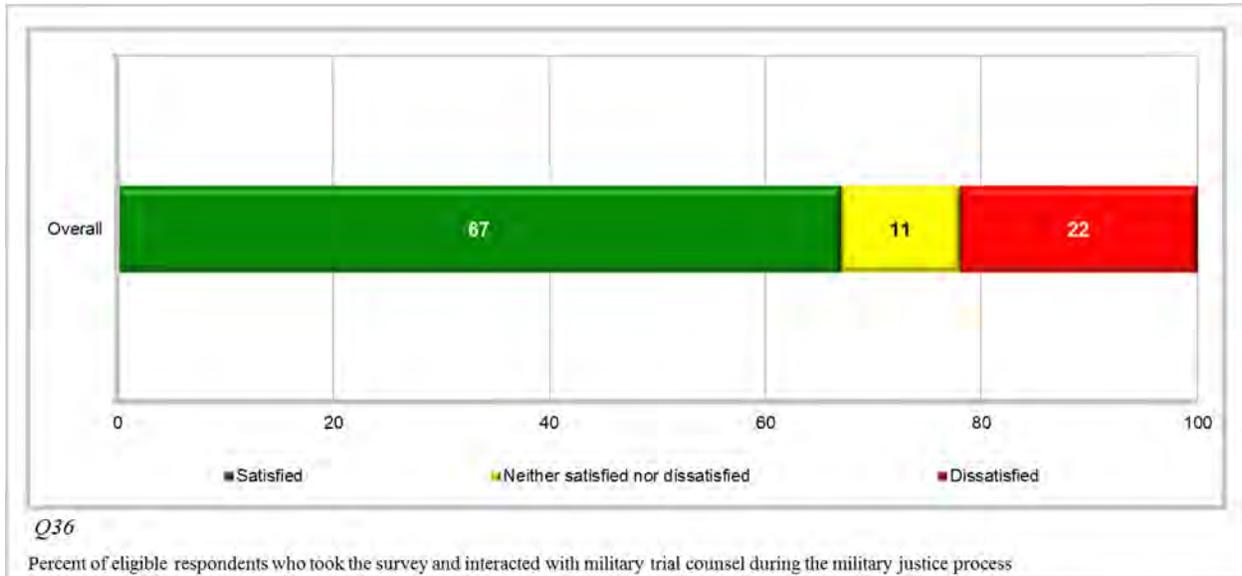
Assessment of Military Trial Counsel Experiences	Agree	Neither agree nor disagree	Disagree
He/She was professional in interactions with you.	90	4	6
He/She took your report seriously.	86	5	9
He/She treated you with dignity and respect.	85	8	7
He/She answered your questions.	84	7	9
He/She communicated with your SVC/VLC with your consent.	84	7	10
He/She listened to you without judgment.	82	8	10
He/She took steps to protect your safety.	78	8	14
He/She informed you about the progress of your case.	75	8	17

*Note.* Q35. Percent of eligible respondents who took the survey and interacted with military trial counsel during the military justice process. The eligible number of respondents who answered the question ranges from 208-214. Results exclude those who indicated “Not applicable.”

### Satisfaction With Military Trial Counsel

As seen in Figure 18, of respondents who interacted with military trial counsel during the military justice process, 67% indicated that they were **satisfied** with the military trial counsel, whereas 22% were **dissatisfied**.

**Figure 18.**  
*Satisfaction With Military Trial Counsel*



### Experiences With Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC)

The legal process for prosecuting sexual assault cases can often be daunting and confusing for military members who report a sexual assault. Military members can access the services of SVCs/VLCs regardless of filing a restricted or unrestricted report of sexual assault.

The Army, Air Force, and National Guard refer to these professionals as SVC, while the Navy and Marine Corps have labeled them VLC. Whether an SVC or VLC, these lawyers have experience trying cases in military courts and often in civilian courts as well. They understand the legal process and are able to guide military members through the military justice process and act as the member's legal advocate.

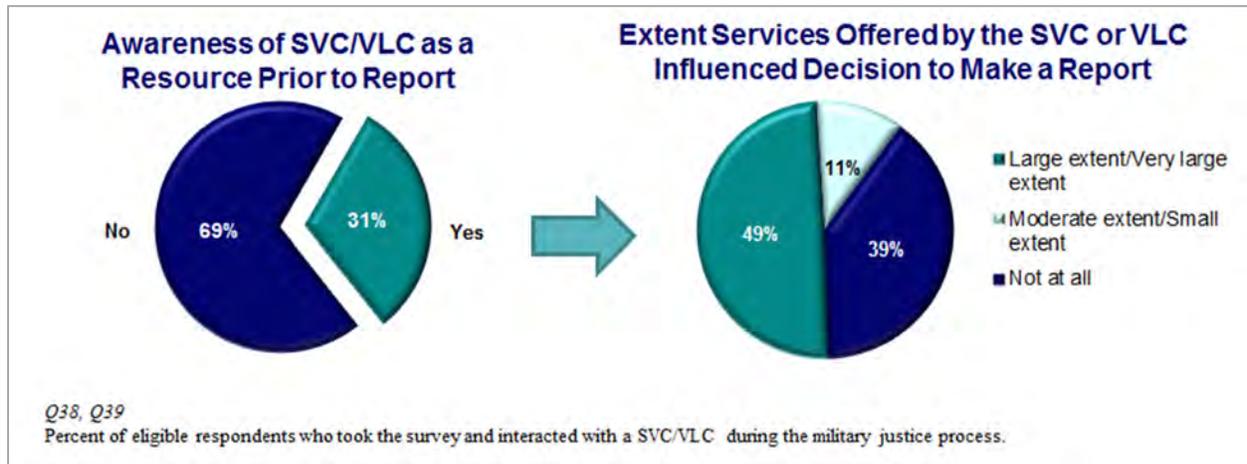
**66%** of respondents indicated interacting with a SVC or VLC during the military justice process. The remaining items in this section are of this 66%.

#### **Awareness of SVC/VLC Prior to Report**

Of respondents who interacted with a SVC/VLC during the military justice process, 31% indicated that *yes*, prior to their report, they were aware that SVCs/VLCs were available as a resource. Figure 19 highlights the impact that knowledge about the SVC/VLC program had for respondents who interacted with the resource. Of the 31% of respondents who interacted with a

SVC/VLC and who were aware of the SVC/VLC program prior to their report, 49% indicated that their awareness of the program impacted their decision to report to a *large extent/very large extent* and 11% indicated it impacted their decision to a *moderate extent/small extent*, whereas 39% indicated their awareness of the services did *not at all* influence their decision to report.

**Figure 19.**  
*Awareness and Influence of SVC/VLC Prior to Report*



**Assignment of SVC/VLC**

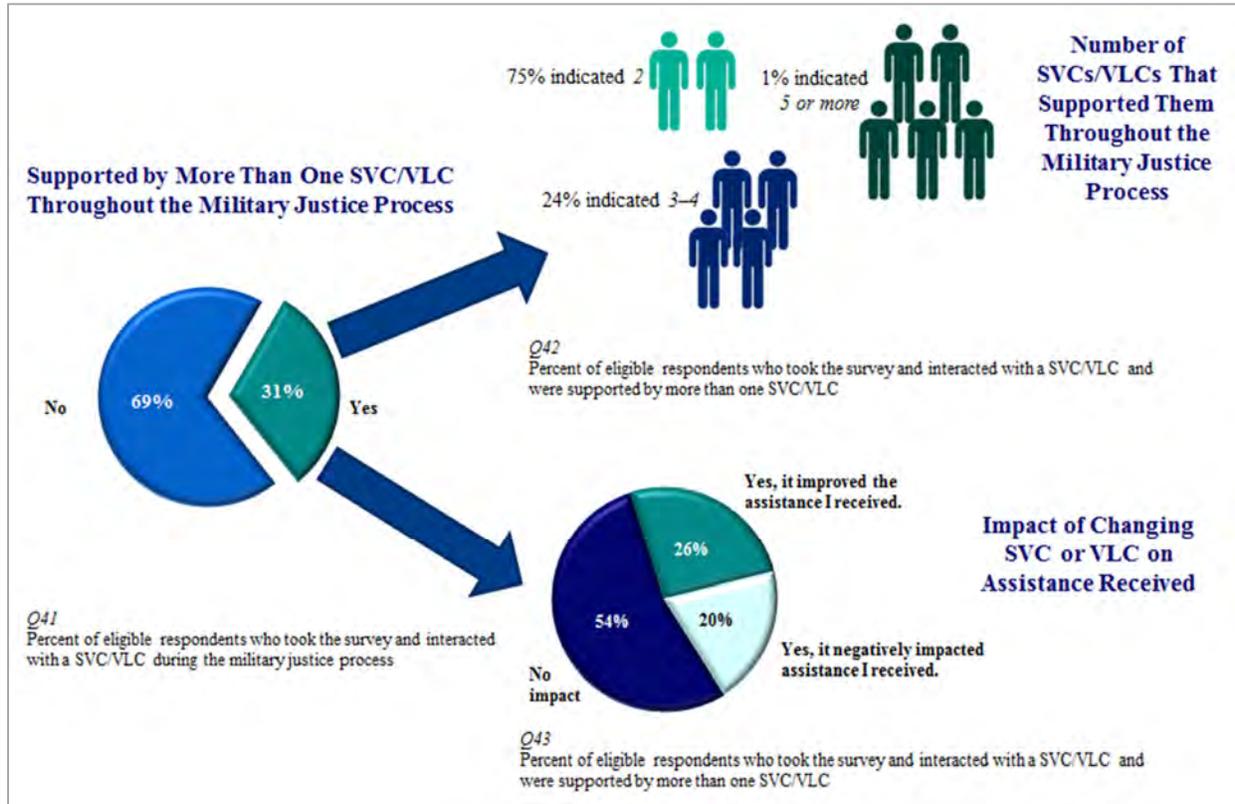
Of respondents who interacted with a SVC/VLC during the military justice process, 95% indicated that they were assigned a SVC/VLC. OPA was not able to assess how the remaining 5% of respondents got in contact with their SVC/VLC, if at all. SVCs/VLCs are made available to Service members, but Service members are not required to use their services.

**Supported by More Than One SVC/VLC Throughout the Military Justice Process.**

Of respondents who interacted with a SVC/VLC during the military justice process, 31% indicated that they were supported by more than one SVC/VLC during the military justice process. As seen in Figure 20, of those respondents who indicated they were supported by multiple SVCs/VLCs, 75% indicated they were supported by 2 SVCs/VLCs, 24% indicated they were supported by 3-4 SVCs/VLCs, and 1% indicated they were supported by 5 or more SVCs/VLCs during the military justice process.

Of those respondents who indicated they were supported by multiple SVCs/VLCs, approximately half (54%) indicated that changing SVCs/VLCs *did not impact* the assistance they received, whereas 26% indicated changing SVCs/VLCs *improved the assistance they received*, and 20% indicated the change *negatively impacted the assistance they received*.

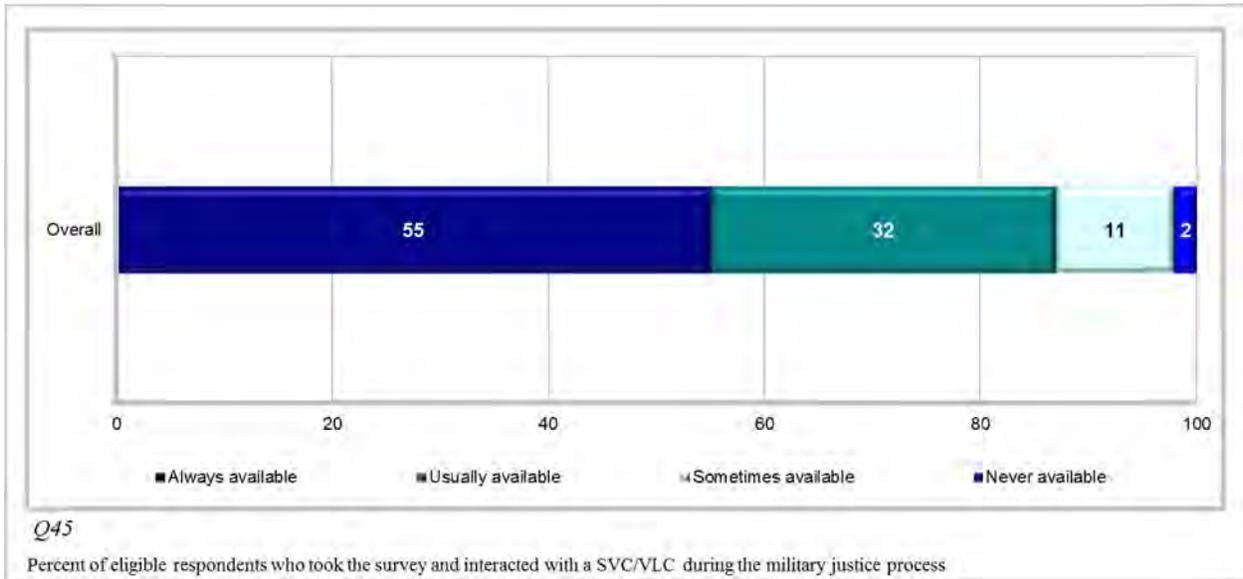
**Figure 20.**  
***Supported by More Than One SVC/VLC Throughout the Military Justice Process***



**SVC/VLC Availability**

Of respondents who interacted with a SVC/VLC during the military justice process, almost all (98%) indicated the SVC/VLC was available when they needed them at least some of the time. As seen in Figure 21, 55% indicated the SVC/VLC was *always available*, 32% indicated the SVC/VLC was *usually available*, 11% indicated the SVC/VLC was *sometimes available*, whereas only 2% indicated the SVC/VLC was *never available*.

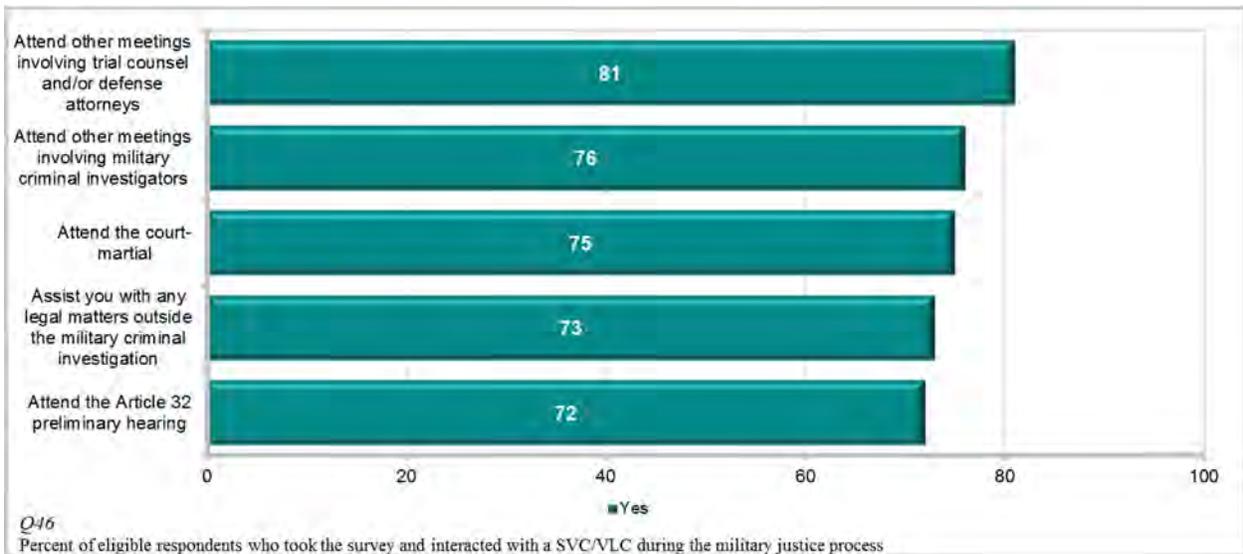
**Figure 21.**  
*SVC/VLC Availability*



**Overall Role of SVC/VLC**

As seen in Figure 22, of respondents who interacted with a SVC/VLC during the military justice process, the majority indicated that the SVC/VLC attended meetings and provided legal assistance.

**Figure 22.**  
*Overall Role of SVC/VLC*



### Assessment of Experiences With SVC/VLC

As seen in Table 9, most respondents who interacted with SVCs/VLCs during the military justice process **agreed** the SVCs/VLCs appropriately performed their role. The top two statements respondents **disagreed** with were the SVCs/VLCs *coordinated with their SARC/UVA/VA* (13%) and *informed them about the progress of their case* (12%).

**Table 9.**  
*Assessment of Experiences With SVC/VLC*

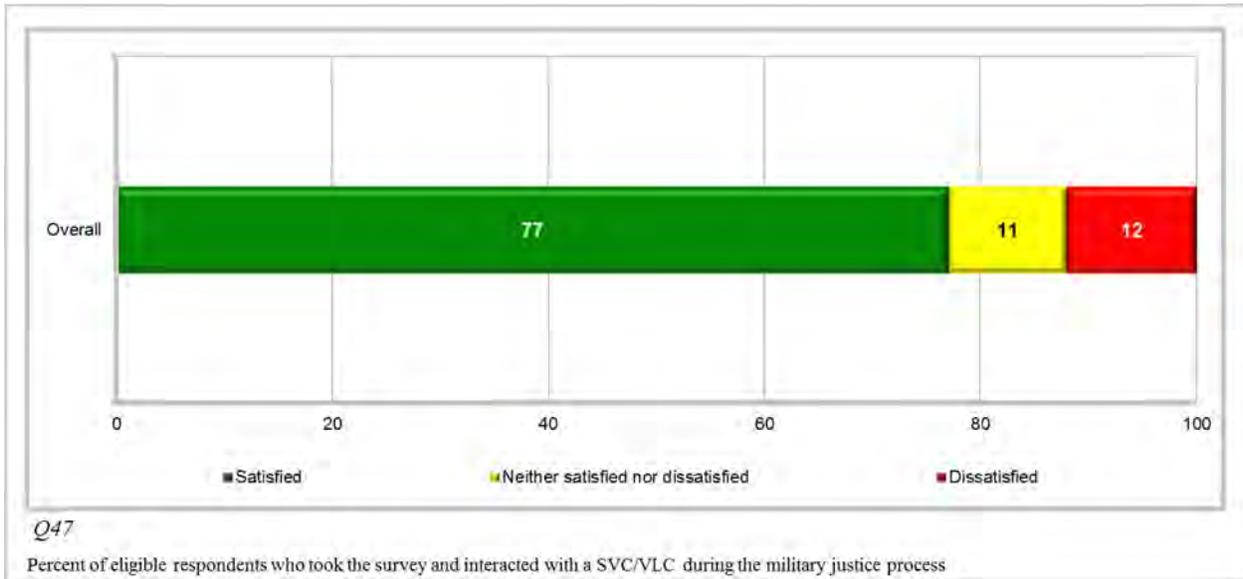
Assessment of SVC/VLC Experiences	Agree	Neither agree nor disagree	Disagree
He/She explained his/her role during the military justice process.	93	2	5
He/She explained to you your legal rights.	89	5	6
He/She helped you understand the military justice process.	88	6	6
He/She represented your interests to military criminal investigators or other appropriate parties.	88	5	7
He/She supported you throughout the military justice process.	88	5	7
He/She gave you the information so you could make an informed decision.	87	6	7
He/She advocated on your behalf.	86	7	7
He/She informed you about the progress of your case.	81	6	13
He/She coordinated with your SARC/UVA/VA.	73	14	13

*Note. Q44.* Percent of eligible respondents who took the survey and interacted with a SVC/VLC during the military justice process. The eligible number of respondents who answered the question ranges from 222-241. Results exclude those who indicated “Not applicable.”

### Satisfaction With SVC/VLC

As seen in Figure 23, of respondents who interacted with a SVC/VLC during the military justice process, overall, 77% indicated that they were **satisfied** with the SVC or VLC, whereas 12% were **dissatisfied**.

**Figure 23.**  
*Satisfaction With SVC/VLC*



**Experiences With Victim Witness Assistance Provider (VWAP)**

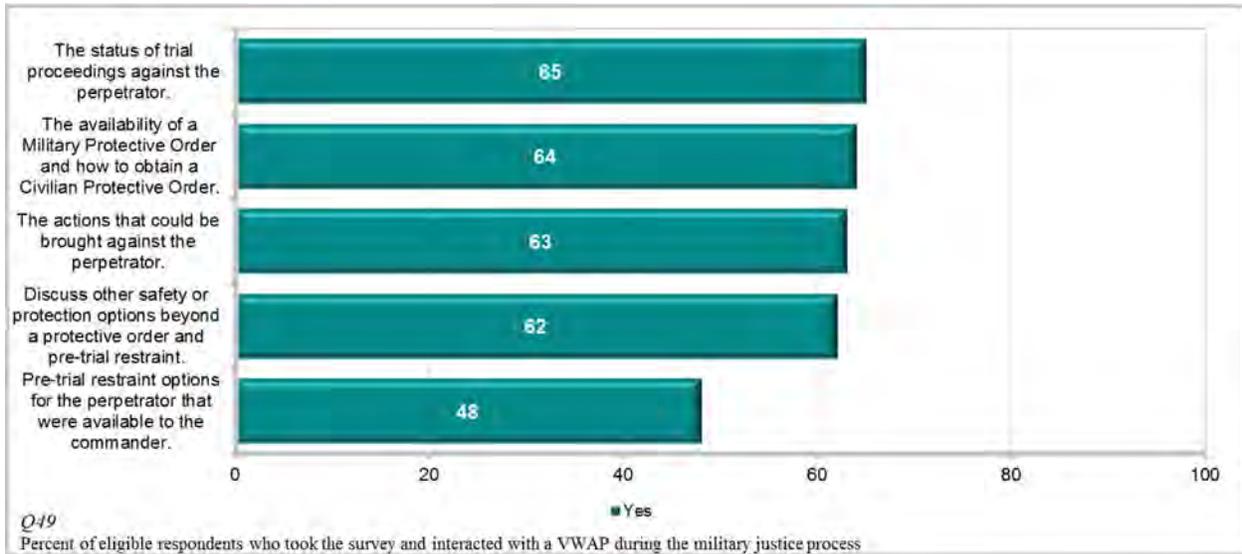
Once an MCIO investigation is initiated, a VWAP is available to support military members who brought forward a report of sexual assault. A VWAP (for example, Victim Witness Coordinator/Victim Witness Liaison) may provide support to military members by assisting them in understanding their rights as well as with navigating the military justice process. VWAPs may also provide information on services and resources, and interact with military trial counsel and commanders. They also help ensure that the military member’s situation is respected, that military members have a voice in the process, and that military members are kept informed of the status of the investigation and prosecution throughout the military justice process.

**7** % of respondents indicated interacting with a VWAP during the military justice process. The remaining items in this section are of this 7%.

**Overall Role of VWAP**

As seen in Figure 24, of respondents who interacted with a VWAP during the military justice process, most respondents indicated the VWAP performed aspects of their role, though slightly less than half reported that the VWAP discussed *pre-trial restraint options for the [alleged] perpetrator that were available to the commander (for example, placing the [alleged] perpetrator in [confinement] prior to trial [48%]*).

**Figure 24.**  
**Overall Role of VWAP**



### Assessment of Experiences With VWAP

As seen in Table 10, most respondents who interacted with a VWAP during the military justice process **agreed** the VWAP treated them appropriately. The top two statements respondents **disagreed** with were the VWAP *ensured they had a voice in the military justice process* (30%) and *kept them informed about the status or progress of their case* (29%).

**Table 10.**  
**Assessment of Experiences With VWAP**

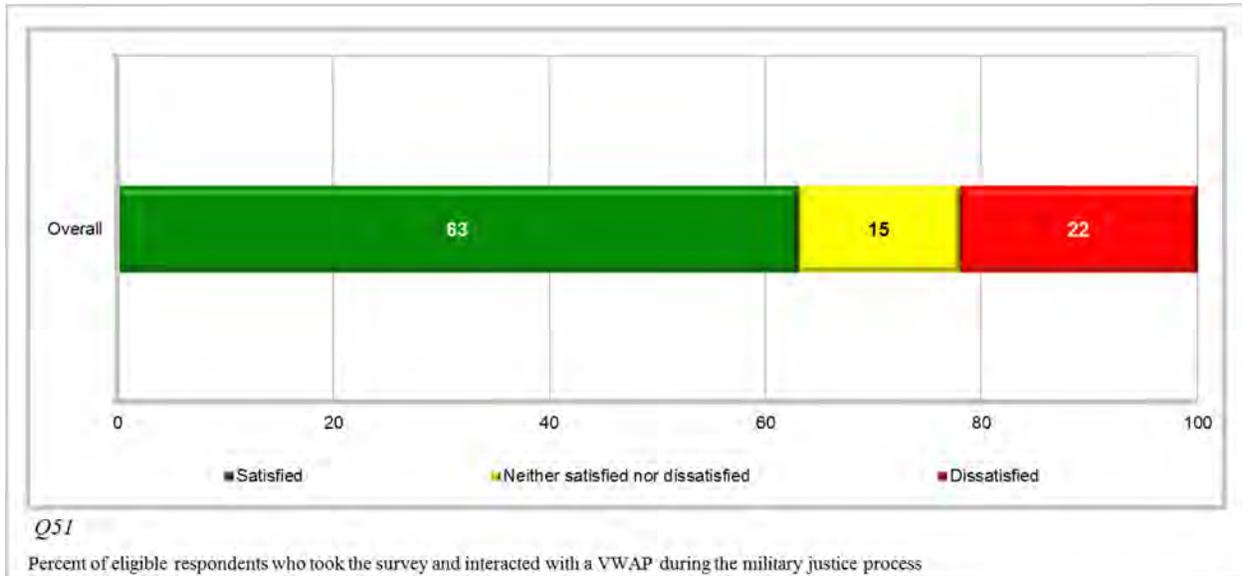
Assessment of VWAP Experiences	Agree	Neither agree nor disagree	Disagree
He/She was professional in his/her interactions with you.	79	0	21
He/She treated you with dignity and respect.	78	4	17
He/She answered your questions.	73	5	23
He/She provided you with information on services and resources that were available to you.	71	4	25
He/She helped you understand the overall military justice process.	70	4	26
He/She ensured you had a voice in the military justice process.	65	4	30
He/She kept you informed about the status or progress of your case.	63	8	29

*Note.* Q50. Percent of eligible respondents who took the survey and interacted with a VWAP during the military justice process. The eligible number of respondents who answered the question ranges from 22-24. Results exclude those who indicated “Not applicable.”

### Satisfaction With a VWAP

As seen in Figure 25, of respondents who interacted with a VWAP during the military justice processes, overall, 63% indicated that they were **satisfied** with the VWAP, whereas 22% were **dissatisfied**.

**Figure 25.**  
*Satisfaction With a VWAP*



### Experiences With Leadership

Another area of interest to the Department is the response of the military member’s chain of command, if notified of the incident. When a military member makes an unrestricted report of sexual assault, it prompts both an official investigation and notification of the military member’s command. Respondents were asked about whether they interacted with their unit commander and/or other members in their chain of command (e.g., senior enlisted advisor, immediate supervisor) during the military justice process.

#### Interaction With Unit Commander

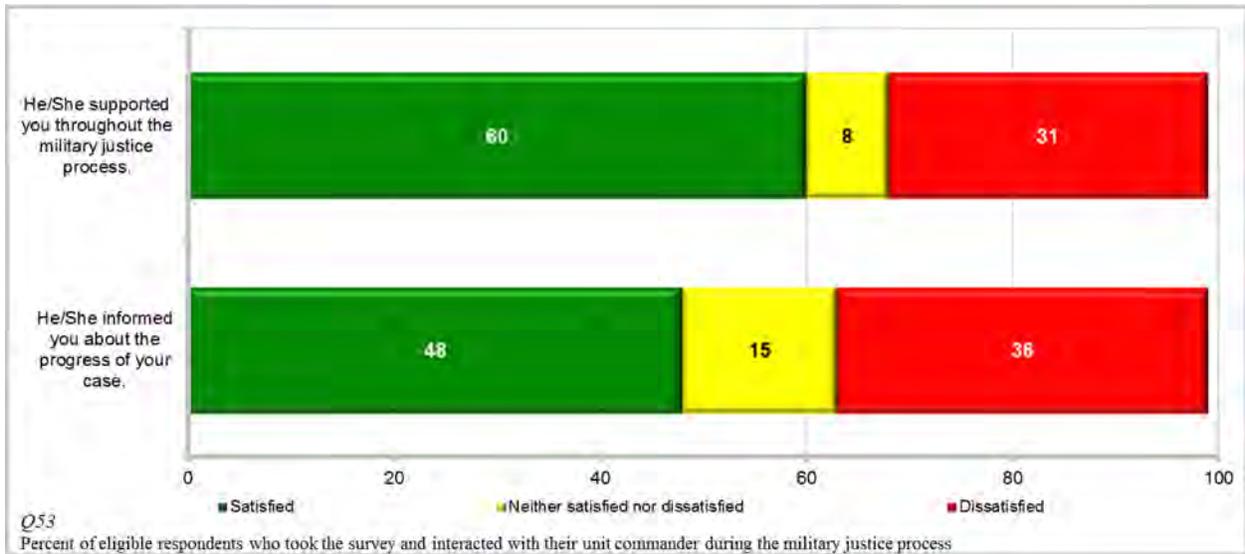
**58%** of respondents indicated interacting with their unit commander during the military justice process. The remaining items in this section are of this 58%.

#### Satisfaction With Unit Commander Actions

As seen in Figure 26, of respondents who interacted with their unit commander during the military justice process, 60% indicated they were **satisfied** with how their unit commander *supported them throughout the military justice process*, and 48% were **satisfied** with how their

unit commander *informed them about the progress of their case*. About one-third of these respondents indicated they were **dissatisfied** with how their unit commander *informed them about the progress of their case* (36%) and *supported them throughout the military justice process* (31%).

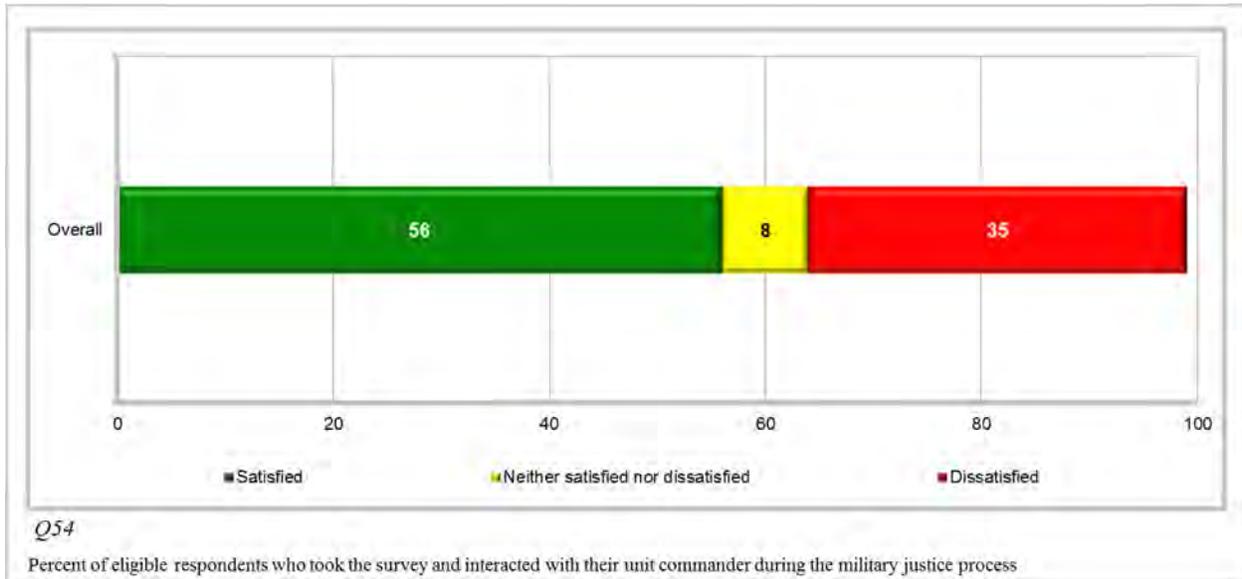
**Figure 26.**  
*Satisfaction With Unit Commander Actions*



### **Satisfaction With Unit Commander Response**

As seen in Figure 27, of respondents who interacted with their unit commander during the military justice process, overall, 56% indicated that they were **satisfied** with the response from their unit commander, whereas 35% were **dissatisfied**.

**Figure 27.**  
*Satisfaction With Unit Commander Response*



***Interaction With Immediate Supervisor***

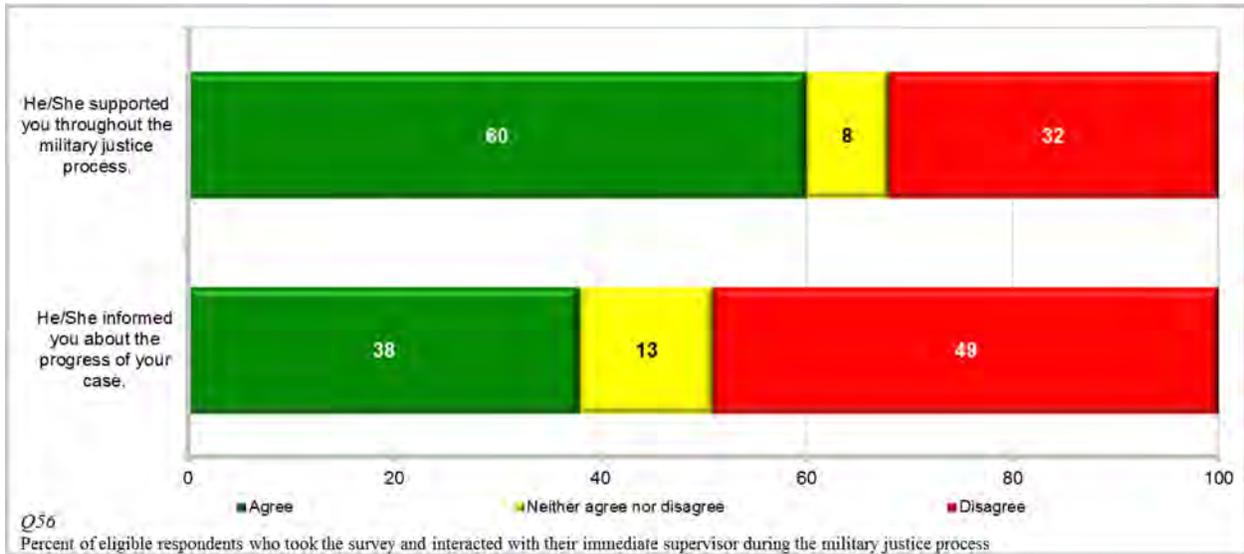
**55%** of respondents indicated interacting with their immediate supervisor during the military justice process. The remaining items in this section are of this 55%.

***Assessment of Experiences With Immediate Supervisor***

As seen in Figure 28, of respondents who interacted with their immediate supervisor during the military justice process, respondents **agreed** that their immediate supervisor *supported them throughout the military justice process* (60%), whereas 32% **disagreed**. Respondents **agreed** that their immediate supervisor *informed them about the progress of their case* (38%), whereas 49% **disagreed**.<sup>29</sup>

<sup>29</sup> Air Force, Air Force Reserve, and Air National Guard were excluded from this question.

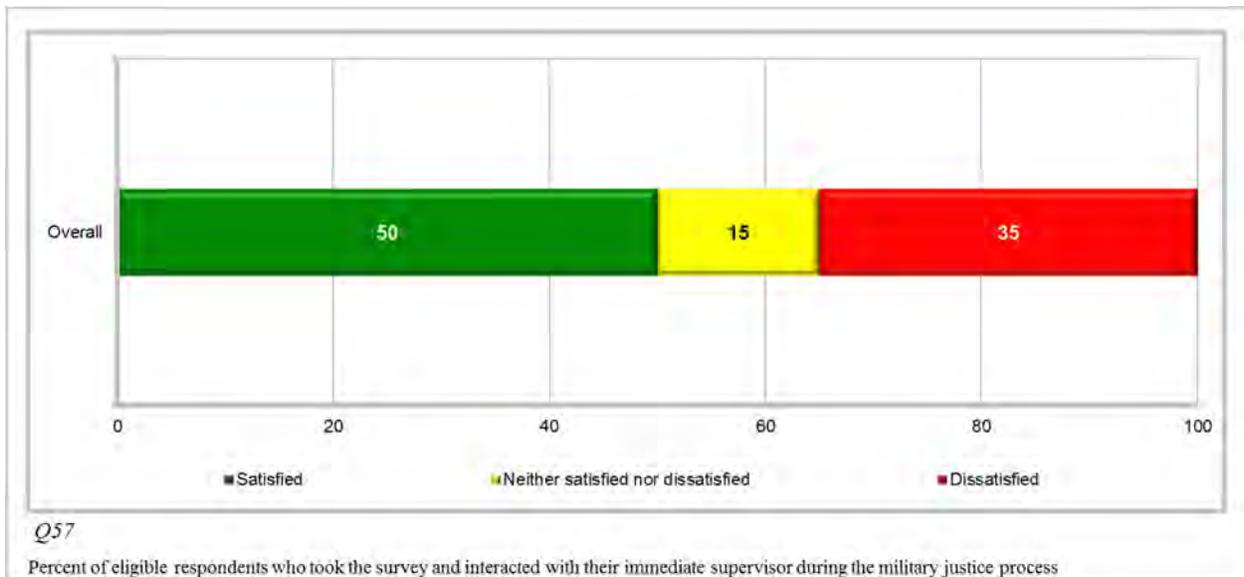
**Figure 28.**  
*Assessment of Experiences With Immediate Supervisor*



**Satisfaction With Immediate Supervisor**

As seen in Figure 29, of respondents who interacted with their immediate supervisor during the military justice process, overall, 50% indicated that they were **satisfied** with the response from their immediate supervisor, whereas 35% were **dissatisfied**.

**Figure 29.**  
*Satisfaction With Immediate Supervisor*



### Interaction With Senior Enlisted Advisor

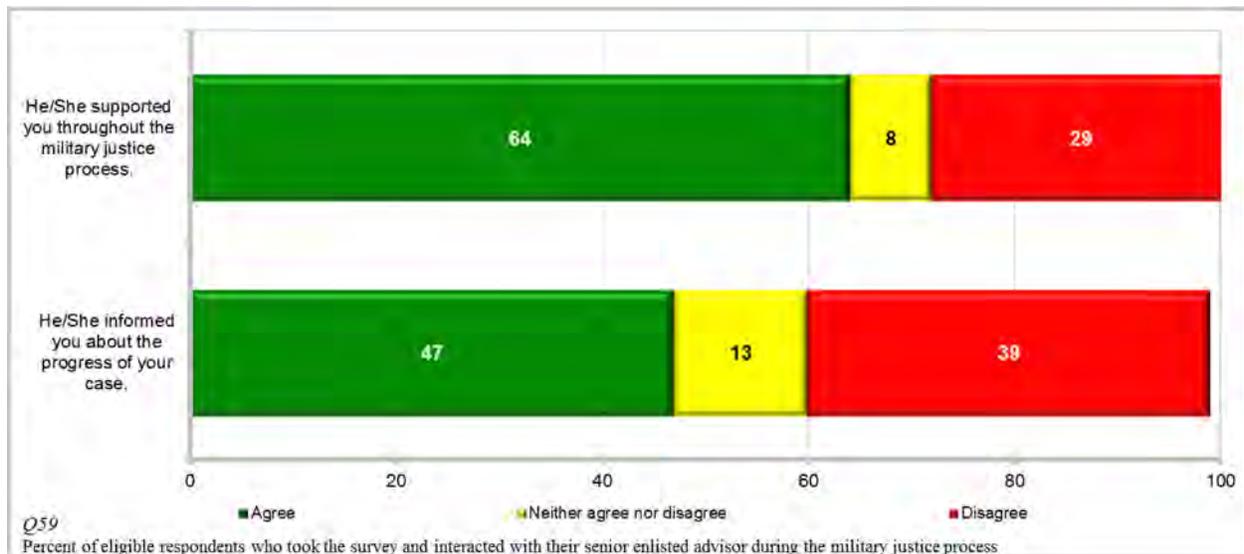
Senior enlisted advisors include First Sergeants or Master Sergeants and Chief Petty Officers.

**54%** of respondents indicated interacting with their senior enlisted advisor during the military justice process. The remaining items in this section are of this 54%.

### Assessment of Experiences With Senior Enlisted Advisor

As seen in Figure 30, of respondents who interacted with their senior enlisted advisor during the military justice process, respondents **agreed** that their senior enlisted advisor *supported them throughout the military justice process* (64%), whereas 29% **disagreed**. Respondents **agreed** that their senior enlisted advisor *informed them about the progress of their case* (47%), whereas 39% **disagreed**.<sup>30</sup>

**Figure 30.**  
*Assessment of Experiences With Senior Enlisted Advisor*

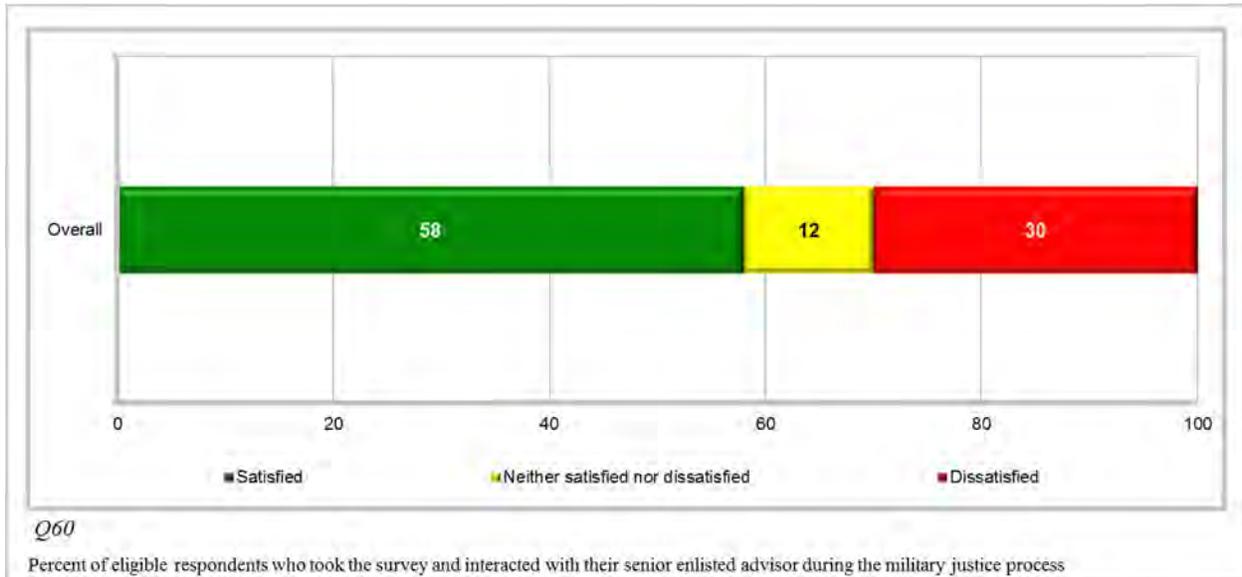


### Satisfaction With Senior Enlisted Advisor

As seen in Figure 31, of respondents who interacted with their senior enlisted advisor during the military justice process, overall, 58% indicated that they were **satisfied** with the response from their senior enlisted advisor, whereas 30% were **dissatisfied**.

<sup>30</sup> Air Force, Air Force Reserve, and Air National Guard were excluded from this question.

**Figure 31.**  
*Satisfaction With Senior Enlisted Advisor*

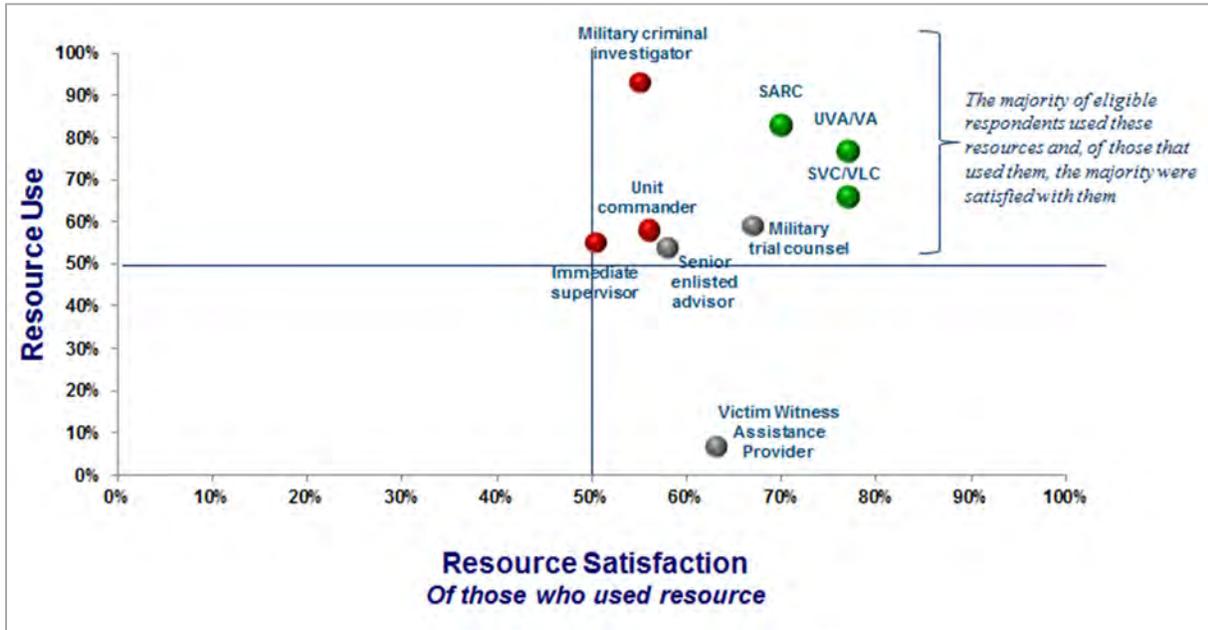


### Summary of Interaction With Resources During the Military Investigation and Justice Process

As previously mentioned (see Figure 10), overall, the majority of respondents indicated they used some resource during the military justice process. Of those who chose to interact with a resource, the majority were satisfied with the services they provided during the military investigation and justice process (see Figure 32). Specifically, respondents were most satisfied with the services provided by their UVA, their VA, their SVC/VLC, and their SARC, with whom the majority of respondents also indicated interacting.

Making an unrestricted report of sexual assault triggers an investigation, and therefore it makes sense that the vast majority of respondents (93%) indicated interacting with a military criminal investigator after their report of sexual assault, however, respondents indicated lower levels of satisfaction with them compared to other resources. Similarly, though interacted with less often than other resources, respondents were less satisfied with members of their command, specifically their unit commander and immediate supervisor. Less than two-thirds of respondents indicated interacting with military trial counsel during the military justice process, and few interacted with a VWAP; for both resources, respondents were slightly less satisfied with the services those individuals provided.

**Figure 32.**  
**2016–2017 Sexual Assault Prevention and Response Resources: Use and Satisfaction**



## Chapter 4: Overall Investigation and Military Justice Experiences

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This section provides information on the respondent’s overall experience with the military justice process. This includes details on whether the respondent believed discretion was used in regards to their case (i.e., individuals involved in their case only shared information with people who needed to know), the official actions taken against the alleged perpetrator, their belief about the ease of, and their preparedness for, the investigation and military justice process, and whether the respondent would suggest others report their sexual assault. While not integral to the military justice process, this chapter also addresses the respondent’s assessment with requests for expedited transfers.

### Extent Respondents Felt Up to Date on the Progress of the Case

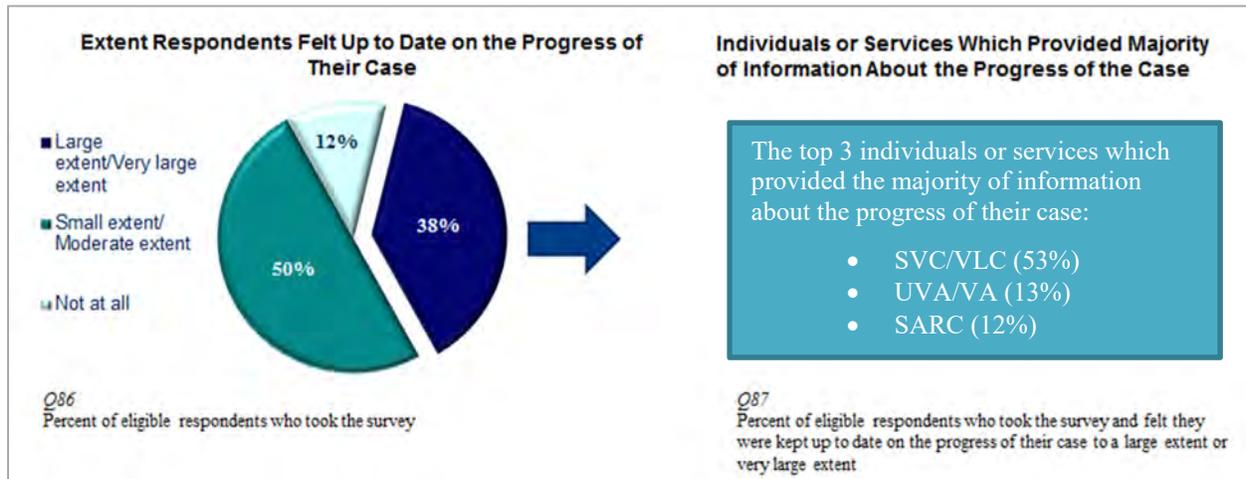
The 2016–2017 MIJES asked respondents to indicate the overall extent to which they felt they had been kept up to date on the progress of their case. Similar to findings from the previous MIJES administrations, respondents consistently assessed communication or contact with resources about the progress of their case as the poorest feature.<sup>31</sup> The Department continues to strive to improve communication for military members during the military justice process. As seen in Figure 33, 38% indicated during the military justice process they were kept up to date on the progress of their case to a *large extent/very large extent* and 50% indicated they had been kept up to date to a *small extent/moderate extent*, whereas 12% indicated they were *not at all* kept up to date on the progress of their case.

Respondents who indicated they felt they had been kept up to date on the progress of their case during the military justice process to a *large extent/very large extent* were asked which individuals or services provided them with the majority of that information. The top three were SAPR provided resources or SVCs/VLCs: 53% of these respondents indicated the SVC/VLC provided the majority of information about the progress of the case, 13% the UVA/VA provided the majority of information, and 12% indicated the SARC provided the majority of information.

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<sup>31</sup> Namrow, Hurley, Van Winkle, & De Silva, 2016; Namrow, De Silva, Barry, Klahr, and Ely, 2017.

**Figure 33.**  
*Extent Respondents Felt Up to Date on the Progress of the Case*



### Assessment of Discretion Used

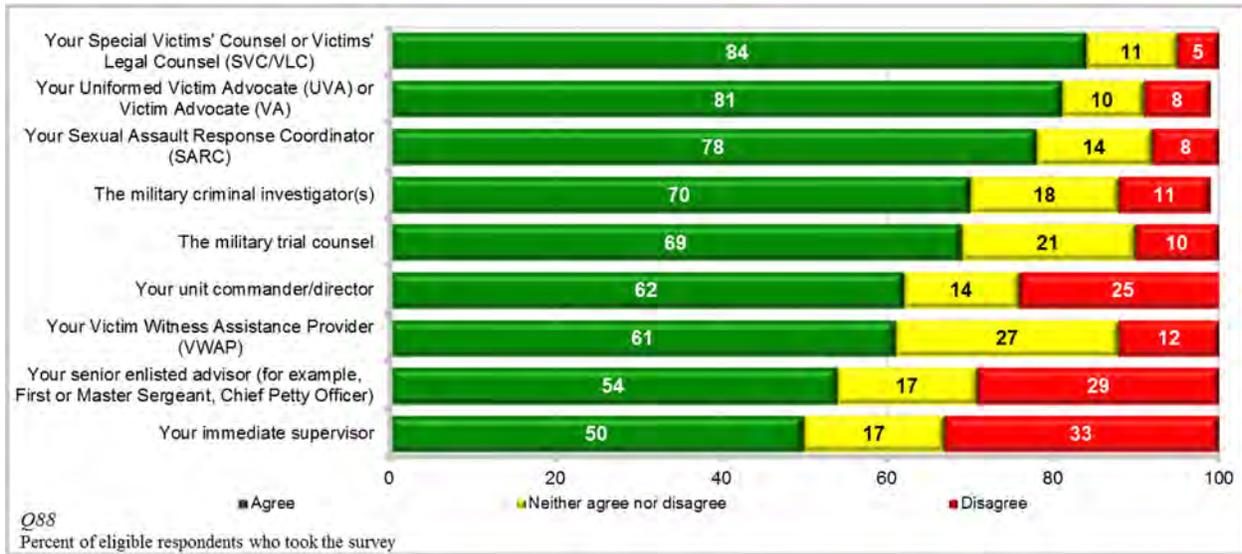
Qualitative analysis of open-ended questions on the 2016–2017 MIJES revealed recommendations for opportunities to help future military members who bring forward a report of sexual assault through the investigation and military justice process. Several respondents specified that stronger enforcement of confidentiality and discretion was needed for the Department to help future military members through the military justice process.

*“I think that the process could be kept more confidential. I am not sure what happened but everyone knew my business after my assault. It made it all worse because that’s when the harassment and rumors started.”*

*“The chain of command did not help by week one of the reporting the entire brigade knew what was going on. The victim ends up becoming twice a victim because of the judging and humiliation that comes along with reporting and no one believing you.”*

As seen in Figure 34, the majority of respondents indicated they **agreed** that SAPR resources (e.g., UVA/VA, SARC) and SVCs/VLCs used discretion in sharing details of their case, whereas more than one-quarter of respondents **disagreed** that members of their command (e.g., immediate supervisor, senior enlisted advisor, unit commander/director) used discretion.

**Figure 34.**  
*Assessment of Discretion Used*



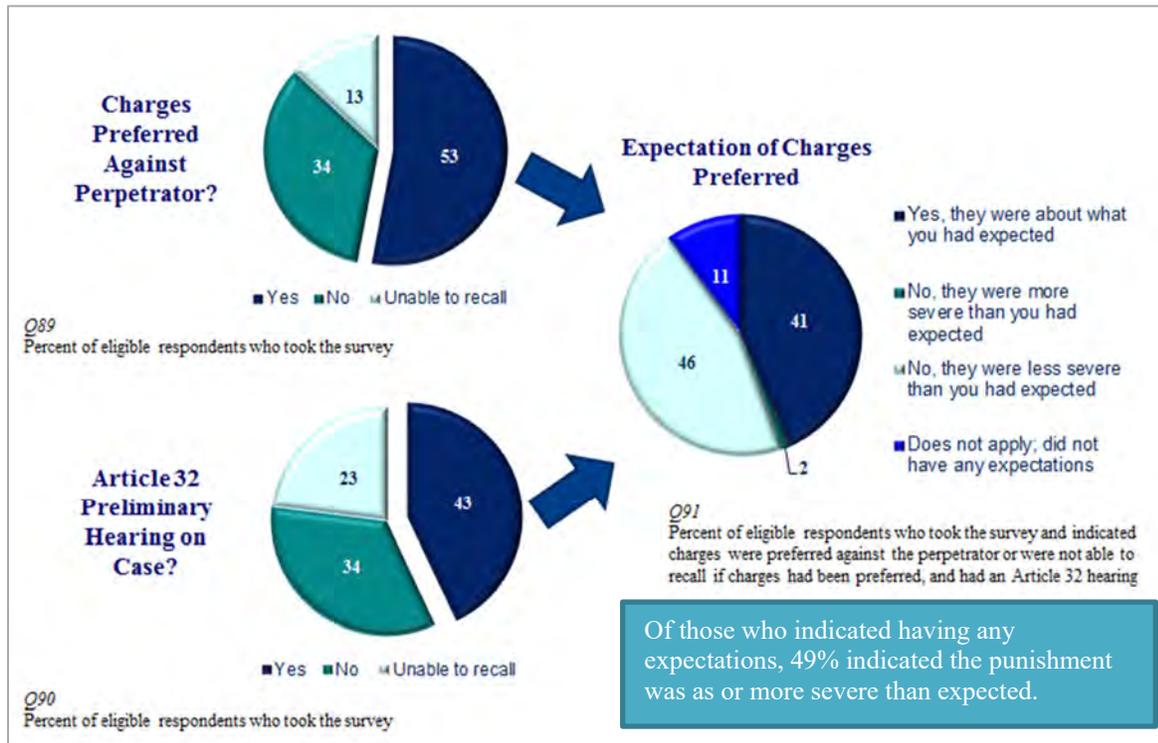
### Charges Preferred Against Alleged Perpetrator and Article 32 Preliminary Hearing on Case<sup>32</sup>

Overall, 53% of respondents indicated *yes*, charges were preferred against the alleged perpetrator, whereas 34% indicated *no*, charges had not been preferred, and 13% indicated they were *unable to recall*. Similarly, overall, 43% of respondents indicated *yes*, there was an Article 32 preliminary hearing on their case, whereas 34% indicated *no*, and 23% indicated they were *unable to recall*.

Respondents who indicated charges were preferred against the alleged perpetrator or were not able to recall if charges had been preferred and indicated there was an Article 32 hearing on their case were asked whether they were satisfied with the charges that were preferred against the alleged perpetrator. Figure 35 displays this progression: 41% of these respondents indicated *yes, the charges were what they had expected*, whereas 2% indicated *no, they were more severe than they had expected*, 46% indicated *no, they were less severe than they had expected*, and 11% indicated they *did not have any expectations*. Of those who indicated having any expectations, 49% indicated the charges preferred were as or more severe than expected.

<sup>32</sup> References to perpetrator/offender throughout this section should be interpreted as “alleged perpetrator” or “alleged offender” as without knowing the specific outcomes of particular allegations, the presumption of innocence applies unless there is an adjudication of guilt.

**Figure 35.**  
**Charges Preferred Against Alleged Perpetrator and Article 32 Preliminary Hearing on Case**



**Perceived Action(s) Taken Against the Alleged Perpetrator**

As seen in Figure 36, overall, a quarter of respondents indicated there was *no action taken against the perpetrator* and another quarter indicated they *did not know what final action was taken against the perpetrator*. Of respondents who knew whether there was an action taken, 67% indicated that an official action was taken against the alleged perpetrator.<sup>33</sup>

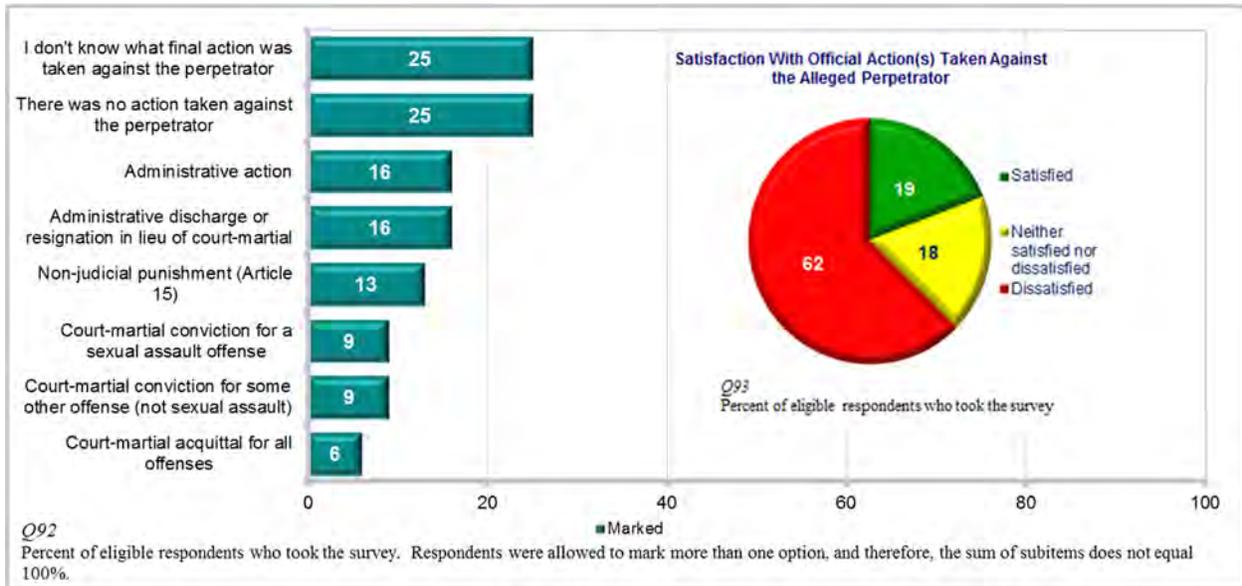
Qualitative analysis of open-ended questions revealed respondent recommendations for opportunities to help future military members who bring forward a report of sexual assault through the military justice process. Overall, only 19% of respondents indicated that they were **satisfied** with the official action(s) taken against the alleged perpetrator, whereas 62% indicated that they were **dissatisfied**.

*“Hold the assaulter accountable for their actions. Don't reduce all their sexual assault charges... don't let them walk away with a 'slap on the hand' and allow them to finish out their enlistment and get a honorable discharge upon leaving the military.”*

*“Actually do something about it and not let someone get away with it while leaving the victim to suffer the emotional instability and pain and hopelessness with no justice being done.”*

<sup>33</sup> This percentage is out of those respondents who knew whether there was an official action taken, therefore percentages in chart will not add up to 67%.

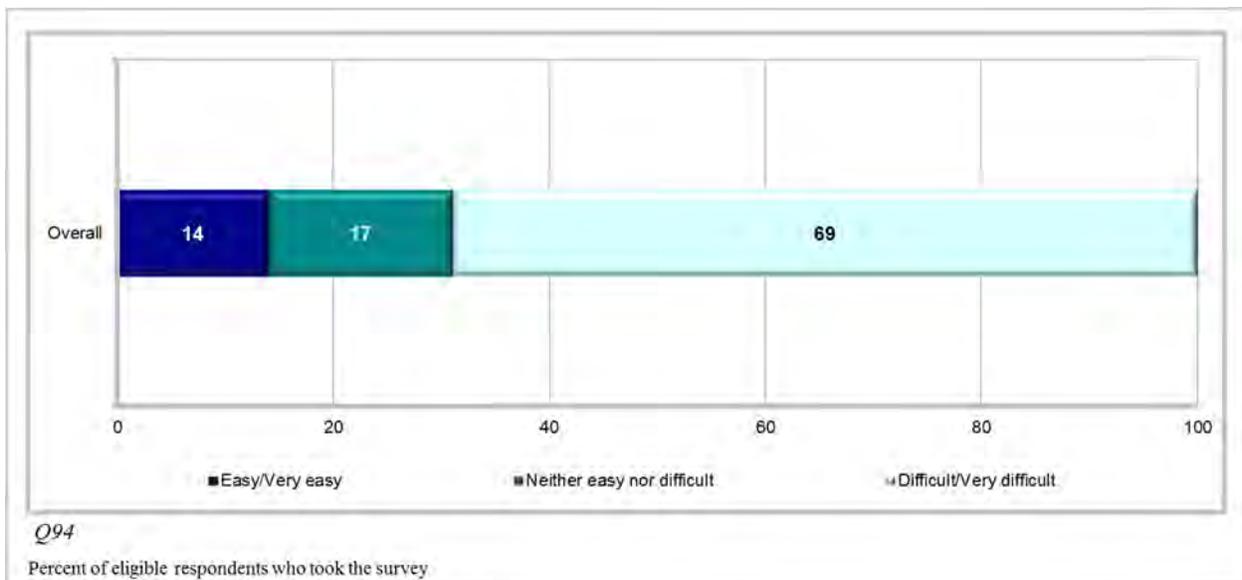
**Figure 36.**  
*Perceived Action(s) Taken Against the Alleged Perpetrator*



### Ease of Military Justice Process

As seen in Figure 37, the majority of respondents (69%) indicated they felt the military justice process was *difficult/very difficult*, whereas only 14% indicated that the process was *easy/very easy*.

**Figure 37.**  
*Ease of Military Justice Process*



***Helpful Resources During Challenging***

***Times.*** Overall, 69% of respondents indicated that the military justice process was *difficult* or *very difficult*. These respondents were asked what helped them the most during challenging times, of which, 216 discussed a variety of support systems they found beneficial. The most frequently mentioned resources and groups that helped respondents were their *family, friends, their SVC/VLC, SAPR resources, and mental health providers and counselors*. Many respondents indicated these resources and groups were helpful because they offered “support” or showed that they cared about the well-being of the individual. For example, respondents felt supported when the resource or group were respectful toward the individual and the hardship they were going through.

*“The SVC and SARC were incredibly reliable and treated my case with dignity. They absolutely cared for me as a person, which was exactly what I needed during the process.”*

*“My VLC was amazing. He took every action possible to ensure I was up to date on information and taken care of.”*

*“Having family as my support and having a few friends that knew what was happening that gave me support.”*

*“At my next and current duty station, the mental health providers have been tremendously helpful in giving me a peace of mind and guidance on the process and helped me find closure.”*

Of note, several respondents also indicated they found *nothing* to be helpful during the challenging times. Some felt that they were not provided with resources, whereas others believed that the resources themselves were not helpful because they were too judgmental or did not communicate with them, particularly about the progress of their case.

*“Hav[ing] the VLC and the support of the SARC was the most helpful... I felt comfortable that my interests were being looked after and that I understood what could happen because of the VLC.”*

*“Having my victim advocate and SVC support me and not judge me helped make the process easier.”*

*“The fact that I was aware of everything going on. The communication between myself and the others that were involved with my case.”*

respondents also indicated these resources were helpful because they were non-judgmental, worked with the individual, and communicated and kept the respondent informed about their case, which gave them a feeling of general support.

***Helpful Resources Which Made the Process***

***Easier.*** Overall, 14% of respondents indicated that the military justice process was *easy* or *very easy* for them. These respondents were asked to specify what helped make the process easier for them, and 38 indicated a variety of resources and groups which helped ease the process. The most frequently mentioned resources and groups included their *SVC/VLC*, which was also one of the top cited resources for those who found the military justice process difficult or very difficult, as well as *SAPR services* (e.g., UVA/VA, SARC). These

***Most Helpful Resources Received During Military Justice Process.***

All respondents were asked to specify which services they found to be most useful to them during the military justice process. Of the 285 respondents who answered, similar to the prior section, their *SVC/VLC*, *SARC*, *UVA/VA*, as well as their *mental health providers* were categorized as the most helpful resources provided to them or received during the military justice process. Respondents indicated these resources were the most helpful for reasons including availability and responsiveness, being non-judgmental, offering general support and guidance, and taking discretion seriously. A few respondents also noted that it was beneficial to have the same resource or individual available to confide in to ensure they did not have to disclose to multiple people. Ultimately, the majority of these respondents referenced combinations of multiple resources or individuals that were “the most helpful,” highlighting that aspects of the full SAPR program and resources afforded during the military justice process are all necessary components to the well-being of Service members.

*“My Special Victims Counsel was outstanding. She was with me every step of the way and she was truly in my corner. She kept me thoroughly informed at all times and was always available. My SARC was also outstanding. Very helpful and involved with every step of the case. My unit leadership was very supportive and understanding. They afforded me the time I needed to take care of myself with no questions asked.”*

*“My VA, she made a big difference because she cared about me and was always there to help me.”*

*“I was referred to a therapist on post who was specialized to help survivors of sexual assault. She was amazing and never judged me, completely understood how I was feeling. My SHARP representative was amazing as well. Very informative and protected me.”*

Unfortunately, as in the previous section, several respondents also indicated *nothing* was helpful. Some respondents felt that they were not kept up to date on the progress of their case. Others believed that they had been treated poorly by those who knew about the case or that resources were unsupportive or judgmental. A few respondents also perceived that *nothing* was helpful due to the fact that they PCS’d or transferred, or that the resources they originally worked with were inconsistent due to changing duty assignments.

***Least Helpful Resources Received***

***During the Military Justice Process.*** All respondents were asked to specify which services they received during the military justice process were least useful during the military justice process. Of the 262 respondents who commented, members of their *command* (e.g., leadership, supervision) and the *military criminal investigator* were specified as the resources or individuals which were the least helpful. Respondents perceived that these resources were most often unhelpful because they were inexperienced in how to handle these cases, were overly judgmental, or openly discussed details of the case with persons outside of the military justice process.

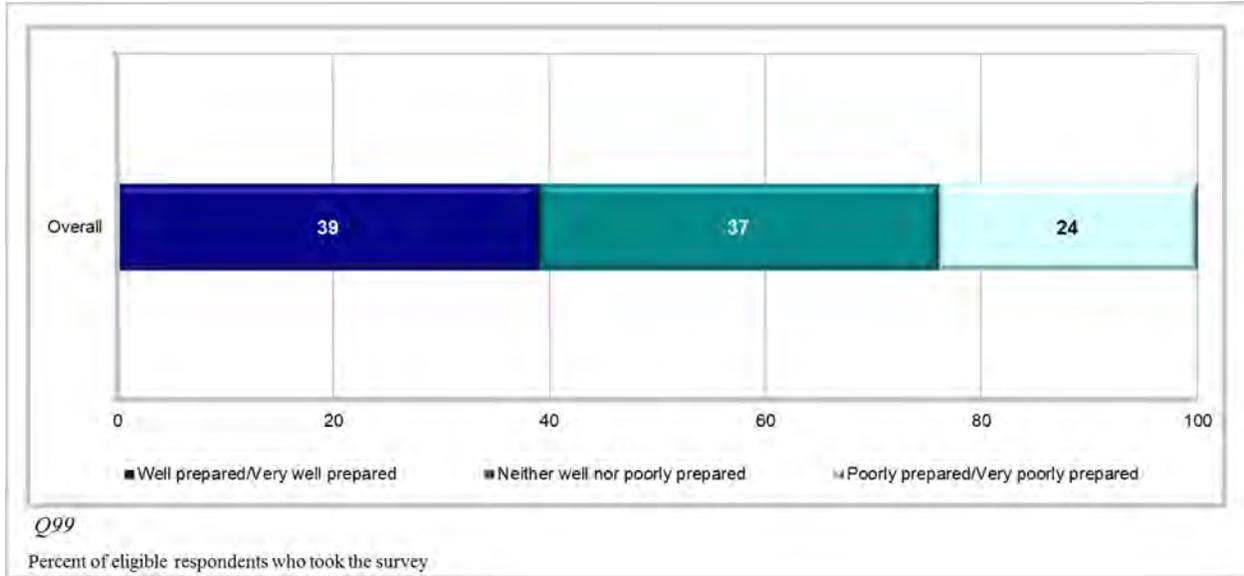
*“Not so much a ‘service,’ but my squadron leadership was so uneducated and inexperienced in the SA realm that it damaged the entire squadron.”*

*“Talking to the investigators. They were extremely intimidating and I got the feeling they were judging me. They weren’t nice at all.”*

## Preparedness for the Military Justice Process

As seen in Figure 38, 39% of respondents indicated that based on the services provided, they felt *well prepared/very well prepared* for the military justice process, whereas 24% felt *poorly prepared/very poorly prepared*.

**Figure 38.**  
*Preparedness for the Military Justice Process*



The 24% of respondents who indicated they were *poorly prepared* or *very poorly prepared* for the military justice process were asked to specify what could have helped to better prepare them. Of the 69 respondents who left a comment, the majority mentioned that a *better explanation of the military justice process and their rights*, as well as receiving *better support* overall were aspects of improvement that could potentially have helped to better prepare them for the military justice process.

*“Knowing more about the court martial process, how long it could possibly take, the legal processes that were available to me, and better support from my chain of command.”*

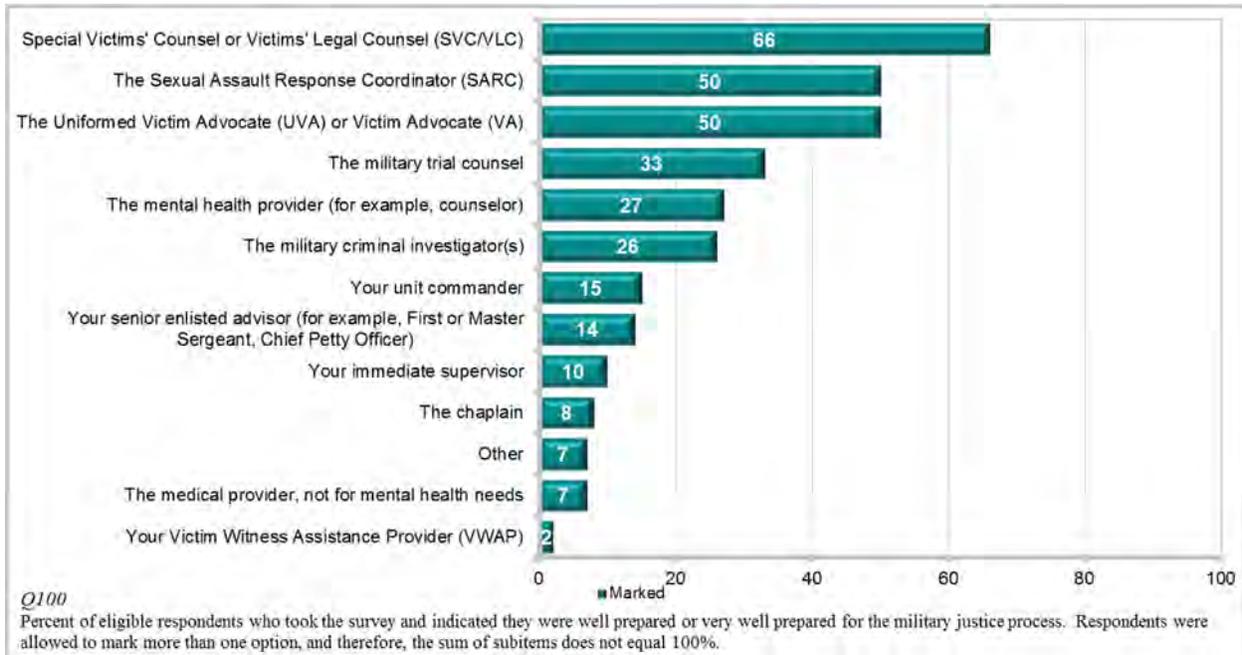
*“Support and having more information with the process of my case. I did not have support from my leadership nor SARC. I do not feel like I had any support all around which led to me dropping the case because it was all becoming overwhelming.”*

## **Individuals and/or Services Beneficial in Preparing for the Military Justice Process**

As seen in Figure 39, respondents who indicated they were *well prepared* or *very well prepared* for the military justice process (39%) were asked who was beneficial in preparing them for the military justice process. The top three individuals and/or services that were beneficial in

preparing respondents for the military justice process were *SVCs/VLCs* (66%) and SAPR-specific resources, specifically the *SARC* (50%) and *UVA/VA* (50%).

**Figure 39.**  
***Individuals and/or Services Beneficial in Preparing for the Military Justice Process***



As seen in Figure 39, 7% of respondents indicated they were *well prepared* or *very well prepared* for the military justice process and were supported by some other resource. These respondents were asked to specify what other individuals and/or services were beneficial in preparing them for the military justice process. The most frequently mentioned “other” individuals and/or services were their *family and friends*.

*“My friends and family, but also some supervision that really helped me get through this.”*

## Opportunities to Help Future Military Members Who Bring Forward a Report of Sexual Assault Through the Military Justice Process

All respondents were asked to specify what the DoD could do to help future military members through the military justice process and they suggested a variety of strategies that the Department could employ to help future military members through the military justice process. In regards to improving training, respondents noted that training needed reinforcement: 1) training that clarifies to personnel involved in the military justice process what their roles are, and 2) training that educates these individuals how to work with Service

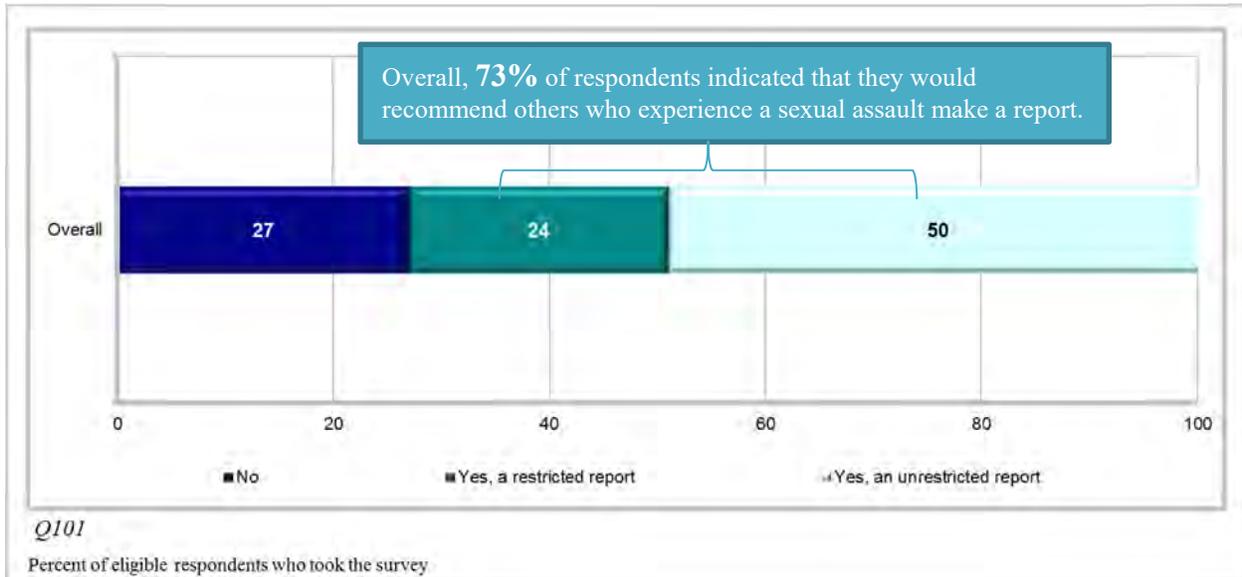
members during these cases (e.g., sensitivity, patience). Respondents indicated both types of training would be beneficial for the unit level, command and leadership, investigators, trial team, and other members working on sexual assault issues.

*“The DoD needs to educate leadership more. If they're rolling their eyes at SAPR training, their subordinates are going to roll their eyes at SAPR training. There needs to be a safe environment created for victims. Reporting is hard enough, and when their peers see how they're being treated for reporting, they won't do it in the future. I feel as if my squadron used my report as an example to scare my peers from ever reporting. That disgusts me. We are trained the ins and outs of reporting, and sadly it doesn't work the way we're told. Things don't stay anonymous. It does hurt your career. It is extremely difficult, and that's sad. If my leadership and peers can't conduct themselves appropriately during a stalking, physical, and sexual assault case, how can they be trusted as nuclear maintainers. This HAS to change.”*

### **Would Recommend Others Who Experience a Sexual Assault Make a Report**

As seen in Figure 40, when asked whether they would recommend to another Service member to make a report, most respondents (73%) said that they would recommend others make a report. Specifically, 50% of respondents indicated *yes, an unrestricted report*, 24% indicated *yes, a restricted report*, and 27% indicated *no*.

**Figure 40.**  
***Would Recommend Others Who Experience a Sexual Assault Make a Report***



## Expedited Transfer

Military members who make an unrestricted report of sexual assault have the option to request an expedited transfer to another unit/installation. Per policy, military members who make a report should be informed of this option by their SARC or UVA/VA at the time they make their report. This request may extend to either a temporary or permanent expedited transfer from their assigned command or installation to a different command or installation, or a temporary or permanent expedited transfer to a different location within their assigned command or installation.<sup>34</sup>

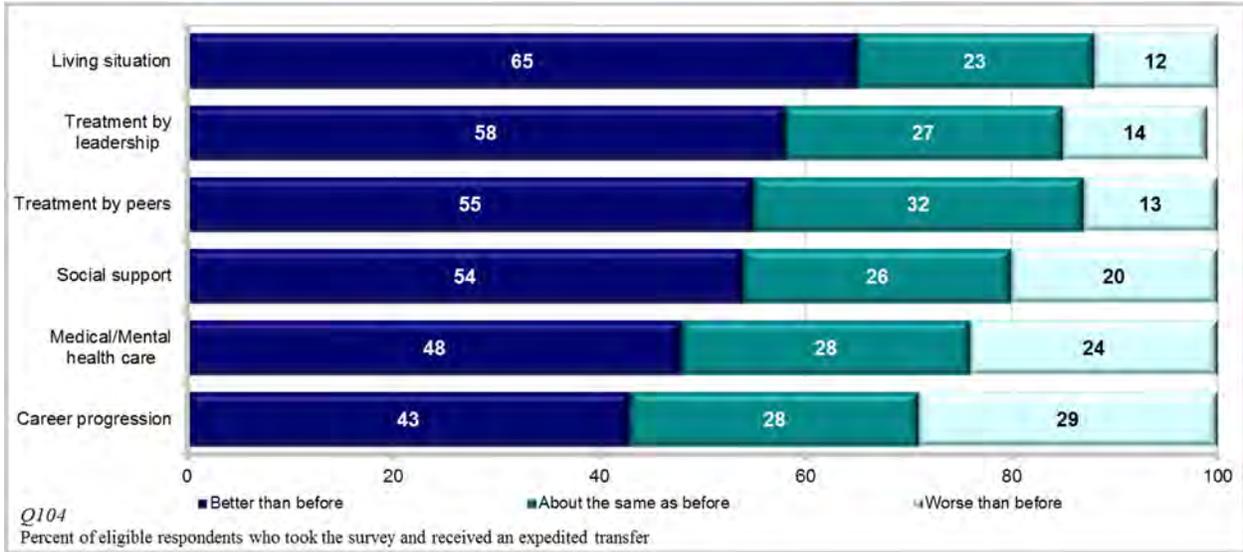
**42%** of respondents indicated they requested and received an expedited transfer as a result of their report of sexual assault. The remaining items in this section are of this 42%.

### ***Aspects of Life Following Expedited Transfer***

As seen in Figure 41, of these respondents, more than half indicated various aspects of their life were **better** following their transfer. However, approximately one-quarter of respondents indicated their *career progression* (29%), *medical/mental health care* (24%), and *social support* (20%) were **worse** following the transfer.

<sup>34</sup> 32 CFR 105.4 - Policy.

**Figure 41.**  
*Aspects of Life Following Expedited Transfer*



## Chapter 5: Outcomes Associated With Reporting

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The Department strives to create an environment where military members feel comfortable and safe reporting a potential sexual assault to a military authority. Since 2005, DoD has established a number of policies to encourage Service members to come forward.<sup>35</sup> One area the Department has been monitoring is repercussions, i.e., retaliatory behavior, as a result of reporting a sexual assault. Specifically, two forms of retaliatory behaviors have been outlined: professional reprisal and ostracism/maltreatment. Professional reprisal, as defined in law and policy, is a personnel or other unfavorable action taken by the chain of command against an individual for engaging in a protected activity. Ostracism and maltreatment are negative behaviors such as actions of social exclusion or misconduct against the military member taken either by peers or an individual in a position of authority respectively, because the military member reported or intends to report a criminal offense. The Department's ability to deter retaliatory behavior was strengthened by section 1714 of the NDAA for FY 2014, enhancing the protections in section 1034 of title 10, United States Code, for military members reporting criminal offenses. Protections were also strengthened for military members by section 1709, which requires the promulgation of regulations to punish retaliatory behaviors. In 2015, the Secretary of Defense determined that more detailed information was needed on the circumstances of these perceived experiences of retaliation. As a result, the Secretary of Defense directed “that we develop a DoD-wide comprehensive strategy to prevent retaliation against Service members who report or intervene on behalf of victims of sexual assault and other crimes.”<sup>36</sup>

Survey questions are only able to provide a general understanding of the self-reported outcomes that may constitute professional reprisal, ostracism, or other negative behaviors; ultimately, only the results of an investigation (which takes into account all legal aspects, such as the intent of the alleged perpetrator) can determine whether self-reported negative behaviors meet the requirements of prohibited retaliation. The percentages presented in this chapter reflect the respondents' perceptions about a negative experience associated with their reporting of a sexual assault and not necessarily a reported or legally substantiated incident of retaliation. As such, estimated rates for these items are caveated as “perceived.”

Prior to categorizing respondents as experiencing “perceived” professional reprisal, ostracism, and/or other negative behaviors, respondents had to indicate experiencing a “potential” retaliatory action and/or behavior. Specifically, the respondent had to indicate experiencing any behavior consistent with professional reprisal, ostracism, and/or other negative behaviors which would precede the questions to ascertain the respondent's perception of the motivating factors of those potential retaliatory behaviors. Therefore, there are higher percentages of respondents who experience “potential” behaviors. “Perceived” actions and/or behaviors are those retaliatory behaviors where potential behaviors were experienced and additional motivating factors, as indicated by the respondent, were present.

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<sup>35</sup> An example of policy established includes the implementation of the DoD Safe Helpline.

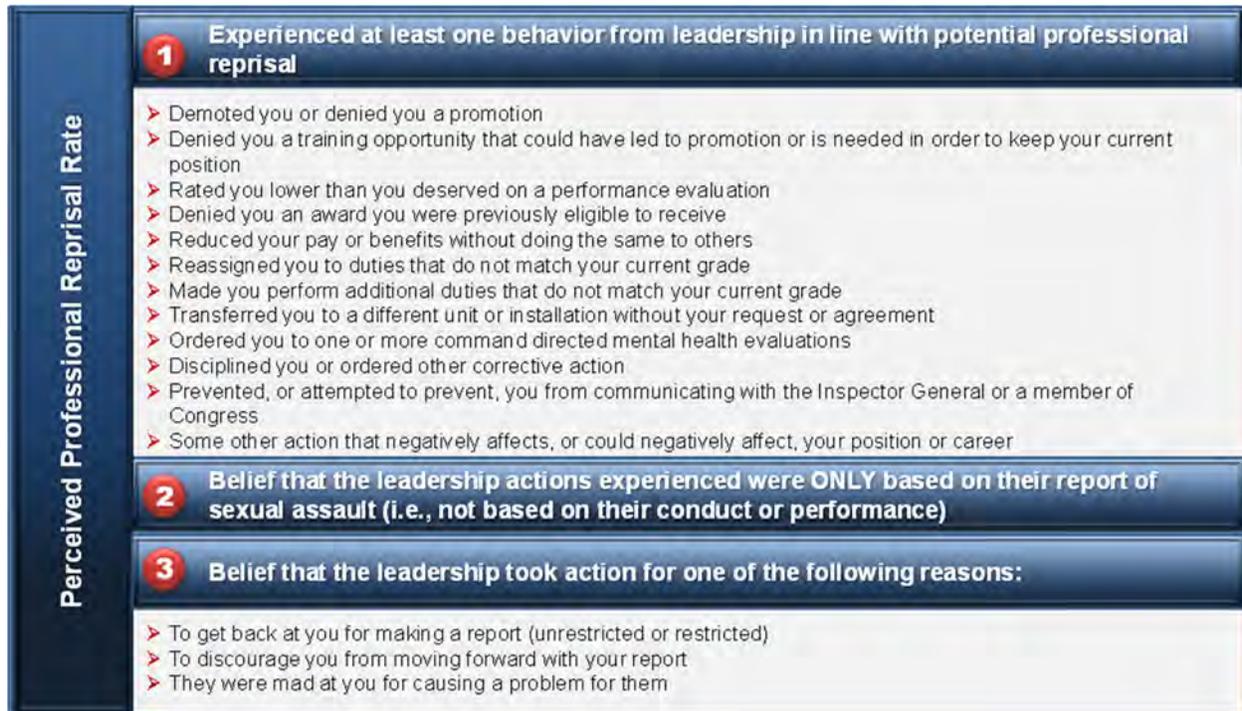
<sup>36</sup> Secretary of Defense (2015, May 1).

## Perceived Professional Reprisal

Reprisal is defined as “taking or threatening to take an adverse personnel action, or withholding or threatening to withhold a favorable personnel action, with respect to a member of the Armed Forces because the member reported a criminal offense.”<sup>37</sup> Per the definition in law and policy, reprisal may only occur if the actions in question were taken by leadership with the intent of having a specific detrimental impact on the career or professional activities of the military member who reported a crime.

As depicted in Figure 42, the *Perceived Professional Reprisal* rate is a summary measure reflecting whether respondents indicated they perceived experiencing at least one negative action by leadership as a result of reporting a sexual assault (not based on conduct or performance [Q61]). Further, the respondent must perceive these leadership actions were ONLY based on their report of sexual assault (i.e., the action taken was not based on conduct or performance [Q62]), and the respondent must believe leadership took these actions for a specific set of reasons: they were trying to get back at the respondent for making a report (unrestricted or restricted), they were trying to discourage the respondent from moving forward with the report, or they were mad at the respondent for causing a problem for them (Q63).

**Figure 42.**  
*Construction of Perceived Professional Reprisal Rate*



<sup>37</sup> Military Whistleblower Protection Act (10 U.S.C. 1034); Section 1709(a) of the NDAA for FY 2014 requires regulations prohibiting retaliation against an alleged victim or other member of the Armed Forces who reports a crime, and requires that violations of those regulations be punishable under Article 92.

**28%** of respondents indicated experiencing *Perceived Professional Reprisal*. As shown in Figure 43, 18% of respondents perceived experiencing a behavior consistent with potential professional reprisal from their leadership, but did not indicate experiencing additional motivating factors needed to be included in the estimated *Perceived Professional Reprisal* rate.

**Figure 43.**  
*Perceived Professional Reprisal Rate of MIJES Respondents*



### ***Behaviors Consistent With Perceived Professional Reprisal***

Data presented in Table 11 lists behaviors that align with perceived professional reprisal and includes estimates for eligible respondents overall, as well as respondents who fell into the *Perceived Professional Reprisal* rate. Of respondents who met criteria for *Perceived Professional Reprisal*, the majority (74%) indicated experiencing *some other action that negatively affects, or could negatively affect, their position or career* from leadership.<sup>38</sup> This was also the top behavior respondents indicated perceiving overall. Outside of this behavior, the top two actions respondents indicated experiencing from their leadership that align with perceived professional reprisal were *leadership rated them lower than they deserved on a performance evaluation* (54%) and *denied them an award they were previously eligible to receive* (38%).

<sup>38</sup> To note, of the respondents who met criteria for *Perceived Professional Reprisal*, 67% indicated experiencing *some other action that negatively affects, or could negatively affect, their position or career* from leadership and also indicated some other behavior in line with perceived professional reprisal done by leadership (of the behaviors listed in Table 2).

**Table 11.**  
***Behaviors in Line With Perceived Professional Reprisal***

<b>Behaviors in Line With Perceived Professional Reprisal</b>	<b>Percent of Eligible Respondents</b>	<b>Percent of Eligible Respondents Who Met Criteria For Perceived Professional Reprisal</b>
Some other action that negatively affects, or could negatively affect, your position or career	32%	74%
Rated you lower than you deserved on a performance evaluation	18%	54%
Denied you an award you were previously eligible to receive	13%	38%
Reassigned you to duties that do not match your current grade	13%	34%
Denied you a training opportunity that could have led to promotion or is needed in order to keep your current position	13%	35%
Disciplined you or ordered other corrective action	12%	31%
Transferred you to a different unit or installation without your request or agreement	8%	22%
Demoted you or denied you a promotion	7%	23%
Ordered you to one or more command directed mental health evaluations	7%	16%
Made you perform additional duties that do not match your current grade	6%	16%
Prevented, or attempted to prevent, you from communicating with the Inspector General or a member of Congress	6%	18%
Reduced your pay or benefits without doing the same to others	2%	5%
<i>Eligible number of respondents</i>	360	99

*Note. Q61-Q63.* Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%. “Percent of Eligible Respondents” represents the total number of respondents who took the survey and answered the question, and “Percent of Eligible Respondents Who Met Criteria For Perceived Professional Reprisal” represents the number of respondents who answered the question, and also indicated they met criteria for inclusion in the rate.

***Perceived Reasons Why Leadership Took the Actions Aligned With Perceived Professional Reprisal***

The third criterion used to construct the *Perceived Professional Reprisal* rate is the respondent’s perception of why their leadership chose to take the action against them as a result of reporting their sexual assault. As seen in Table 12, of respondents who indicated experiencing negative behaviors and believed the leadership actions experienced were only based on their report of sexual assault, 72% indicated leadership took the action because *they were mad at the respondent for causing a problem for them*, 37% indicated *they were trying to get back at them for making a report (unrestricted or restricted)*, and 33% indicated *they were trying to discourage them from moving forward with their report*. Half or more indicated they thought leadership took other actions, which were not in line with *Perceived Professional Reprisal*, because *they did not believe the respondent (56%)*; or *they did not understand the situation (51%)*.

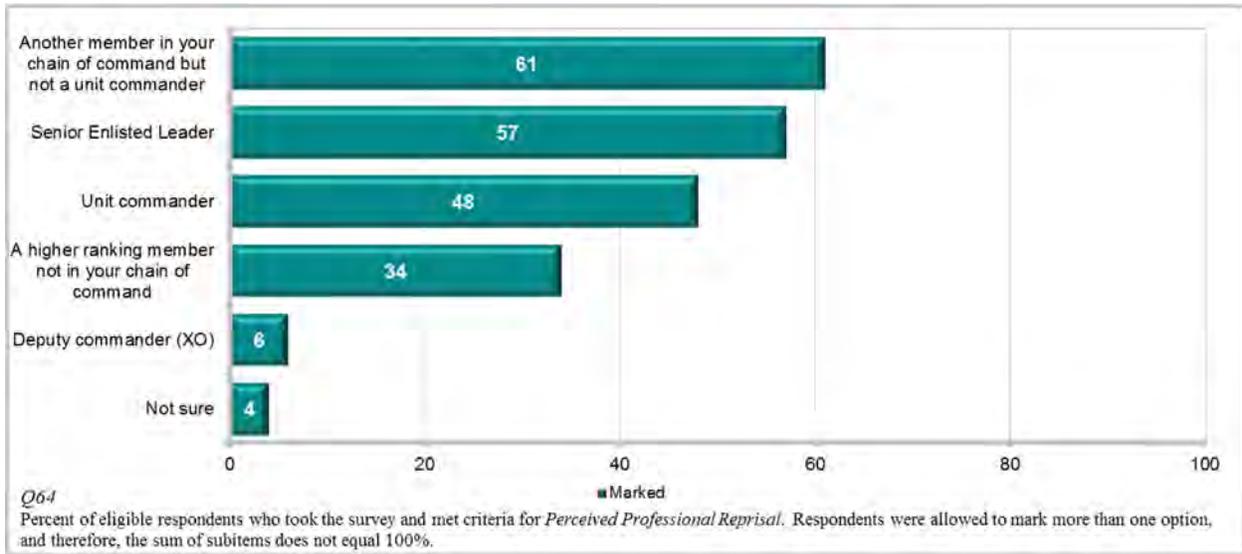
**Table 12.**  
***Reasons That Leadership Took the Perceived Professional Reprisal Actions***

<b>Reasons That Leadership Took the Perceived Professional Reprisal Actions</b>	<b>Percent Who Believed the Leadership Actions Were Based on Report</b>
<b>Perceived Professional Reprisal Criteria Response Options</b>	
They were mad at you for causing a problem for them	72%
They were trying to get back at you for making a report (unrestricted or restricted)	37%
They were trying to discourage you from moving forward with your report	33%
<b>Other Reasons</b>	
They did not believe you	56%
They did not understand the situation	51%
They were friends with the person(s) who committed the sexual assault	46%
Some other reason	25%
They were addressing the issue of collateral misconduct	7%
Not sure	7%
They were trying to help you	7%
They were following established protocol by temporarily reassigning you during recovery	4%
<i>Eligible number of respondents</i>	134

*Note. Q61-Q63.* Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%.

***Individual(s) Who Took the Perceived Professional Reprisal Action.*** As seen in Figure 44, of respondents who indicated experiencing *Perceived Professional Reprisal*, the top three most frequently selected individuals in a leadership position who took the action were *another member in their chain of command, but not a unit commander* (61%), *Senior Enlisted Leaders* (57%), and *unit commanders* (48%).

**Figure 44.**  
**Individual(s) Who Took the Perceived Professional Reprisal Action**



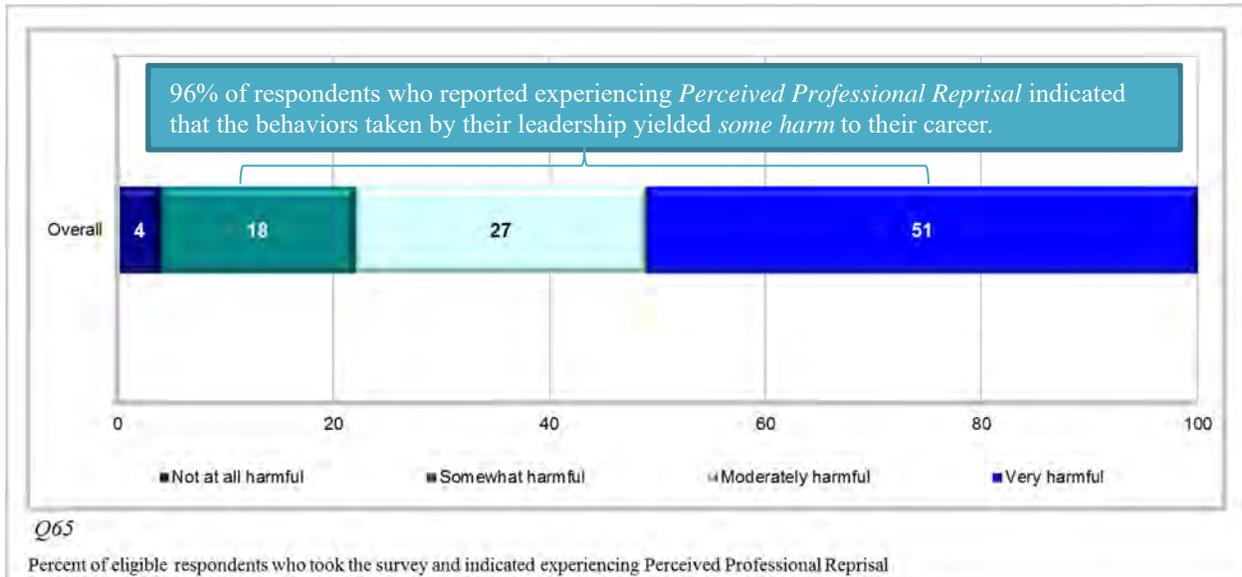
**Perceived Harm to Career**

Of importance to the Department is determining the perceived impact of professional reprisal behaviors on a military member’s career. For this item, if the respondent indicated the actions taken by leadership are likely to have both a short-term and lasting impact on their career, then the actions were classified as *very harmful*; if the actions are likely to have a short-term impact and some lasting impact on their career, then the actions were classified as *moderately harmful*; if the actions are likely to have a short-term impact, but not a lasting impact on their career, then the actions were classified as *somewhat harmful*; but if *the actions* are unlikely to have a short-term or lasting impact on their career, then the actions were considered *not at all harmful*.

As seen in Figure 45, of respondents who indicated experiencing *Perceived Professional Reprisal*, almost all (96%) believed that it caused at least some harm to their career. In particular, 51% believed that behaviors taken by their leadership were *very harmful*, 27% indicated *moderately harmful*, 18% indicated *somewhat harmful*, and 4% indicated these behaviors taken by their leadership were *not at all harmful*.

To explore the effects of the type of leadership who took negative action, a chi square analysis was conducted to determine the association with perceived harm to career. Though about three-fifths of respondents who indicated experiencing *Perceived Professional Reprisal* believed the person who took the action was *another member in their chain of command, but not a unit commander*, there was not a significant association between that individual in leadership taking action and perceived harm to one’s career. However, there was a significant association between perceiving harm to one’s career and their *Senior Enlisted Leader* taking the perceived action ( $X^2 [3] = 9.98, p < .05$ ) where respondents believed their careers were more harmfully impacted if the negative actions were taken by Senior Enlisted Leaders, suggesting perceived actions taken by Senior Enlisted Leaders may have an especially large impact on perceptions of harm to a respondents’ career.

**Figure 45.**  
*Perceived Harm to Career*

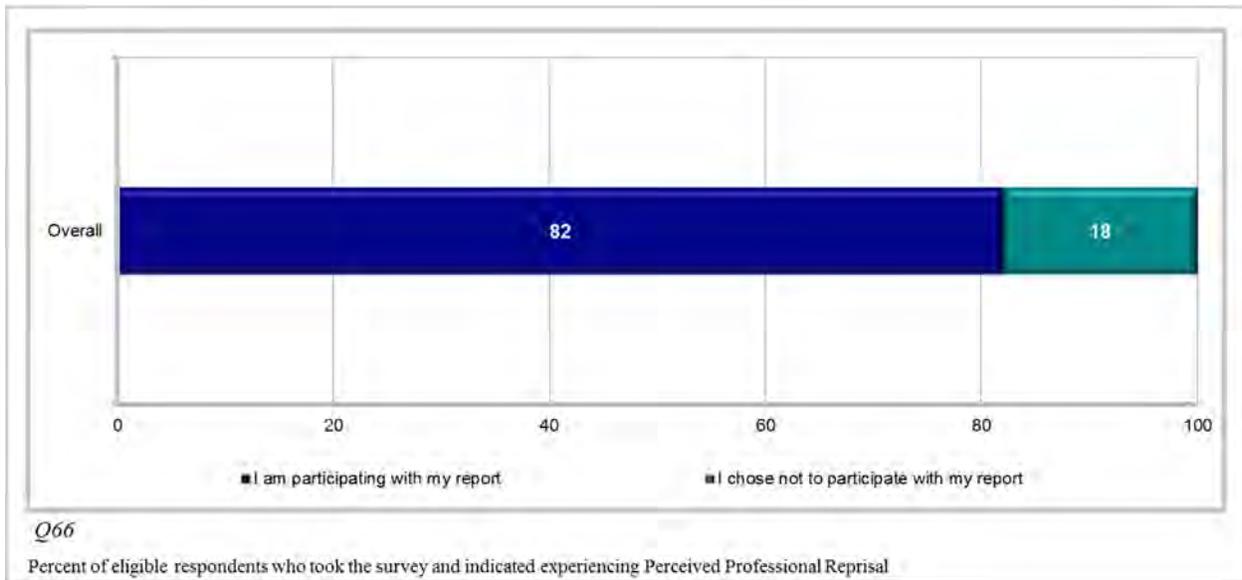


### ***Decision to Participate or Move Forward With Report as a Result of Experiencing Perceived Professional Reprisal***

Part of leadership’s motivation in undertaking these behaviors might involve trying to discourage the respondent from moving forward with the report. Therefore, it is of interest to the Department to know whether experiencing these behaviors impacts a person’s decision to move forward with their report. As seen in Figure 46, the majority (82%) of respondents who perceived experiencing *Perceived Professional Reprisal* indicated they decided to participate and/or move forward with their report, whereas 18% indicated they chose not to participate or move forward with their report as a result of the actions taken against them.

Further exploration revealed that respondents who perceived their *unit commander* to be the member of leadership to take the action were less likely to decide to move forward with their report ( $X^2 [1] = 5.00, p < .05$ ), whereas no other type of leadership produced this association.

**Figure 46.**  
***Decision to Participate or Move Forward With Report as a Result of Experiencing Perceived Professional Reprisal***



### Perceived Ostracism

Although the interpretation of ostracism varies slightly across the DoD Services, in general, ostracism may occur if retaliatory behaviors were taken either by a military member’s military peers or coworkers because the Service member was going to report or did report a sexual assault. Examples of ostracism include improper exclusion from social acceptance, activities, or interactions; denying privilege of friendship due to reporting or planning to report a crime; blaming the military member for the report or assault; and/or subjecting the military member to insults or bullying.

As depicted in Figure 47, the *Perceived Ostracism* rate is a summary measure reflecting whether respondents perceived experiencing at least one negative action by military peers and/or coworkers as a result of reporting a sexual assault intended to make them feel excluded or ignored (Q67). To be included in this rate, respondents also needed to indicate perceiving that at least one individual who took the action knew or suspected the respondent made an official report of sexual assault (unrestricted or restricted; Q68). Further, respondents had to indicate they believed the action was taken to discourage them from moving forward with their report or discourage others from reporting (Q69).

**Figure 47.**  
*Construction of Perceived Ostracism Rate*



**16%** of respondents indicated experiencing *Perceived Ostracism*. As shown in Figure 48, 42% of respondents perceived experiencing a behavior consistent with potential ostracism from their military peers and/or coworkers, but did not indicate experiencing additional motivating factors needed to be included in the *Perceived Ostracism* rate.

**Figure 48.**  
*Perceived Ostracism Rate of MIJES Respondents*



**Behaviors Consistent With Perceived Ostracism**

Data presented in Table 13 lists behaviors that align with perceived ostracism and includes estimates for eligible respondents overall, as well as respondents who fell into the *Perceived Ostracism* rate. Of respondents who met criteria for *Perceived Ostracism*, the majority indicated military peers and/or coworkers *made insulting or disrespectful remarks or made jokes at their expense—in public* (91%), *ignored them or failed to speak to them (for example, gave them "the silent treatment";* 90%), and *excluded them or threatened to exclude them from social activities or interactions* (78%).

**Table 13.**  
***Behaviors in Line With Perceived Ostracism***

<b>Behaviors in Line With Perceived Ostracism</b>	<b>Percent of Eligible Respondents</b>	<b>Percent of Eligible Respondents Who Met Criteria For Perceived Ostracism</b>
Ignored you or failed to speak to you (for example, gave you "the silent treatment")	47%	90%
Made insulting or disrespectful remarks or made jokes at your expense—in public	41%	91%
Excluded you or threatened to exclude you from social activities or interactions	34%	78%
<i>Eligible number of respondents</i>	365	58

*Note.* Q67-Q69. Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%. “Percent of Eligible Respondents” represents the total number of respondents who took the survey and answered the question. “Percent of Eligible Respondents Who Met Criteria For Perceived Ostracism” represents the number of respondents who answered the question, and also indicated they met criteria for inclusion in the rate.

***Perceived Reasons Why Military Peers and/or Coworkers Took the Actions Aligned With Perceived Ostracism***

The third criterion used to construct the *Perceived Ostracism* rate is the respondent’s perception of why their peers and/or coworkers chose to take the action against them as a result of reporting their sexual assault. To be included in the rate, respondents needed to indicate that they perceived that their peers and/or coworkers were trying to discourage them from moving forward with their report, or discourage others from reporting. As seen in Table 14, 30% indicated their military peers and/or coworkers took the action because *they were trying to discourage them from moving forward with their report, or discourage [them or] others from reporting*. Of respondents who experienced a negative action not in line with perceived ostracism, more than two-thirds indicated they thought the person(s) took the other actions, which were not in line with *Perceived Ostracism*, because *they were friends with the person(s) who committed the sexual assault* (75%) or *they did not believe the respondent* (66%).

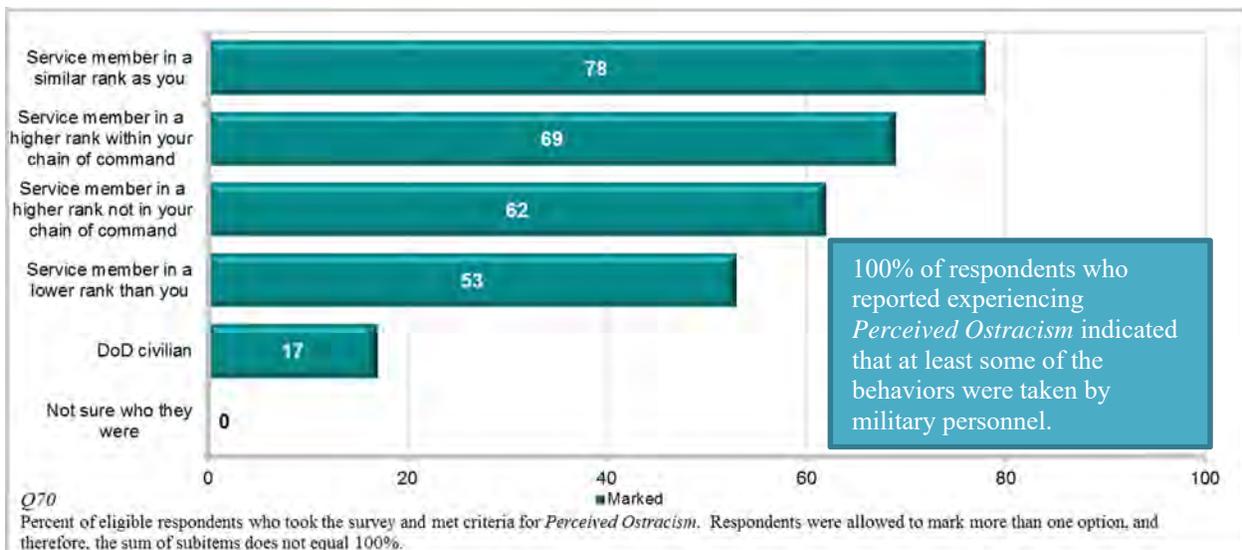
**Table 14.**  
*Reasons That Military Peers/Coworkers Took the Perceived Ostracism Actions*

Reasons That Military Peers/Coworkers Took the Perceived Ostracism Actions	Percent Who Believed Person(s) Who Took Actions Knew or Suspected They Made an Official Report
<b>Perceived Ostracism Criteria Response Options</b>	
They were trying to discourage you from moving forward with your report, or discourage others from reporting	30%
<b>Other Reasons</b>	
They were friends with the person(s) who committed the sexual assault	75%
They did not believe you	66%
They were trying to make you feel excluded	46%
Some other reason	27%
Not sure	10%
<i>Eligible number of respondents</i>	191

*Note.* Q67-Q69. Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%.

**Individual(s) Who Took the Perceived Ostracism Action.** As seen in Figure 49, more than half of respondents who indicated experiencing *Perceived Ostracism* indicated the individuals(s) who took the action was a *Service member in a similar rank as them* (78%), a *Service member in a higher rank within their chain of command* (69%), a *Service member in a higher rank not in their chain of command* (62%), or a *Service member in a lower rank than them* (53%).

**Figure 49.**  
*Individual(s) Who Took the Perceived Ostracism Action*

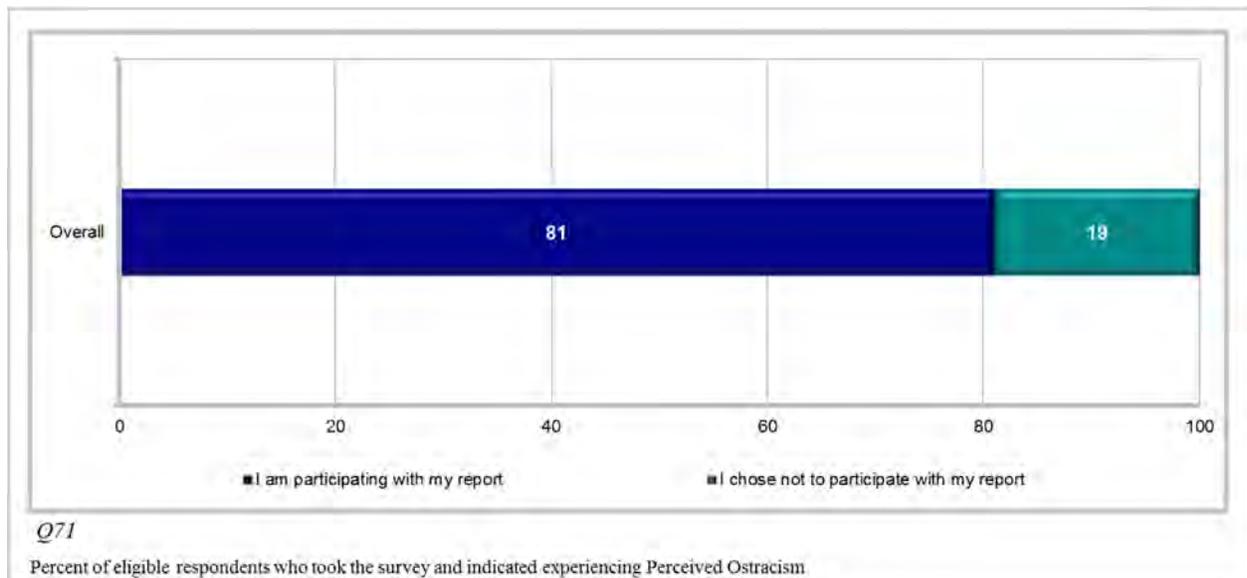


**Decision to Participate or Move Forward With Report as a Result of Experiencing Perceived Ostracism**

As described in the construction of the *Perceived Ostracism* rate, part of the motivation in undertaking these behaviors might involve trying to discourage the respondent from moving forward with the report. Therefore, it is of interest to the Department to know whether experiencing these behaviors impacts a person’s decision to move forward with their report. As seen in Figure 50, of respondents who indicated experiencing *Perceived Ostracism*, the majority (81%) indicated they decided to participate and/or move forward with their report, whereas 19% indicated they chose not to participate or move forward with their report.

Further exploration revealed that there were no significant associations between any specific type of individual taking action and a respondent’s decision to participate or move forward with their report.

**Figure 50.**  
*Decision to Participate or Move Forward With Report as a Result of Experiencing Perceived Ostracism*



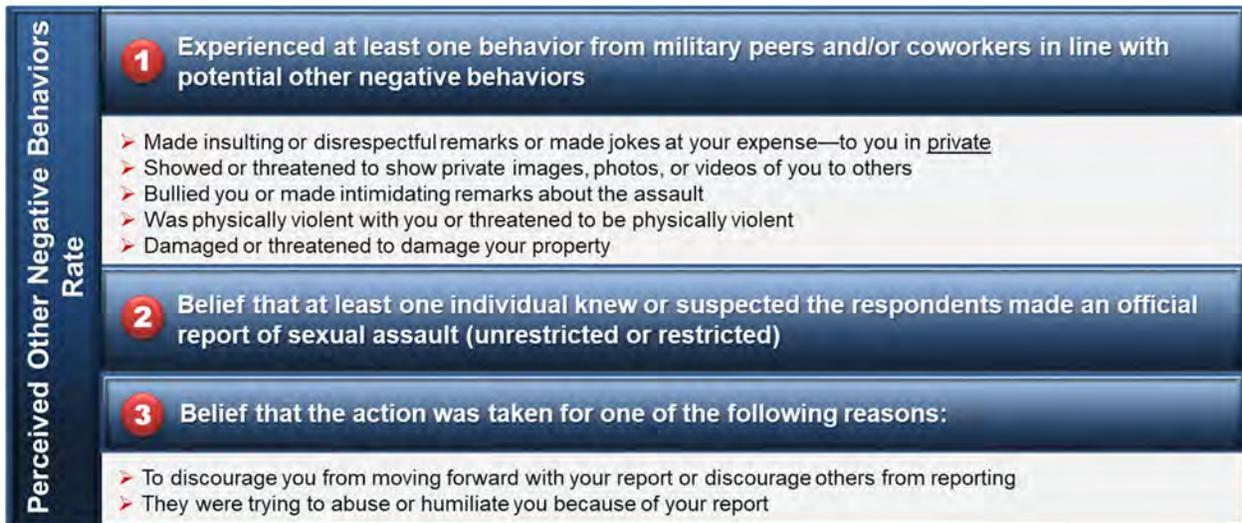
**Perceived Other Negative Behaviors**

For the purposes of this report, cruelty, oppression, or other negative behaviors indicated are those that are acts that occur without a valid military purpose, and may include physical or psychological force, threat, or abusive or unjustified treatment that results in physical or mental harm done with the intent to deter the reporting of a criminal offense or participation in the military justice process.

As depicted in Figure 51, the *Perceived Other Negative Behaviors* rate is a summary measure that includes perceived experiences of at least one negative action by military peers and/or

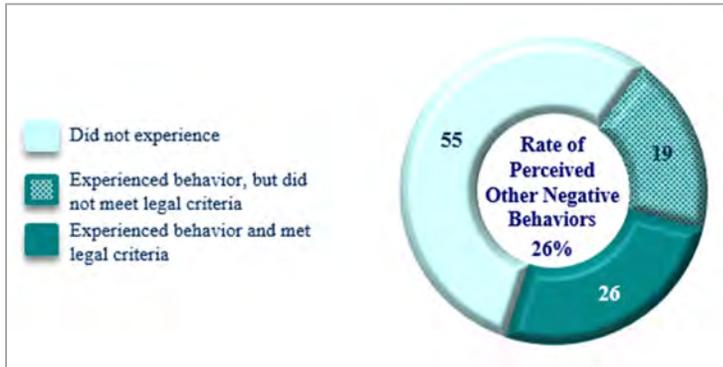
coworkers as a result of reporting a sexual assault which may include physical or psychological force, threat, or abusive or unjustified treatment that results in physical or mental harm (Q72). To be included in this rate, respondents also needed to indicate they perceived at least one person who took the action knew or suspected they made an official (unrestricted or restricted) sexual assault report (Q73) and they believed that person(s) were trying to discourage the respondent from moving forward with the report, discourage others from reporting, or were trying to abuse or humiliate the respondent (Q74).

**Figure 51.**  
*Construction of Perceived Other Negative Behaviors Rate*



**26%** of respondents indicated experiencing *Perceived Other Negative Behaviors*. As shown in Figure 52, 19% of respondents perceived experiencing a behavior consistent with potential other negative behaviors from their military peers and/or coworkers, but did not indicate experiencing additional motivating factors needed to be included in the *Perceived Other Negative Behaviors* rate.

**Figure 52.**  
***Perceived Other Negative Behaviors Rate of MIJES Respondents***



***Behaviors Consistent With Perceived Other Negative Behaviors***

Data presented in Table 15 lists other negative behaviors and includes estimates for eligible respondents overall, as well as respondents who fell into the *Perceived Other Negative Behaviors* rate. Of respondents who met criteria for *Perceived Other Negative Behaviors*, the top three behaviors respondents indicated experiencing from their military peers and/or coworkers were they *made insulting or disrespectful remarks or made jokes at their expense—to them in private* (76%), *bullied them or made intimidating remarks about the assault* (66%), or *some other negative action* (45%).<sup>39</sup>

<sup>39</sup> Of the respondents who met criteria for *Perceived Other Negative Behaviors*, 35% indicated experiencing *some other negative action* from military peers and/or coworkers and also indicated some other behavior in line with perceived other negative behaviors (of the behaviors listed in Table 6).

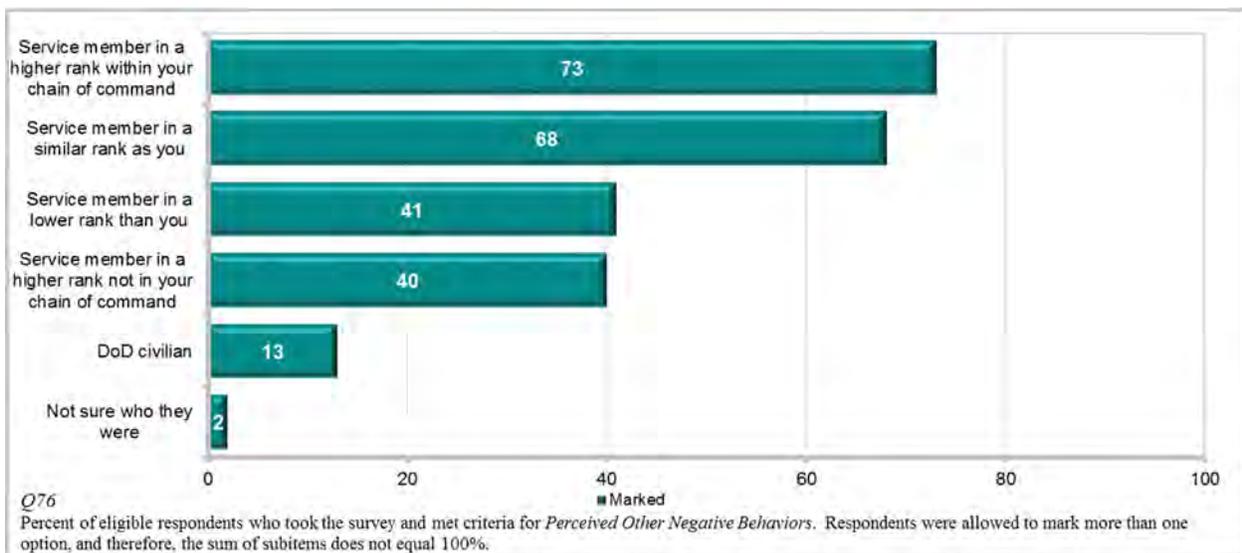
**Table 15.**  
**Behaviors in Line With Perceived Other Negative Behaviors**

Behaviors in Line With Perceived Other Negative Behaviors	Percent of Eligible Respondents	Percent of Eligible Respondents Who Met Criteria For Perceived Other Negative Behaviors
Made insulting or disrespectful remarks or made jokes at your expense—to you in private	31%	76%
Bullied you or made intimidating remarks about the assault	24%	66%
Some other negative action	20%	45%
Showed or threatened to show private images, photos, or videos of you to others	5%	14%
Was physically violent with you or threatened to be physically violent	4%	15%
Damaged or threatened to damage your property	4%	15%
<i>Eligible number of respondents</i>	360	94

*Note.* Q72-Q74. Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%. “Percent of Eligible Respondents” represents the total number of respondents who took the survey and answered the question. “Percent of Eligible Respondents Who Met Criteria For Perceived Other Negative Behaviors” represents the number of respondents who answered the question, and also indicated they met criteria for inclusion in the rate.

**Individual(s) Who Took the Perceived Other Negative Behaviors Action.** As seen in Figure 53, of respondents who indicated experiencing *Perceived Other Negative Behaviors*, 73% indicated a *Service member in a higher rank within their chain of command* took the action and 68% indicated a *Service member in a similar rank as them* took the action.

**Figure 53.**  
**Individual(s) Who Took the Perceived Other Negative Behaviors Action**

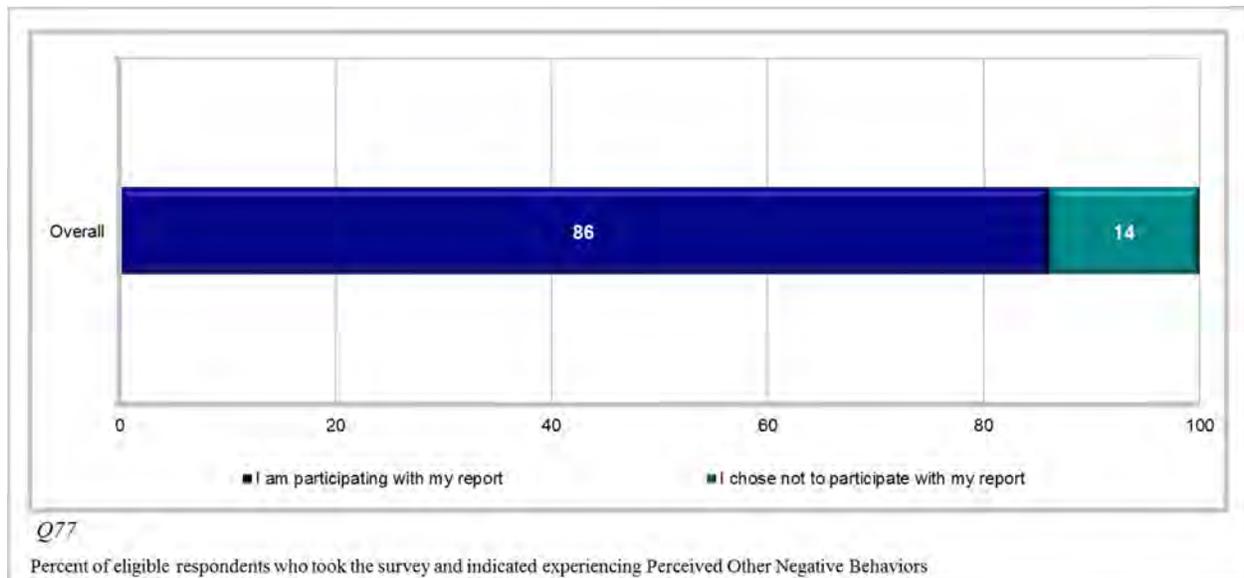


**Decision to Participate or Move Forward With Report as a Result of Experiencing Perceived Other Negative Behaviors**

As described in the construction of the *Perceived Other Negative Behaviors* rate, part of the motivation in undertaking these behaviors might involve trying to discourage the respondent from moving forward with the report. Therefore, it is of interest to the Department to know whether experiencing these behaviors impacts a person’s decision to move forward with their report. As seen in Figure 54, of respondents who indicated experiencing *Perceived Other Negative Behaviors*, the majority (86%) indicated they decided to participate and/or move forward with their report, whereas 14% indicated they chose not to participate or move forward with their report as a result of the actions taken against them.

Further exploration revealed that there were no significant associations between any specific type of individual taking action and a respondent’s decision to participate or move forward with their report.

**Figure 54.**  
*Decision to Participate or Move Forward With Report as a Result of Experiencing Perceived Other Negative Behaviors*

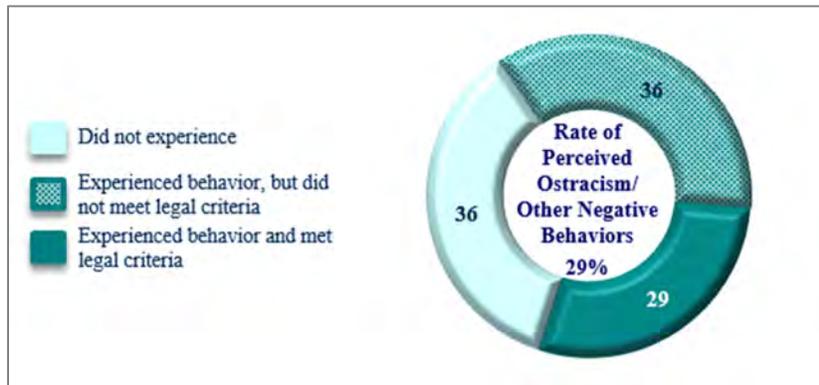


**Perceived Ostracism/Other Negative Behaviors**

The *Perceived Ostracism/Other Negative Behaviors* rate is an overall measure reflecting whether respondents reported experiencing behaviors and actions by military peers and/or coworkers in order to fulfill requirements for inclusion in the rate for either *Perceived Ostracism* and/or *Perceived Other Negative Behaviors* (Q67-Q69, Q72-Q74).

**29%** of respondents indicated experiencing *Perceived Ostracism/Other Negative Behaviors*. As shown in Figure 55, an additional 36% of respondents perceived experiencing a behavior consistent with potential ostracism and/or potential other negative behaviors from their military peers and/or coworkers, but did not indicate experiencing additional motivating factors needed to be included in the *Perceived Ostracism/Other Negative Behaviors* rate.

**Figure 55.**  
*Perceived Ostracism/Other Negative Behaviors Rate of MIJES Respondents*



### **Actions Involving Social Media**

The Department has also shown interest in whether social media plays a role in behaviors consistent with ostracism/other negative behaviors. Of respondents who reported experiencing *Perceived Ostracism/Other Negative Behaviors*, 34% indicated that the actions they experienced involved some form of social media (e.g., Facebook, Twitter, Kik, Yik Yak, Snapchat).

### **Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors**

The *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate is an overall measure reflecting whether respondents reported experiencing *Perceived Professional Reprisal* and/or *Perceived Ostracism/Other Negative Behaviors* by leadership or other military peers and/or coworkers for reporting a sexual assault (Q61-Q63, Q67-Q69, and Q72-Q74). In this sense, it is a roll-up of possible perceived retaliatory behaviors.<sup>40</sup>

<sup>40</sup> *Perceived Professional Reprisal* and *Perceived Ostracism/Other Negative Behaviors* are not summed to create the *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate. Respondents could report experiencing one or more behaviors and/or criteria to enter into the rate, and therefore there is overlap between the two individual rates *Perceived Professional Reprisal* and *Perceived Ostracism/Other Negative Behaviors*.

**41** % of respondents indicated experiencing *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors*. As shown in Figure 56, an additional 29% of respondents perceived experiencing a behavior consistent with potential professional reprisal, potential ostracism, and/or potential other negative behaviors, but did not indicate experiencing additional motivating factors needed to be included in the *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate. Less than one-third of respondents (29%) reported that they did not experience any negative behavior.

**Figure 56.**  
*Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors Rate of MIJES Respondents*

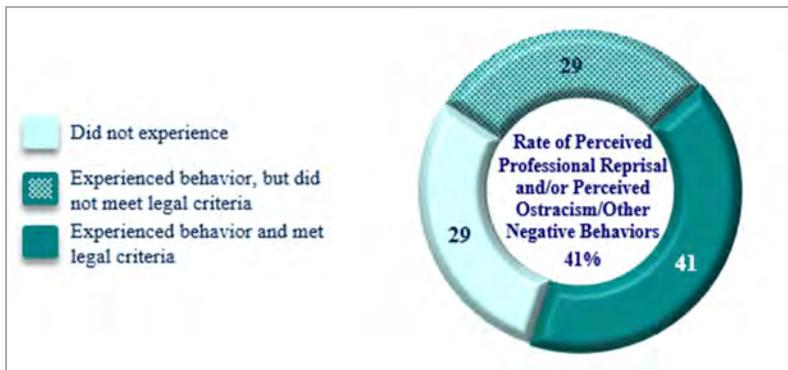
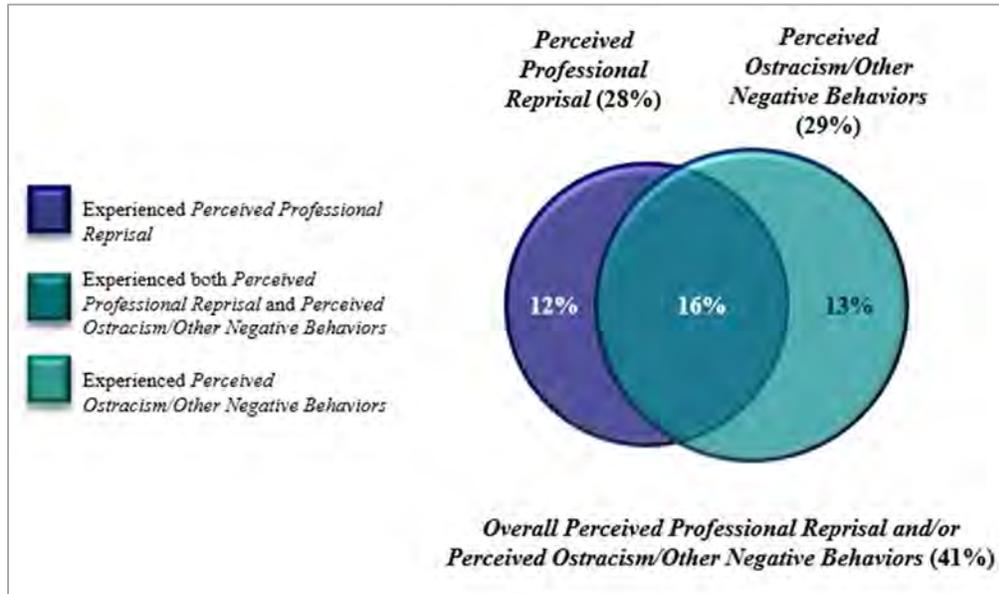


Figure 57 presents a Venn diagram which highlights the overlap between the rates of *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* and demonstrates that these negative behaviors often co-occur. Overall, 16% of respondents reported experiencing both *Perceived Professional Reprisal* and *Perceived Ostracism/Other Negative Behaviors* (12% reported experiencing only *Perceived Professional Reprisal* and 13% reported experiencing only *Perceived Ostracism/Other Negative Behaviors*).<sup>41</sup>

Stated another way, of respondents who reported experiencing *Perceived Professional Reprisal*, 58% also reported experiencing *Perceived Ostracism/Other Negative Behaviors*. Of respondents who indicated experiencing *Perceived Ostracism/Other Negative Behaviors*, 54% also reported experiencing *Perceived Professional Reprisal*.

<sup>41</sup> These percentages may not add up to the Prevalence Rates due to rounding.

**Figure 57.*****Venn Diagram of Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors***

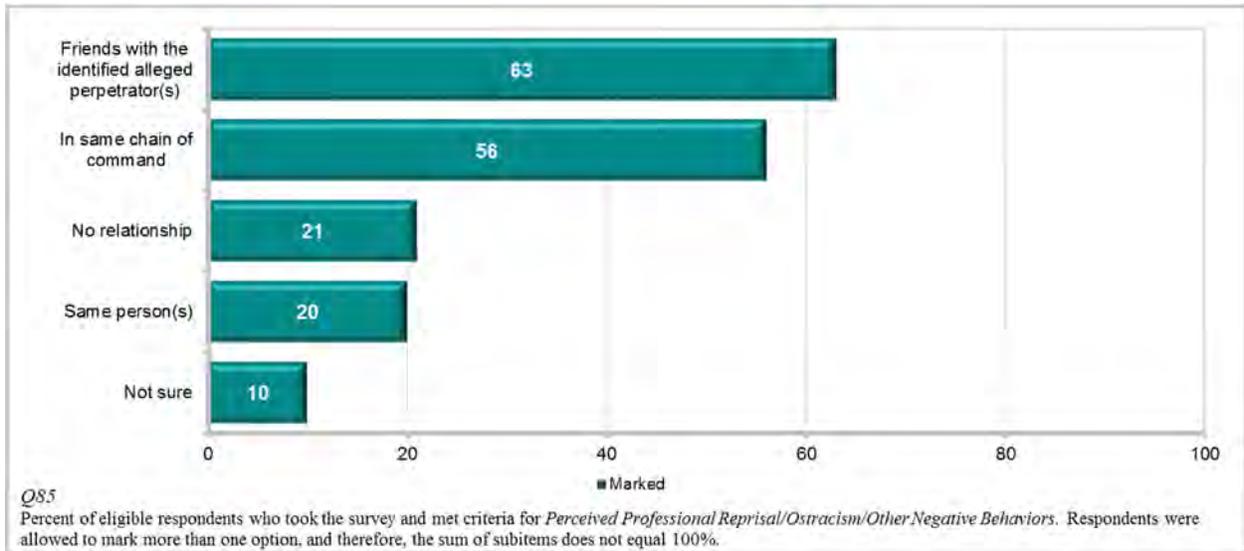
*Q61-Q63, Q67-Q69, Q72-Q74*

Percent of eligible respondents who took the survey and met criteria for *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors*.

***Relationship Between Individual(s) Who Took Actions and Alleged Offender in Report of Sexual Assault***

Of interest to the Department, beyond who the individual(s) is who commits these negative actions, is their relationship, if any, to the alleged offender. Of respondents who are included in the *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate, 63% indicated the individuals committing negative actions were *friends with the identified perpetrator(s)* and 56% indicated they were *in the same chain of command*, whereas 21% indicated there was *no relationship* and 20% indicated the individual(s) was the *same person(s)*.

**Figure 58.**  
***Relationship Between Individual(s) Who Took Actions and Alleged Offender in Report of Sexual Assault***



***Actions Following Negative Behaviors From Leadership or Military Peers***

Data found in Table 16 are of respondents who are included in the *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate. Of respondents who reported experiencing *Perceived Professional Reprisal and/or Perceived Ostracism/Other Negative Behaviors* (41%), as a result of the negative behaviors, the most common action was to *discuss the behaviors with their friends, family, coworkers, or a professional* (71%).<sup>42</sup>

The following sections reflect respondents’ experiences as a result of the actions they took as a result of the negative behaviors.

<sup>42</sup> Though this is a potential area for the Department to consider, caution should be taken when interpreting these data as our estimates are derived from a small pool of respondents.

**Table 16.**  
***Actions Following Negative Behaviors From Leadership or Military Peers/Coworkers***

Actions Following Negative Behaviors From Leadership or Military Peers	Percent Who Met Criteria For Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors
Discuss these behaviors with your friends, family, coworkers, or a professional?	71%
Discuss these behaviors with a work supervisor or anyone up your chain of command with the expectation that some corrective action would be taken?	50%
Discuss these behaviors with a work supervisor or anyone up your chain of command to get guidance on what to do?	40%
File a complaint (for example, with the Inspector General, Military Equal Opportunity Office, commander)?	26%
None of the other actions	15%
<i>Eligible number of respondents</i>	141

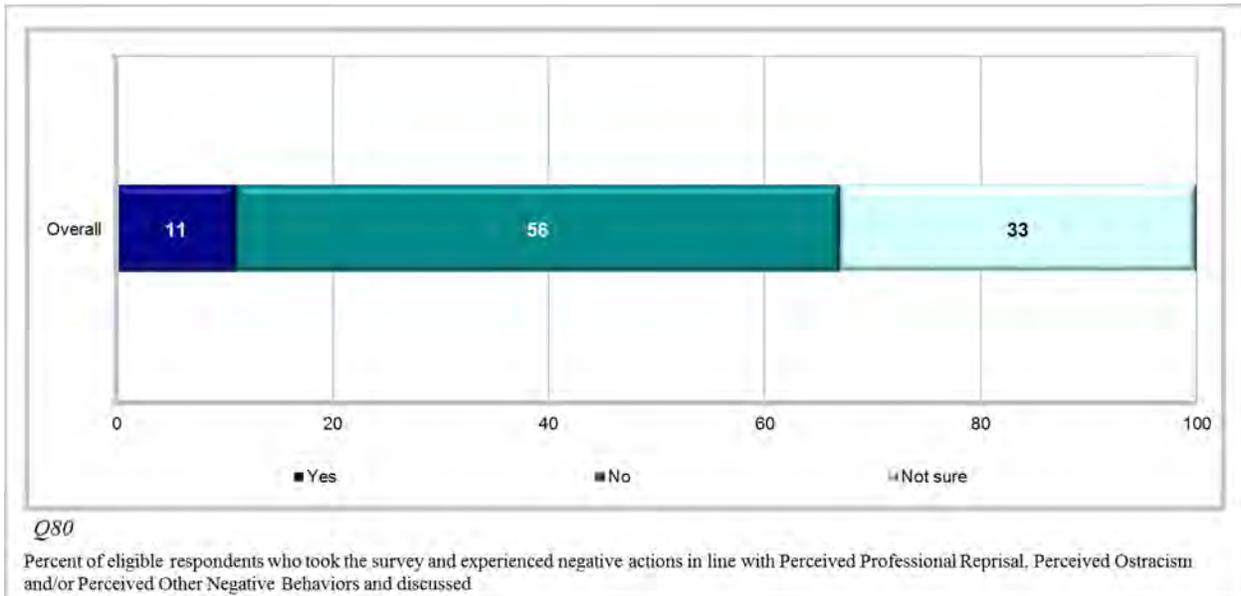
Note. Q79. Percent of eligible respondents who took the survey and met criteria for *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors*. Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%.

***Agreement to Bring Allegation to a Case Management Group Following Discussion.*** The Department has made efforts to improve response and reporting opportunities to provide Service members with restorative care and support. Though the military justice process is outside the purview of the SAPR program, SAPR professionals help Service members navigate and participate within the justice process. Therefore, unrestricted sexual assault cases are reviewed monthly at installation Case Management Group meetings (CMGs) where senior commanders ensure that appropriate care and services have been offered, and that cases are progressing through the investigative and military justice processes (as required in DoDI 6495.02). In FY14, the Secretary of Defense instructed that CMGs also discuss allegations of retaliation, and directed they take action to refer such allegations to the appropriate agency for follow-up as appropriate. This allows Service members who experience retaliation to receive services, and also provides CMGs better management opportunities of situations where retaliation may be occurring.

Of respondents who experienced negative actions in line with *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors*, 82% indicated they discussed these behaviors with friends, family, coworkers, professionals, a work supervisor, or anyone up their chain of command. As seen in Figure 59, of these respondents, only 11% indicated they *agreed* to bring their allegation to a CMG, whereas 56% indicated they *did not agree* to bring their allegation to a CMG, and 33% indicated they were *not sure*.

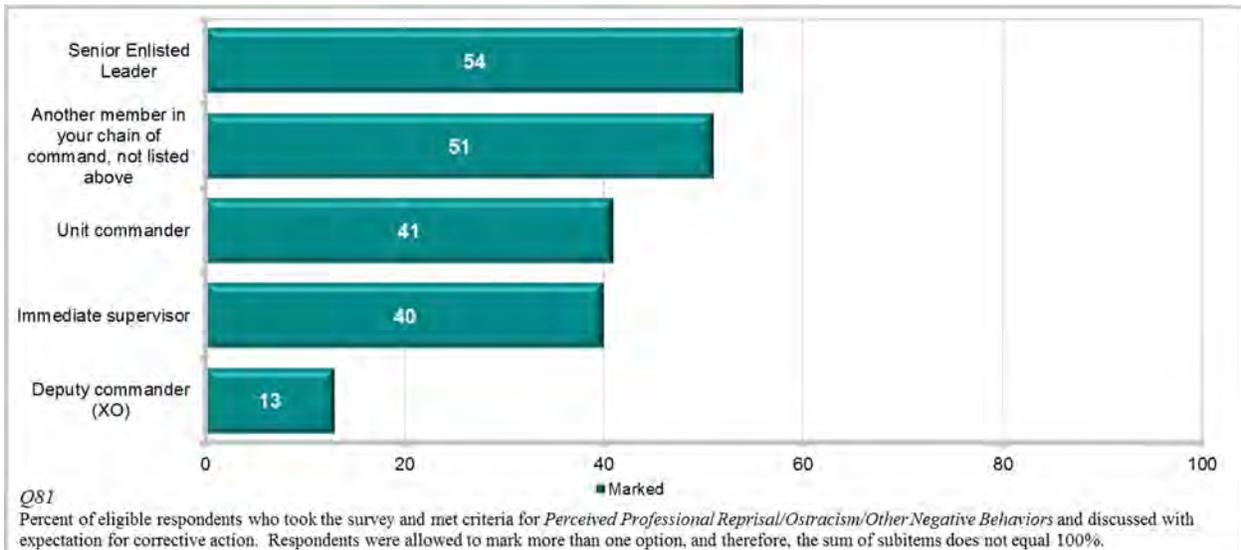
Further analysis revealed that there were no significant associations between the type of negative outcome (*Perceived Professional Reprisal, Perceived Ostracism, or Perceived Other Negative Behaviors*) and whether a respondent chose to bring their allegation to a CMG.

**Figure 59.**  
**Agreement to Bring Allegation to a Case Management Group (CMG) Following Discussion**



**Individual With Whom Behaviors Were Discussed With Expectation for Corrective Action.** As seen in Figure 60, of the 50% of respondents who experienced negative actions in line with *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* and discussed these behaviors with a work supervisor or anyone up their chain of command with the expectation that some corrective action would be taken, the most frequently chosen individuals were their *Senior Enlisted Leader* (54%) or *another member in their chain of command* (51%).

**Figure 60.**  
**Individual With Whom Behaviors Were Discussed With Expectation for Corrective Action**



***Actions Taken in Response to Discussion With Expectation For Corrective Action.*** Data found in Table 17 are of the 50% of respondents who are included in the *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate who discussed these behaviors with a work supervisor or anyone up their chain of command with the expectation that some corrective action would be taken. Of these respondents, about half indicated as a result of their discussion *they are not aware of any action taken by the person that they told or the situation continued or got worse for them* (both 49%) and 41% indicated *they were told/encouraged to drop the issue*. Less than one-fifth (19%) of these respondents indicated they received help or assistance as a result of their discussion of these behaviors.

**Table 17.**  
***Actions Taken in Response to Discussion With Expectation For Corrective Action***

<b>Actions Taken in Response to Discussion With Expectation For Corrective Action</b>	<b>Percent Who Met Criteria For Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors</b>
You are not aware of any action taken by the person that you told	49%
The situation continued or got worse for you	49%
You were told/encouraged to drop the issue	41%
You got help dealing with the situation	19%
Your leadership took steps to address the situation	19%
The behavior(s) stopped on their own	1%
<i>Eligible number of respondents</i>	69

*Note.* Q82. Percent of eligible respondents who took the survey, met criteria for *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors*, and discussed these behaviors with a work supervisor or anyone up their chain of command with the expectation that some corrective action would be taken. Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%.

***Response to Filing a Complaint.*** Data found in Table 18 are of the 26% of respondents who are included in the *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate and chose to file a complaint. As a result of filing a complaint, the most frequently selected responses were *they were not aware of any action taken by the person that they told* (44%) and *the situation continued or got worse for them* (42%). Of note, less than one-fifth of respondents indicated they got help dealing with the situation (19%) or *their leadership took steps to address the situation* (14%).

Further analysis revealed that there were no significant associations between the type of negative outcome (*Perceived Professional Reprisal, Perceived Ostracism, or Perceived Other Negative Behaviors*) and whether a respondent chose to file a complaint.

**Table 18.**  
***Respondents Who Reported Experiencing Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors and Chose to File a Complaint***

<b>Response to Filing a Complaint</b>	<b>Percent Who Met Criteria For Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors</b>
You are not aware of any action taken by the person that you told	44%
The situation continued or got worse for you	42%
You were told/encouraged to drop the issue	28%
You got help dealing with the situation	19%
Your leadership took steps to address the situation	14%
The behavior(s) stopped on its own	6%
<i>Eligible number of respondents</i>	36

*Note.* Q83. Percent of eligible respondents who took the survey, met criteria *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors*, and filed a complaint. Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%.

***Reasons for Choosing to Not File a Complaint.*** Data found in Table 19 are of the 74% of respondents who are included in the *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors* rate who indicated they chose not to file a complaint. Of these respondents, reasons for choosing not to file a complaint included *they were worried that reporting would cause more harm to them than good* (68%), *they did not trust that the process would be fair* (65%), and *they did not think anything would be done or anyone would believe them* (60%). Very few respondents indicated that they chose not to file a complaint because *the person(s) stopped their behavior* (5%).

**Table 19.**  
***Respondents Who Reported Experiencing Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors and Chose Not to File a Complaint***

<b>Reasons for Choosing to Not File a Complaint</b>	<b>Percent Who Met Criteria For Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors</b>
You were worried that reporting would cause more harm to you than good	68%
You did not trust that the process would be fair	65%
You did not think anything would be done or anyone would believe you	60%
You did not want more people to know and/or judge you	47%
You did not know how to file a complaint	31%
You were told/encouraged not to file a complaint	20%
Some other reason	15%
The person(s) stopped their behavior	5%
<i>Eligible number of respondents</i>	100

*Note.* Q84. Percent of eligible respondents who took the survey, met criteria *Perceived Professional Reprisal, Perceived Ostracism, and/or Perceived Other Negative Behaviors*, and did not file a complaint. Respondents were allowed to mark more than one option, and therefore, the sum of subitems does not equal 100%.



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## Chapter 6: Summary and Opportunities for Investigation and Military Justice Process

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### Summary of Findings

The results of *2016–2017 MIJES* presented in this report represent the culmination of an extensive effort by OPA to assist the Department in assessing the investigative and legal processes/services experienced by military members who have made a report of sexual assault. The opinions and experiences measured in the *2016–2017 MIJES* are often quite private, and therefore difficult to gauge through measurement methods that involve direct observation or analyses of program data. While all surveys have limitations in scope, the *2016–2017 MIJES* is a valuable tool for the Department to evaluate its SAPR programs/resources, as well as command, and their combined utility in assisting Service members through the investigation and military justice process.

The findings from this assessment are beneficial in revealing what is working for military members who bring forward a report of sexual assault, and what can be improved. There are several themes apparent in the results of *2016–2017 MIJES* which underscore ways in which specific programs and resources provide support to military members who bring forward a report of sexual assault. The following sections discuss these themes.

### General Satisfaction With Individuals/Resources

Throughout the investigation and military justice process, a military member may interact with a number of individuals and resources. The *2016–2017 MIJES* assessed respondents' satisfaction with various aspects of these interactions, revealing that overall, respondents were most satisfied with their experiences with SVCs/VLCs and SAPR resources (i.e., SARC, UVA/VA), whereas improvements could be made regarding the experiences of military members with their command (i.e., senior enlisted advisor, immediate supervisor, unit commander). While all resources, including command, were generally assessed positively in providing support to the respondent during the military justice process, there were a few areas indicated where changes might be beneficial. Similar to findings from previous *MIJES* administrations, respondents' lowest ratings across resources were generally for keeping the respondent informed about the status of their case. Continuing to improve points of communication for all resources may be an opportunity for the Department to strengthen its ability to serve military members during the military justice process. Data from the *2016–2017 MIJES* also highlight that certain resources can improve their use of discretion in discussing details about a case as well as aiding respondents in preparing for the military justice process.

### General Perceptions of the Investigation and Military Justice Process

The criminal justice process is often a difficult process for any Service member, military or civilian. While all resources, including command, were assessed somewhat positively in providing support to the respondent, survey responses highlighted a few areas for the Department to note. Continuing to improve communication, use of discretion in discussing details about a

case, as well as aiding respondents in preparing for the military justice process, would be useful for all resources.

The 2016–2017 MIJES reflects varied opinions from respondents. It also allows for respondents to suggest ways to improve the results or actions taken following their experiences. Overall, one metric to measure overall satisfaction with the military justice process is whether a respondent would recommend to another Service member whether to make a report. Overall, **73% of all respondents said they would recommend others in the military make a report if they experienced a sexual assault.** This rate speaks to the potential benefit of reporting within the military, but also to the benefit of many of the SAPR-specific resources provided to military members who bring forward a report of sexual assault.

### Observations Associated With Reporting

The Department strives to create an environment where military members feel comfortable and safe reporting a potential sexual assault to a military authority. To further ensure a safe environment for reporting, the Department has been monitoring perceived repercussions (i.e. retaliatory behavior) as a result of reporting a sexual assault.

While the majority of respondents did not perceive experiencing any retaliation as a result of making a report of sexual assault, 41% did perceive retaliatory behavior. Specifically, 28% of respondents indicated experiencing perceived professional reprisal, while 29% perceived experiencing ostracism/other negative behaviors (16% perceived experiencing ostracism and 26% perceived experiencing other negative behaviors).<sup>43</sup> Of note, respondents who perceived experiencing these negative behaviors were asked whether these actions impacted their decision to continue participating and/or moving forward with their report; the majority indicated they chose to continue, however, this sometimes depended on who took the negative action.

Of respondents who indicated experiencing perceived professional reprisal and/or perceived ostracism/other negative behaviors, about one-quarter, 26%, filed a complaint. As a result of filing a complaint, more than two-fifths of respondents most frequently indicated *they were not aware of any action taken by the person that they told and the situation continued or got worse for them.*<sup>44</sup> Of note, less than one-fifth of respondents indicated that as result of filing a complaint, they got help dealing with the situation or *their leadership took steps to address the situation.* For those who chose not to file a complaint, about two-thirds indicated they chose not to file because *they were worried that reporting would cause more harm to them than good, they did not trust that the process would be fair, and they did not think anything would be done or anyone would believe them.* Several of these reasons for choosing not to report may be due to a lack of clear instruction or education about what may occur as a result of filing a complaint. More education overall about reporting perceived retaliatory behaviors may also be useful for the Department to implement, as about one-third of respondents indicated they did not file a complaint because they did not know how to.

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<sup>43</sup> Respondents may have endorsed experiencing several behaviors, and therefore percentages may overlap.

<sup>44</sup> Though this is a potential area for improvement for the Department to consider, caution should be taken when interpreting these data as our estimates are derived from a small pool of respondents. Additionally, privacy concerns of the accused may limit the release of information depending on the type of action taken.

## Observations for Improvements to the Investigation and Military Justice Process

The 2016–2017 MIJES provides the Department with a description of military members' experiences with the military justice process after reporting a sexual assault. These findings provide a detailed account of the experiences of these military members as well as the types of impact programs and personnel have during the military justice process for this vulnerable population. A variety of assessment metrics of individual resources and general satisfaction indicators were used to evaluate the military justice process. Though not generalizable to the full military population of members who make a report of sexual assault, input provided by these respondents offer invaluable information of specific topics. The 2016–2017 MIJES provided observations on the investigation and military justice processes:

- These results highlight the importance of continuing to improve points of communication for all resources, educating resources about discretion, and aiding Service members in preparing for the military justice process. An overarching theme discovered from assessing resources was that Service members were dissatisfied with the amount of information they were provided throughout the investigation and military justice process.
  - Most members who make an unrestricted report of sexual assault interact with military criminal investigators early on in the investigation process. Therefore there is an opportunity for these personnel to provide more “up front” information about the process as a whole to better prepare members. However, qualitative analysis revealed that often times these personnel may need more training regarding how to be sensitive or supportive when communicating with Service members.
  - SVC/VLCs were the resource that respondents indicated provided the majority of information about the progress of the case. Therefore it might be beneficial to encourage these personnel to continue to communicate with members about their cases. Continuing to spread awareness of the SVC/VLC program may also be beneficial, as knowing that this resource exists might encourage Service members to feel more comfortable making a report.
- Assessment of resources also revealed that for about half of respondents, interaction with leadership during the military justice process was dissatisfactory. Some respondents described that they perceived members of command to be unhelpful because they were inexperienced in how to handle cases, were overly judgmental, or they appeared to openly discuss details of the case with persons outside of the military justice process.



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# Appendix A. Frequently Asked Questions

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## Appendix A

### Frequently Asked Questions

The Office of People Analytics (OPA) Health and Resilience research directorate surveys the DoD on a variety of topics of interest to the Department. This survey, the *2016–2017 Military Investigation and Justice Experience Survey (MIJES)*, is the third administration and is designed to assess the investigative and legal processes experienced by Service members that have made a formal report of sexual assault. The following details some common questions about the survey content and methods used to conduct the *2016–2017 MIJES*.

#### 1. What is the Military Investigation and Justice Experience Survey?

- The *Military Investigation and Justice Experience Survey (MIJES)* is a voluntary survey designed to assess the investigative and legal processes experienced by Service members that have made a formal report of sexual assault. By focusing on military members who have made an unrestricted report or converted from a restricted to an unrestricted report, OPA is assessing the military justice experiences of a unique population: those Service members with a recently closed sexual assault case (e.g., verdict made, investigation complete). This is the only formal survey assessment of this population across DoD, including active duty and Reserve component members. The survey focuses on experiences with the military investigation and justice processes only and does not ask Service members questions about the circumstances or details of the assault.

#### 2. Why was the MIJES conducted?

- The *2016–2017 MIJES* is designed to assess the investigative and legal processes experienced by Service members that have made a formal report of sexual assault. This survey was conducted in response to a Secretary of Defense Directive requiring that a standardized and voluntary survey for Service members be developed and regularly administered to “provide the sexual assault victim/survivor the opportunity to assess and provide feedback on their experiences with (Sexual Assault Prevention and Response) SAPR victim assistance, the military health system, the military justice process, and other areas of support” (Secretary of Defense, 2014). The Health and Resilience (H&R) research directorate, within the Office of People Analytics (OPA), was tasked with this effort.

#### 3. What was the population of interest for the 2016–2017 MIJES?

- The population of interest for the *2016–2017 MIJES* consisted of current uniformed military members (i.e., Title 10 or Title 32 status, even if part-time), who have a closed case (e.g., investigation done, disposition complete, and case information entered into DSAID) between April 1, 2015 and September 30, 2016 (FY15 Q3-FY16 Q4). Uniformed military members include members of the active duty (Army, Navy, Marine Corps, and Air Force), the Reserve (Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve), and the National Guard (Army National Guard and Air National Guard). All Service members who met the above criteria were eligible to participate in the survey. In addition, respondents were excluded if they indicated via self-report that they:

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- were not currently uniformed military members,
  - did not have a report that resulted in a criminal investigation by a Military Criminal Investigative Organization,
  - did not have an alleged perpetrator that was a military Service member, and
  - did not choose to participate in the investigation or military justice process.
- The population for the *2016–2017 MIJES* consisted of 6,103 members who made a report of sexual assault and who had a closed case between April 1, 2015 and September 30, 2016. Of the 6,103 members who made a report of sexual assault and who met the eligibility criteria in this timeframe, 3,688 Service members were current military members as of the Defense Manpower Data Center *May 2016 and January 2017 Active Duty Master File or Reserve Master File* and comprised the eligible sample population. Completed surveys were received from 510 respondents.

#### 4. Is this survey anonymous? How did you make sure to protect anonymity?

- The survey is anonymous. OPA used information provided in the Defense Sexual Assault Incident Database (DSAID) only to ensure the survey is directed to eligible respondents; it was not used for any part of the data collection effort and all survey responses received (on both web and paper surveys) were completely anonymous. OPA maintained response anonymity by breaking the link between the sample member's address and survey returns to ensure there is no way to link the respondent's identity to their responses. There is no way to merge the survey respondent data with the record data. Random ticket numbers were assigned to ensure that only eligible respondents have access to the survey, however the ticket number was unique and not linked to the Service member's name, Service or paygrade. Additionally, disclosure protection is afforded by the OPA policy on sharing data.

#### 5. How did you identify Service members to take the survey and how were they notified?

- Contact information was provided from DSAID. Contact information was only used to ensure the survey is directed to eligible respondents; it was not used for any part of the data collection effort and all survey responses received (on both web and paper surveys) were completely anonymous. The survey was administered via the web and paper-and-pen. The *2016 MIJES* administration process began on August 29, 2016 with an e-mail announcement message to members in the sample. The *2017 MIJES* administration process began on March 17, 2017 with an e-mail announcement message to members in the sample. Both announcement e-mails explained the data collection effort, why the survey was being conducted, instructions for how the Service members would take the survey, how the survey information would be used, and why participation was important as well as information about how to opt out of the survey if the Service members did not want to participate. Throughout the administration period, a limited number of additional e-mail reminders were sent to Service members to remind them of the survey effort and to encourage them to take the survey. Data for the *2016 MIJES* were collected via the web between August 29, 2016 and December 6, 2016 and via paper-and-pen

## Appendix A

surveys between September 27, 2016 and December 2, 2016. Data for the 2017 MIJES were collected via the web between March 17, 2017 and May 12, 2017.

#### 6. Can I assume these estimates represent the views of all survivors?

- No. The 2016–2017 MIJES is an anonymous and voluntary survey and does not use scientific sampling/weighting which would allow generalizability to the full population of Service members who have participated in the military investigative and justice processes. Therefore, estimates in the 2016–2017 MIJES only represent the views of the Service members who met eligibility criteria and submitted completed surveys. Although not generalizable to the full population of Service members, MIJES results provide a source based on the responses of hundreds of Service members across the DoD; this data has never been available previously.

#### 7. Does this survey include Reserve and National Guard members?

- Yes. This survey was conducted across all DoD components including the Reserves and National Guard. In addition to active duty members, our definition of “uniformed military member” included individuals in the Reserve (Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve), and the National Guard (Army National Guard and Air National Guard). However, numbers of Reserve and National Guard members that completed surveys for the 2016–2017 MIJES were small, and therefore results for these members should be interpreted with caution.

#### 8. Why are the rates different between different administrations? Can I interpret this difference as a trend over time?

- Service members represented in the 2016–2017 MIJES may have made a report any time between October 2013 until September 2016. Because many services, resources, and policies were not in place prior to FY16, the Department is interested in hearing about the experiences respondents have had who made their reports in different years. Findings presented by administration year are provided in the Overview Report to give a more complete picture of respondent experiences over time. However, all differences between administration year should be interpreted with caution as they are only averages of responses from Service members who chose to participate in the survey. As data in the survey were not scientifically weighted, calculating statistical differences is not advisable, and therefore OPA cannot say with scientific certainty that findings between administration years are statistically significantly different.

#### 9. Some of the estimates provided in the report show “NR” or “Not Reportable.” What does this mean?

- The estimates become “Not Reportable” when they do not meet the criteria for statistically reliable reporting. This can happen for a number of reasons including high variability or too few respondents. This process helps ensure that the estimates we provide in our analyses and reports are accurate and precise.

## Appendix A

**10. Do the results on retaliation for reporting sexual assault mean that people experienced retaliation?**

- OPA worked closely with components to design behaviorally-based questions that would better capture a range of outcomes resulting from the report of a sexual assault than previous measures. The resulting bank of questions is intended to capture data on experiences of Service members who perceived professional reprisal, ostracism, or maltreatment as a result of reporting a sexual assault. These questions, included on the *2016–2017 MIJES* as well as several other surveys in 2016 and 2017, were designed to align with the legal elements of professional reprisal, ostracism, and maltreatment in the Uniform Code of Military Justice (UCMJ) and Department policy and regulation. However, ultimately, only the results of an investigation (which takes into account behaviors experienced as well as other aspects, such as the intent of the alleged perpetrator) can determine whether self-reported negative behaviors meet the requirements of prohibited retaliation. Therefore, measures of perceived retaliatory behaviors captured on the *2016–2017 MIJES* reflect member perceptions only and should not be interpreted as meeting the elements of proof for retaliation contained within UCMJ policy.

**Prepared by:**

Natalie Namrow, Fors Marsh Group, LLC.

# Appendix B. Dynamic Service-Specific Language

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## Appendix B

The 2016–2017 MIJES used dynamic text to present Service-specific terms. The table below indicates what text was presented to respondents by Service. This table should be used in concert with the questionnaire to determine what question text and response option text was provided to respondents of different Services.

### VATEXT Presentation Rules:

- if Q2 and Q3 = Missing, than VATEXT# = 1;
- if Q2 = Army or Q3= Army Reserve, than VATEXT# = 2;
- if Q2 = Navy or Q3 = Navy Reserve, than VATEXT# = 3;
- if Q2 = Marine Corps or Q3= Marine Corps Reserve, than VATEXT# = 4;
- if Q2 = Air Force or Q3 = Air Force Reserve, than VATEXT# = 5;
- if Q3 = Army National Guard or Air National Guard, than VATEXT# = 6;

**Table 1.**  
2016–2017 MIJES Dynamic Text Key

Variable name	Replacement text by Service: Values of VATEXT#	Question numbers
<i>VATEXT1</i> Uniformed Victim Advocate (UVA) or a Victim Advocate (VA)	1 = "Uniformed Victim Advocate (UVA) or a Victim Advocate (VA)" 2 = "SHARP Victim Advocate (VA)" 3 = "Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or a Sexual Assault Prevention and Response Victim Advocate (SAPR VA)" 4 = "Uniformed Victim Advocate (UVA) or a Sexual Assault Prevention and Response Victim Advocate (SAPR VA)" 5 = "Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or a Volunteer Victim Advocate (VVA)" 6 = "Uniformed Victim Advocate (UVA) or a Sexual Assault Prevention and Response Victim Advocate (SAPR VA)"	Q23 question text Q24 question text
<i>VATEXT2</i> Uniformed Victim Advocate (UVA) or Victim Advocate (VA)	1 = "Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" 2 = "SHARP Victim Advocate (VA)" 3 = "Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)" 4 = "Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)" 5 = "Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or Volunteer Victim Advocate (VVA)" 6 = "Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)"	Q25 question text Q87 response option Q88 response option Q100 response option

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<p><i>VATEXT3</i> UVA/VA</p>	<p>1 = "UVA/VA" 2 = "SHARP Victim Advocate (VA)" 3 = "Unit SAPR VA/SAPR VA" 4 = "UVA/SAPR VA" 5 = "SAPR VA/VVA" 6 = "UVA/SAPR VA"</p>	<p>Intro text before Q7 Header for Q23-Q29</p>
<p><i>VATEXT4</i> Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)</p>	<p>1 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)" 2 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)" 3 = "Both a Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) and Sexual Assault Prevention and Response Victim Advocate (SAPR VA)" 4 = "Both a Uniformed Victim Advocate (UVA) and Sexual Assault Prevention and Response Victim Advocate (SAPR VA)" 5 = "Both a Sexual Assault Prevention and Response Victim Advocate (SAPR VA) and Volunteer Victim Advocate (VVA)" 6 = "Both a Uniformed Victim Advocate (UVA) and Sexual Assault Prevention and Response Victim Advocate (SAPR VA)"</p>	<p>Q24 response option</p>
<p><i>VATEXT5</i> Uniformed Victim Advocate (UVA)</p>	<p>1 = "Uniformed Victim Advocate (UVA)" 2 = "Uniformed Victim Advocate (UVA)" 3 = "Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA)" 4 = "Uniformed Victim Advocate (UVA)" 5 = "Sexual Assault Prevention and Response Victim Advocate (SAPR VA)" 6 = "Uniformed Victim Advocate (UVA)"</p>	<p>Q24 response option Q26 question text Q27 question text</p>

**Prepared by:**

Natalie Namrow and Sarah De Silva, Fors Marsh Group, LLC.

**Appendix C.  
2016–2017 Military Investigation and  
Justice Experience Survey:  
Analysis of Members Who Chose  
Not to Participate in the Military  
Justice Process**

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## Appendix C

### 2016–2017 Military Investigation and Justice Experience Survey: Analysis of Members Who Chose Not to Participate in the Investigation and Military Justice Process

#### Issue

To be an eligible participant in the *2016–2017 Military Investigation and Justice Experience Survey (MIJES)*, respondents were required to be currently uniformed military members, whose report resulted in a criminal investigation by a Military Criminal Investigative Organization, whose alleged perpetrator was a military Service member, and who chose to participate in the investigation or military justice process. Overall, 510 members initially responded to the survey. Of these respondents, 371 members were eligible to take the survey based on criteria including choosing to participate in any part of the investigation or military justice process for their sexual assault case. Of the 139 responders who did not meet eligibility criteria, 32 members indicated they chose not to participate in the military justice process, and were therefore excluded from general survey results.

However, members who choose not to participate in the investigation or military justice process are of interest to the DoD Sexual Assault and Prevention and Response Office (SAPRO). Understanding why these members chose not to report, and whether they received supportive services and resources, might influence modifications to programs which are beneficial to these members. Therefore the *2016–2017 MIJES* included three questions directed at respondents who indicated they chose not to participate in any part of the investigation or military justice process for their sexual assault case. These respondents were not eligible to participate in the remainder of the survey.

#### Reasons for Not Participating

The 32 members who indicated they chose not to participate in the investigation or military justice process were asked to specify why they chose not to participate. Thirty-one members left comments specifying their reasons, and analysis of these comments yielded 4 themes: they had *no choice*, they were *not invited to participate*, they were too *emotionally vulnerable* to participate, or there was a general *lack of trust* with the process.

#### No choice

Some members indicated they felt they had *no choice* in whether their case went forward, regardless of their participation. Specifically, some felt the case advanced without their permission, and control was taken away from them.

- *“I had my choice taken away from me. Improper reporting resulted in being taken to the wrong agency first. I did not want the report to go unrestricted like it did, and I no longer wanted to relive the events that occurred. I felt like that would happen every day until the verdict was reached and could not put myself through that kind of stress.”*
- *“The entire situation was absolutely out of my control and I had absolutely no say in how the investigation was carried out... I was never offered an option of whether or not to begin an*

## Appendix C

*investigation, which should have never come about... Nothing I said was taken into consideration at all. I'm extremely dissatisfied by the way everything was carried out."*

- *"I did not wish to make any type of report, neither restricted or unrestricted. Command knew this. I did not want to participate in anything relating to the assault. My wishes were not respected and I was left in complete darkness about reporting procedures and what my rights were regarding them."*

### **Not invited to participate**

Some members indicated they were *not invited to participate* in the investigation or that they did not know an investigation was occurring.

- *"I did not know about it."*
- *"I was not asked to participate in the investigation. I had to chase people down for answers. Felt like I was being assaulted all over again."*
- *"I was never requested back regarding the case or to do anything other than my initial statement."*

### **Emotional vulnerability**

Some members indicated they were *emotionally vulnerable* and felt their participation in the investigation would be too painful or impact their ability to heal. Some indicated they preferred to "move on."

- *"Was too emotionally unstable to deal with legal proceedings of any kind."*
- *"I thought I was ready to talk about what happened, but as I started to talk about it, it became very hard to deal with. I choose just to keep it held in my mind again. I seek help and slowly try to talk about things like that. One of these days I'm going to be able to talk about it with out an issue."*
- *"I wanted to move on from the experience. I felt like the less I spoke about it and the less I had to re-explain what happened I would be able to move on faster."*

### **Lack of trust and fear**

Some members indicated they *lacked trust* in the system or they were too afraid to participate.

- *"I do not trust OSI."*
- *"I chose not to participate because the thought of seeing the accuser gave me anxiety attacks."*

Appendix C

**Assignment of Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC)**

The 32 members who indicated they chose not to participate in the military justice process were also asked about whether they were assigned a Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) despite choosing not to participate. As seen in Figure 1, of these members, three-quarters (75%) indicated *yes*, they were assigned a SVC/VLC, whereas 25% indicated *no*, they were not assigned a SVC/VLC.

Overall, results from the 2016–2017 MIJES indicated that having a SVC/VLC was beneficial to respondents in preparing them for the military justice process.<sup>1</sup> Therefore, members who chose not to participate in the investigation or military justice process and were assigned a SVC/VLC were asked whether this assignment influenced their decision to participate. Only members who were in the Army, Army Reserve, Army National Guard, Air Force, Air Force Reserve, or Air National Guard were presented this question. Of these respondents, the majority (81%) indicated *no*, having a SVC assigned to them did not influence their decision not to participate, whereas 13% indicated *yes*, having a SVC assigned to them did influence their decision to not participate.

**Figure 1.**  
*Assignment of Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC)*



**Prepared by:**

Natalie Namrow, Fors Marsh Group, LLC.

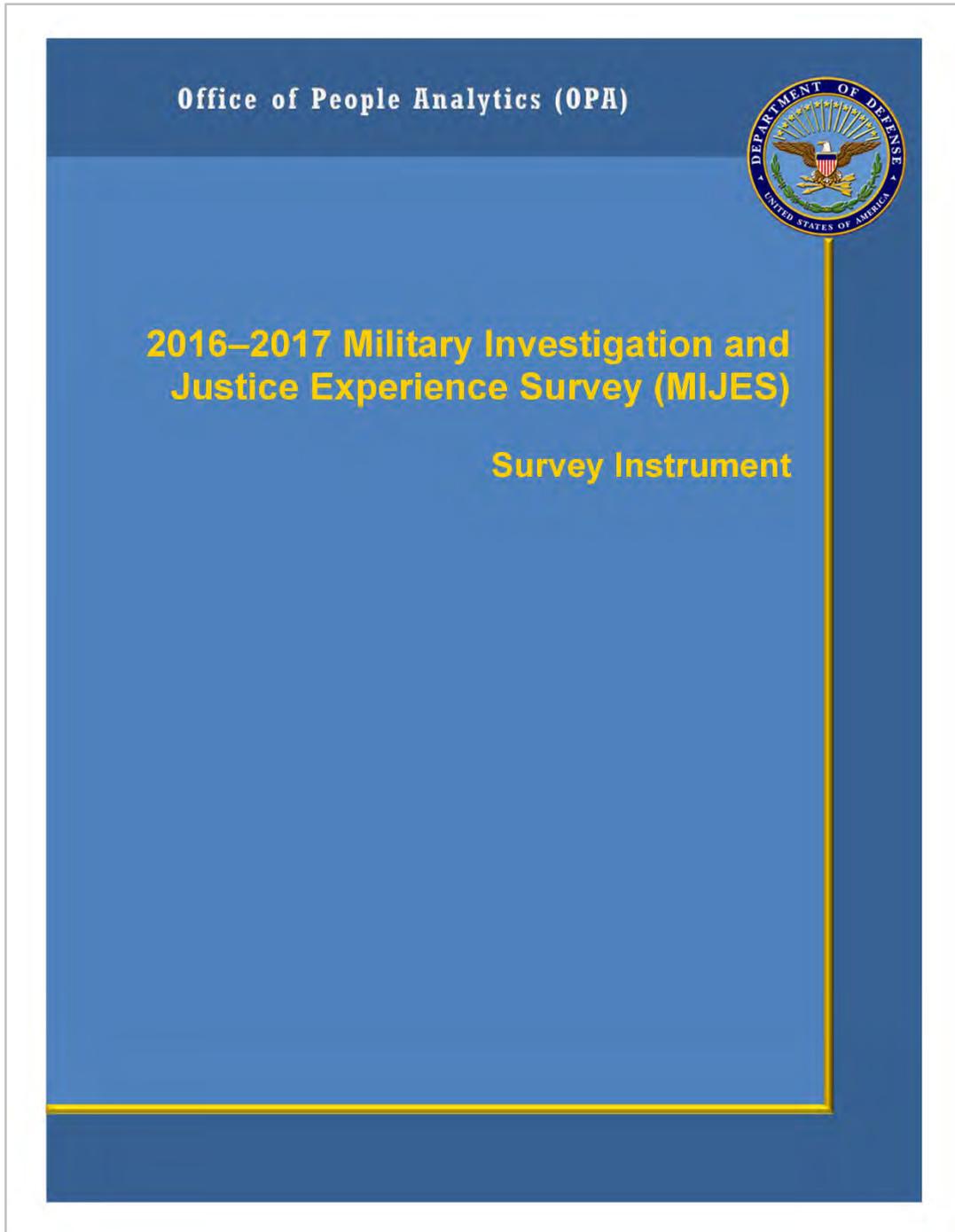
<sup>1</sup> Namrow, N. and De Silva, S. (2017). *2016–2017 Military Investigation and Justice Experience Survey: Overview Report*. (Report No. 2017-027). Alexandria, VA: OPA.



**Appendix D.  
2016–2017 Military Investigation and  
Justice Experience Survey  
Instrument**

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**Survey Instrument**

## 2016–2017 Military Investigation and Justice Experience Survey

**BACKGROUND INFORMATION****1. Are you currently a uniformed military member?**

- Yes, I am a military member on active duty and am not a National Guard or Reserve member in an AGR/FTS/AR position
- Yes, I am a military member in the National Guard or Reserve, including an AGR/FTS/AR position
- No, I am not a current uniformed military member

**2. [Ask if Q1 = "Yes, I am a military member on active duty and am not a National Guard or Reserve member in AGR/FTS/AR position"]****What is your current Service?**

- Army
- Navy
- Marine Corps
- Air Force

**3. [Ask if Q1 = "Yes, I am a military member in the National Guard or Reserve, including an AGR/FTS/AR position"]****What is your current Reserve component?**

- Army National Guard
- Army Reserve
- Navy Reserve
- Marine Corps Reserve
- Air National Guard
- Air Force Reserve

It is not necessary to answer every question. You can leave any item unanswered and continue forward through the survey.

**4. Are you...**

- Male
- Female
- Prefer not to answer

**5. What is your age?**

- Under 21 years old
- 21–24 years old
- 25–33 years old
- 34–45 years old
- 46 years old or older
- Prefer not to answer

**6. What is your paygrade?**

- E1–E4
- E5–E9
- W1–W5
- O1–O3
- O4–O6
- Prefer not to answer

**REPORTING PROCESS**

DoD allows victims to access two options for reporting a sexual assault.

- **Unrestricted reporting** provides medical treatment and counseling services, and prompts an official investigation by a Military Criminal Investigative Organization (CID [Army], NCIS [Navy/Marine Corps], AFOSI [Air Force]) and command notification of the sexual assault.
- **Restricted reporting** provides medical treatment and counseling services, as well as SARC/UVA/VA advocacy, but does not prompt an official investigation or command notification of the sexual assault.

**7. What type of report did you initially make?**

- An unrestricted report
- A restricted report
- Command or law enforcement was notified before you could make a reporting option choice
- Unable to recall

**8. [Ask if Q7 = "A restricted report"]** **What happened with your restricted report?**

- It remained restricted and I am not aware of any investigation that occurred
- I chose to convert it to unrestricted
- I did not choose to convert my report, but an independent investigation occurred anyway (for example, someone you talked to about it notified your chain of command and they initiated an investigation)
- Unable to recall

2016–2017 Military Investigation and Justice Experience Survey

9. [Ask if Q7 = "A restricted report" AND Q8 = "I chose to convert it to unrestricted"] **How soon after the sexual assault occurred was the restricted report converted to an unrestricted report?**

- Within 24 hours
- Within 2–3 days
- Within 4–14 days
- Within 15–30 days
- Within 2 months to less than 1 year
- Within 1 to 3 years of the initial restricted report
- Over 3 years after the initial restricted report
- Prefer not to answer

10. **Did your report result in a criminal investigation by a Military Criminal Investigative Organization (CID [Army], NCIS [Navy/Marine Corps], AFOSI [Air Force])?**

- Yes
- No
- Unable to recall

11. **Was at least one perpetrator of your sexual assault a military Service member?**

- Yes, an active duty member
- Yes, a National Guard or Reserve member
- No, the perpetrator(s) was/were a civilian
- Unable to recall
- Unknown

In order for us to know what services were available to you immediately after you reported your sexual assault, we need to know the time frame that most accurately represents when your sexual assault was reported.

- For those who made an unrestricted report, please provide information on that report.
- For those whose restricted report was converted to an unrestricted report, please provide information on the unrestricted report.
- For those whose report was investigated before you could make a reporting option choice, please provide information for when the command was notified.

12. **Select the time frame for when your report was made.**

- Between 1 October 2015–30 September 2016
- Between 1 October 2014–30 September 2015
- Between 1 October 2013–30 September 2014
- Before 1 October 2013
- After 1 October 2016

13. **How soon after the sexual assault was your report made?**

- Within 24 hours
- Within 2–3 days
- Within 4–14 days
- Within 15–30 days
- Within 2 months to less than 1 year
- Within 1 to 3 years of the sexual assault
- Over 3 years after the sexual assault
- Prefer not to answer

Throughout the remainder of the survey we ask about your experience with the "military justice process." While agencies often work together when handling sexual assault cases, for the purposes of this survey, we use the term "military justice process" to include only the military justice legal proceedings associated with your report of sexual assault, as separate from the investigative process. You will be asked about your experiences with the investigative process later in the survey. This separation helps to target your feedback from the survey more effectively.

14. **Were you made aware of your legal rights throughout the military justice process?** For example, right to be heard, right to confer with an attorney, right to proceedings without unreasonable delay.

- Yes
- No
- Not sure

2016–2017 Military Investigation and Justice Experience Survey

15. [Ask if Q14 = "Yes"] Did you know who to contact to help you assert your rights?

- Yes
- No
- Not sure

16. Did you participate in any part of the investigation or military justice process for your sexual assault case?

- Yes, I participated in all or some of the investigation and/or military justice process
- No, I chose not to participate in the investigation or military justice process

17. [Ask if Q16 = "No, I chose not to participate in the investigation or military justice process"] Were you assigned a Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC)?

- Yes
- No

18. [Ask if Q16 = "No, I chose not to participate in the investigation or military justice process"] Why did you choose not to participate in the investigation or military justice process?

Please do not include any identifying information (for example, names, addresses, case details, etc.).

19. When was your sexual assault investigation closed?

- Within the last 30 days
- 1–3 months ago
- 4–6 months ago
- 7–12 months ago
- More than a year ago
- Unable to recall

**EXPERIENCE WITH SARC**

20. Did you interact with a Sexual Assault Response Coordinator (SARC) during the military justice process?

- Yes
- No

21. [Ask if Q20 = "Yes"] Thinking of your experience with the Sexual Assault Response Coordinator (SARC) throughout the military justice process, how much do you agree or disagree with the following statements? Mark one answer for each item.

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/She supported you throughout the military justice process.....	<input checked="" type="checkbox"/>				
b. He/She helped you work with military criminal investigators, attorneys, and commanders.....	<input checked="" type="checkbox"/>				
c. He/She contacted you on a regular basis regarding your well-being while your case was open.....	<input checked="" type="checkbox"/>				

22. [Ask if Q20 = "Yes"] Overall, how satisfied or dissatisfied were you with the services of your Sexual Assault Response Coordinator (SARC) during the military justice process?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

**EXPERIENCE WITH UVA/VA**

23. Did you interact with a Uniformed Victim Advocate (UVA) or a Victim Advocate (VA) during the military justice process?

- Yes
- No

2016–2017 Military Investigation and Justice Experience Survey

24. [Ask if Q23 = "Yes"] You indicated that you interacted with a **Uniformed Victim Advocate (UVA)** or a **Victim Advocate (VA)**. Was he/she a...

- Uniformed Victim Advocate (UVA)?
- Victim Advocate (VA)?
- Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)?
- Unable to recall

25. [Ask if Q23 = "Yes"] Did you work with the same **Uniformed Victim Advocate (UVA)** or **Victim Advocate (VA)** throughout the military justice process?

- Yes
- No, I worked with two Uniformed Victim Advocates (UVAs) and/or Victim Advocates (VAs)
- No, I worked with more than two Uniformed Victim Advocates (UVAs) and/or Victim Advocates (VAs)
- Not sure

26. [Ask if Q23 = "Yes" AND (Q24 = "Uniformed Victim Advocate (UVA)?" OR Q24 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)???")] Thinking of your experience with the **Uniformed Victim Advocate (UVA)** throughout the military justice process, how much do you agree or disagree with the following statements? *Mark one answer for each item.*

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/She supported you throughout the military justice process.....	<input checked="" type="checkbox"/>				
b. He/She helped you work with military criminal investigators, attorneys, and commanders.....	<input checked="" type="checkbox"/>				

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
c. He/She contacted you on a regular basis regarding your well-being while your case was open.....	<input checked="" type="checkbox"/>				

27. [Ask if Q23 = "Yes" AND (Q24 = "Uniformed Victim Advocate (UVA)?" OR Q24 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)???")] Overall, how satisfied or dissatisfied were you with the services of your **Uniformed Victim Advocate (UVA)** during the military justice process?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

28. [Ask if Q23 = "Yes" AND (Q24 = "Victim Advocate (VA)?" OR Q24 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)???")] Thinking of your experience with the **Victim Advocate (VA)** throughout the military justice process, how much do you agree or disagree with the following statements? *Mark one answer for each item.*

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/She supported you throughout the military justice process.....	<input checked="" type="checkbox"/>				

2016–2017 Military Investigation and Justice Experience Survey

	Not applicable						
	Strongly disagree						
	Disagree						
	Neither agree nor disagree						
	Agree						
	Strongly agree						
b.	He/She helped you work with investigators, attorneys, and commanders.....	<input checked="" type="checkbox"/>					
c.	He/She contacted you on a regular basis regarding your well-being while your case was open.....	<input checked="" type="checkbox"/>					

29. [Ask if Q23 = "Yes" AND (Q24 = "Victim Advocate (VA)?" OR Q24 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)?" )] Overall, how satisfied or dissatisfied were you with the services of your Victim Advocate (VA) during the military justice process?
- Very satisfied
  - Satisfied
  - Neither satisfied nor dissatisfied
  - Dissatisfied
  - Very dissatisfied

**EXPERIENCE WITH MILITARY CRIMINAL INVESTIGATORS**

30. Did you interact with a military criminal investigator after your report of sexual assault? (CID [Army], NCIS [Navy/Marine Corps], AFOSI [Air Force])
- Yes
  - No

The following questions ask about your experience with military criminal investigator(s). We understand that many Service members interact with several military criminal investigators during the investigation process. For the following questions, please think about your **overall experience** working with one or more military criminal investigator(s).

31. [Ask if Q30 = "Yes"] Thinking of your overall experience with the military criminal investigator(s) assigned to your sexual assault investigation, how much do you agree or disagree with the following statements? **Mark one answer for each item.**

	Not applicable						
	Strongly disagree						
	Disagree						
	Neither agree nor disagree						
	Agree						
	Strongly agree						
a.	He/She took your report seriously.....	<input checked="" type="checkbox"/>					
b.	He/She listened to you without judgment.....	<input checked="" type="checkbox"/>					
c.	He/She answered your questions about the investigative process.....	<input checked="" type="checkbox"/>					
d.	He/She was professional in interactions with you.....	<input checked="" type="checkbox"/>					
e.	He/She treated you with dignity and respect.....	<input checked="" type="checkbox"/>					
f.	He/She took steps to address your safety.....	<input checked="" type="checkbox"/>					
g.	He/She provided information about the progress of your investigation.....	<input checked="" type="checkbox"/>					

2016–2017 Military Investigation and Justice Experience Survey

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
h. He/She provided initial information for victims (DD2701) and explained your legal rights. For example, right to be heard, right to confer with an attorney, right to proceedings without unreasonable delay.....	<input checked="" type="checkbox"/>				
i. He/She informed you of the availability of Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) assistance.....	<input checked="" type="checkbox"/>				
j. He/She gave you sufficient time and professional consideration in hearing your complaint.....	<input checked="" type="checkbox"/>				
k. He/She allowed you to provide information at your own pace (for example, did not push you to give information before you were ready).....	<input checked="" type="checkbox"/>				

32. [Ask if Q3D = "Yes"] Overall, how satisfied or dissatisfied were you with the military criminal investigator(s) during the criminal investigation process?
- Very satisfied
  - Satisfied
  - Neither satisfied nor dissatisfied
  - Dissatisfied
  - Very dissatisfied

**EXPERIENCE WITH MILITARY TRIAL COUNSEL**

33. Did you interact with military trial counsel (i.e., the military attorney who prosecuted your case) during the military justice process?
- Yes
  - No

The following questions ask about your experience with military trial counsel (i.e., the military attorney who prosecuted your case). We understand that many Service members may interact with more than one military trial counsel during the military justice process. For the following questions, please think about your **overall** experience working with one or more attorneys from the military legal office prosecuting your case.

34. [Ask if Q33 = "Yes"] Overall, did the military trial counsel discuss the following issues with you? *Mark one answer for each item.*

	Yes	No	Not applicable
a. The availability of a Military Protective Order and how to obtain a Civilian Protective Order (also sometimes called a Restraining Order).....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. The status of trial proceedings against the perpetrator (for example, Article 32 preliminary hearings and courts-martial).....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. The actions that could be brought against the perpetrator (for example, court-martial charges, non-judicial punishment, administrative discharge).....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Your rights as a crime victim.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

35. [Ask if Q33 = "Yes"] Thinking of your overall experience with the military trial counsel, how much do you agree or disagree with the following statements? *Mark one answer for each item.*

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/She took your report seriously.....	<input checked="" type="checkbox"/>				
b. He/She listened to you without judgment.....	<input checked="" type="checkbox"/>				

2016–2017 Military Investigation and Justice Experience Survey

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Not applicable
c. He/She answered your questions.....	<input checked="" type="checkbox"/>					
d. He/She was professional in interactions with you.....	<input checked="" type="checkbox"/>					
e. He/She treated you with dignity and respect.....	<input checked="" type="checkbox"/>					
f. He/She took steps to protect your safety.....	<input checked="" type="checkbox"/>					
g. He/She informed you about the progress of your case.....	<input checked="" type="checkbox"/>					
h. He/She communicated with your Special Victims' Counsel (SVC)/Victims' Legal Counsel (VLC) with your consent.....	<input checked="" type="checkbox"/>					

36. [Ask if Q33 = "Yes"] Overall, how satisfied or dissatisfied were you with the military trial counsel during the military justice process?
- Very satisfied
  - Satisfied
  - Neither satisfied nor dissatisfied
  - Dissatisfied
  - Very dissatisfied

**EXPERIENCE WITH SVC/VLC**

37. Did you interact with a Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) during the military justice process?
- Yes
  - No

38. [Ask if Q37 = "Yes"] Prior to your report, were you aware that Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) were available as a resource?
- Yes
  - No
39. [Ask if Q37 = "Yes" AND Q38 = "Yes"] To what extent did the services offered by the Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) program influence your decision to make a report?
- Very large extent
  - Large extent
  - Moderate extent
  - Small extent
  - Not at all
  - Not applicable
40. [Ask if Q37 = "Yes"] Were you assigned a Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC)?
- Yes
  - No
41. [Ask if Q37 = "Yes"] Were you supported by more than one Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) throughout the military justice process?
- Yes
  - No
42. [Ask if Q37 = "Yes" AND Q41 = "Yes"] Throughout the military justice process, how many Special Victims' Counsel (SVCs) or Victims' Legal Counsel (VLCs) supported you?
- 2
  - 3–4
  - 5 or more
43. [Ask if Q37 = "Yes" AND Q41 = "Yes"] Did changing Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) impact the assistance that you received?
- No
  - Yes, it improved the assistance I received.
  - Yes, it negatively impacted the assistance I received.

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44. [Ask if Q37 = "Yes"] **Thinking of your experience with the Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC), how much do you agree or disagree with the following statements? *Mark one answer for each item.***

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
a. He/She supported you throughout the military justice process.....	<input checked="" type="checkbox"/>					
b. He/She helped you understand the military justice process.....	<input checked="" type="checkbox"/>					
c. He/She gave you the information so you could make an informed decision.....	<input checked="" type="checkbox"/>					
d. He/She advocated on your behalf.....	<input checked="" type="checkbox"/>					
e. He/She represented your interests to military criminal investigators, military justice officials, or other appropriate parties.....	<input checked="" type="checkbox"/>					
f. He/She explained to you your legal rights. For example, right to be heard, right to confer with an attorney, right to proceedings without unreasonable delay.....	<input checked="" type="checkbox"/>					
g. He/She explained his/her role during the military justice process.....	<input checked="" type="checkbox"/>					

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
h. He/She informed you about the progress of your case.....	<input checked="" type="checkbox"/>					
i. He/She coordinated with your Sexual Assault Response Coordinator (SARC)/ Uniformed Victim Advocate (UVA)/Victim Advocate (VA).....	<input checked="" type="checkbox"/>					

45. [Ask if Q37 = "Yes"] **How often was your Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC) available when you needed them?**

- Always available
- Usually available
- Sometimes available
- Never available

46. [Ask if Q37 = "Yes"] **Did your Special Victims' Counsel (SVC) or Victims' Legal Counsel (VLC)... *Mark one answer for each item.***

	Yes	No	Not applicable
a. Attend the Article 32 preliminary hearing?.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Attend the court-martial?.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Attend other meetings involving trial counsel and/or defense attorneys (not including the Article 32 preliminary hearing or court-martial)?.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Attend other meetings involving military criminal investigators?.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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		Not applicable		
		Yes		No
e.	Assist you with any legal matters outside the military criminal investigation (for example, legal assistance issues, command-related issues, or duty-related issues)?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

47. [Ask if Q37 = "Yes"] Overall, how satisfied or dissatisfied were you with the **Special Victims' Counsel (SVC)** or **Victims' Legal Counsel (VLC)** during the military justice process?

Very satisfied  
 Satisfied  
 Neither satisfied nor dissatisfied  
 Dissatisfied  
 Very dissatisfied

		Not applicable		
		Yes		No
d.	The actions that could be brought against the perpetrator (for example, court-martial charges, non-judicial punishment, administrative discharge).....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Discuss other safety or protection options beyond a protective order and pre-trial restraint.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

50. [Ask if Q48 = "Yes"] Thinking of your experience with the **Victim Witness Assistance Provider (VWAP)**; for example, **Victim Witness Coordinator/Victim Witness Liaison**, how much do you agree or disagree with the following statements? *Mark one answer for each item.*

**EXPERIENCE WITH VICTIM WITNESS ASSISTANCE PROVIDERS (VWAP)**

48. Did you interact with a **Victim Witness Assistance Provider (VWAP)**; for example, **Victim Witness Coordinator/Victim Witness Liaison** during the military justice process?

Yes  
 No

49. [Ask if Q48 = "Yes"] Overall, did the **Victim Witness Assistance Provider (VWAP)**; for example, **Victim Witness Coordinator/Victim Witness Liaison** discuss the following issues with you? *Mark one answer for each item.*

		Not applicable		
		Yes		No
a.	The availability of a Military Protective Order and how to obtain a Civilian Protective Order (also sometimes called a Restraining Order).....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Pre-trial restraint options for the perpetrator that were available to the commander (for example, placing the perpetrator in jail prior to trial).....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c.	The status of trial proceedings against the perpetrator (for example, Article 32 preliminary hearing and court-martial).....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

		Not applicable				
		Strongly disagree		Disagree		
		Neither agree nor disagree		Agree		
		Strongly agree				
a.	He/She helped you understand the overall military justice process.....	<input checked="" type="checkbox"/>				
b.	He/She kept you informed about the status or progress of your case.....	<input checked="" type="checkbox"/>				
c.	He/She ensured you had a voice in the military justice process.....	<input checked="" type="checkbox"/>				
d.	He/She provided you with information on services and resources that were available to you.....	<input checked="" type="checkbox"/>				
e.	He/She answered your questions.....	<input checked="" type="checkbox"/>				
f.	He/She was professional in his/her interactions with you.....	<input checked="" type="checkbox"/>				
g.	He/She treated you with dignity and respect.....	<input checked="" type="checkbox"/>				

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51. [Ask if Q4B = "Yes"] Overall, how satisfied or dissatisfied were you with the **Victim Witness Assistance Provider (VWAP; for example, Victim Witness Coordinator/Victim Witness Liaison)** during the military justice process?
- Very satisfied
  - Satisfied
  - Neither satisfied nor dissatisfied
  - Dissatisfied
  - Very dissatisfied

**EXPERIENCE WITH LEADERSHIP**

52. Did you interact with your **unit commander** during the military justice process?
- Yes
  - No
53. [Ask if Q52 = "Yes"] Thinking of your **unit commander's** overall response throughout the military justice process, how satisfied or dissatisfied were you with the following? *Mark one answer for each item.*

	Very satisfied	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Very dissatisfied	Not applicable
a. He/She supported you throughout the military justice process.....	<input checked="" type="checkbox"/>					
b. He/She informed you about the progress of your case.....	<input checked="" type="checkbox"/>					

54. [Ask if Q52 = "Yes"] Overall, how satisfied or dissatisfied were you with the response from your **unit commander** during the military justice process?
- Very satisfied
  - Satisfied
  - Neither satisfied nor dissatisfied
  - Dissatisfied
  - Very dissatisfied

55. Did you interact with your **immediate supervisor** during the military justice process?
- Yes
  - No

56. [Ask if Q55 = "Yes"] Thinking of your **immediate supervisor's** overall response throughout the military justice process, how much do you agree or disagree with the following statements? *Mark one answer for each item.*

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
a. He/She supported you throughout the military justice process.....	<input checked="" type="checkbox"/>					
b. [Ask if Q55 = "Yes" AND Q2 = "Army" OR Q2 = "Navy" OR Q2 = "Marine Corps" OR Q3 = "Army National Guard" OR Q3 = "Army Reserve" OR Q3 = "Navy Reserve" OR Q3 = "Marine Corps Reserve"] He/She informed you about the progress of your case.....	<input checked="" type="checkbox"/>					

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57. [Ask if Q55 = "Yes"] Overall, how satisfied or dissatisfied were you with the response from your immediate supervisor during the military justice process?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

58. Did you interact with your senior enlisted advisor (for example, First or Master Sergeant, Chief Petty Officer) during the military justice process?

- Yes
- No

59. [Ask if Q58 = "Yes"] Thinking of your senior enlisted advisor's overall response throughout the military justice process, how much do you agree or disagree with the following statements? *Mark one answer for each item.*

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/She supported you throughout the military justice process.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. [Ask if Q58 = "Yes" AND Q2 = "Army" OR Q2 = "Navy" OR Q2 = "Marine Corps" OR Q3 = "Army National Guard" OR Q3 = "Army Reserve" OR Q3 = "Navy Reserve" OR Q3 = "Marine Corps Reserve"] He/She informed you about the progress of your case.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

60. [Ask if Q58 = "Yes"] Overall, how satisfied or dissatisfied were you with the response from your senior enlisted advisor during the military justice process?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

**OUTCOMES ASSOCIATED WITH REPORTING**

61. As a result of you reporting a sexual assault, has your leadership, or another individual who has the authority to affect a personnel decision, either done or threatened to do any of the following? *Mark all that apply.*

- Demoted you or denied you a promotion
- Denied you a training opportunity that could have led to promotion or is needed in order to keep your current position
- Rated you lower than you deserved on a performance evaluation
- Denied you an award you were previously eligible to receive
- Reduced your pay or benefits without doing the same to others
- Reassigned you to duties that do not match your current grade
- Made you perform additional duties that do not match your current grade
- Transferred you to a different unit or installation without your request or agreement
- Ordered you to one or more command directed mental health evaluations
- Disciplined you or ordered other corrective action
- Prevented, or attempted to prevent, you from communicating with the Inspector General or a member of Congress
- Some other action that negatively affects, or could negatively affect, your position or career
- Does not apply, you have not experienced any of the above

[Ask if Q61 ] = "Marked"] Please specify the other negative action taken as a result of you reporting a sexual assault. Please do not include any identifying information (for example, names, addresses, case details, etc.).

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62. [Ask if ANY Q61 a-i = "Marked"] Do you have reason to believe that any of the actions you marked in the previous item were only based on your report of sexual assault (i.e., not based on your conduct or performance)?

- Yes
- No
- Not sure

63. [Ask if ANY Q61 a-i = "Marked"] Why do you believe this individual(s) took the actions you marked as happening to you? *Mark all that apply.*

- They were trying to get back at you for making a report (unrestricted or restricted)
- They were trying to discourage you from moving forward with your report
- They did not believe you
- They were mad at you for causing a problem for them
- They did not understand the situation
- They were trying to help you
- They were following established protocol by temporarily reassigning you during recovery
- They were friends with the person(s) whom you indicated committed the sexual assault
- They were addressing an issue of collateral misconduct
- Some other reason
- Not sure

64. [Ask if ANY Q61 a-i = "Marked"] Who took the action(s)? *Mark all that apply.*

- Unit commander
- Deputy commander (XO)
- Senior Enlisted Leader
- Another member in your chain of command but not a unit commander
- A higher ranking member not in your chain of command
- Not sure

65. [Ask if ANY Q61 a-i = "Marked"] Think about all the behaviors you selected above that were taken by this individual(s). Overall, how harmful do you believe these experiences will be to your career?

- Not at all harmful—they are unlikely to have a short-term or lasting impact on your career
- Somewhat harmful—they are likely to have a short-term impact, but not a lasting impact on your career
- Moderately harmful—they are likely to have a short-term impact and some lasting impact on your career
- Very harmful—they are likely to have both a short-term and lasting impact on your career

66. [Ask if ANY Q61 a-i = "Marked"] As a result of the actions taken against you, did you decide not to participate or move forward with your report of sexual assault?

- Yes, I chose not to participate or move forward with my report.
- No, I am participating and/or moving forward with my report.

67. As a result of you reporting a sexual assault, have any of your military peers and/or coworkers (including those in your chain of command or DoD civilians) done any of the following? *Mark all that apply.*

- Made insulting or disrespectful remarks or made jokes at your expense—in public
- Excluded you or threatened to exclude you from social activities or interactions
- Ignored you or failed to speak to you (for example, gave you "the silent treatment")
- You did not experience any of the above

68. [Ask if Any Q67 a-c = "Marked"] Did anyone who took these actions know or suspect you made an official (unrestricted or restricted) sexual assault report?

- Yes
- No
- Not sure

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69. [Ask if Any Q67 a-c = "Marked"] Why do you believe your military peers and/or coworkers took the actions you marked as happening to you? *Mark all that apply.*

- They were trying to discourage you from moving forward with your report, or discourage others from reporting
- They were trying to make you feel excluded
- They were friends with the person(s) whom you indicated committed the sexual assault
- They did not believe you
- Some other reason
- Not sure

70. [Ask if Any Q67 a-c = "Marked"] Who took the action(s)? *Mark all that apply.*

- Service member in a lower rank than you
- Service member in a similar rank as you
- Service member in a higher rank within your chain of command
- Service member in a higher rank not in your chain of command
- DoD civilian
- Not sure who they were

71. [Ask if Any Q67 a-c = "Marked"] As a result of the actions taken against you, did you decide not to participate or move forward with your report of sexual assault?

- Yes, I chose not to participate or move forward with my report.
- No, I am participating and/or moving forward with my report.

72. As a result of you reporting a sexual assault, have any of your military peers and/or coworkers (including those in your chain of command or DoD civilians) done any of the following? *Mark all that apply.*

- Made insulting or disrespectful remarks or made jokes at your expense—to you in private
- Showed or threatened to show private images, photos, or videos of you to others
- Bullied you or made intimidating remarks about the assault
- Was physically violent with you or threatened to be physically violent
- Damaged or threatened to damage your property
- Some other negative action
- Does not apply, you did not experience any of the above

[Ask if Q72 f = "Marked"] Please specify the other negative action taken by your military peers and/or coworkers as a result of you reporting a sexual assault. Please do not include any identifying information (for example, names, addresses, case details, etc.).

73. [Ask if Any Q72 a-f = "Marked"] Did anyone who took these actions know or suspect you made an official (unrestricted or restricted) sexual assault report?

- Yes
- No
- Not sure

74. [Ask if Any Q72 a-f = "Marked"] Why do you believe your military peers and/or coworkers took the actions you marked as happening to you? *Mark all that apply.*

- They were trying to discourage you from moving forward with your report, or discourage others from reporting
- They were trying to abuse or humiliate you
- They were friends with the person(s) whom you indicated committed the sexual assault
- They did not believe you
- Some other reason
- Not sure

75. [Ask if Any Q72 a-f = "Marked"] Was/Were any of your military peers and/or coworkers who took these actions in a position of authority/leadership over you?

- Yes
- No
- Not sure

76. [Ask if Any Q72 a-f = "Marked"] Who took the action(s)? *Mark all that apply.*

- Service member in a lower rank than you
- Service member in a similar rank as you
- Service member in a higher rank within your chain of command
- Service member in a higher rank not in your chain of command
- DoD civilian
- Not sure who they were

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77. [Ask if Any Q72 a-f = "Marked"] **As a result of the actions taken against you, did you decide not to participate or move forward with your report of sexual assault?**
- Yes, I chose not to participate or move forward with my report.
  - No, I am participating and/or moving forward with my report.
78. [Ask if Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked"] **Did any of the actions you marked involve social media?** For example, Facebook, Twitter, Kik, Yik Yak, Snapchat.
- Yes
  - No
79. [Ask if ANY Q61 a-l = "Marked" OR Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked"] **Thinking about all of the negative actions you selected that were taken by military coworkers, peers, and/or leadership, did you... *Mark all that apply.***
- Discuss these behaviors with your friends, family, coworkers, or a professional?
  - Discuss these behaviors with a work supervisor or anyone up your chain of command with the expectation that some corrective action would be taken?
  - Discuss these behaviors with a work supervisor or anyone up your chain of command to get guidance on what to do?
  - File a complaint (for example, with the Inspector General, Military Equal Opportunity Office, commander)?
  - None of the above actions
80. [Ask if (ANY Q61 a-l = "Marked" OR Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked") AND (Q79 a = "Marked" OR Q79 b = "Marked" OR Q79 c = "Marked")] **Following your discussion about the negative actions taken by military coworkers, peers, and/or leadership, did you agree to bring your allegation to a Case Management Group (CMG)?**
- Yes
  - No
  - Not sure
81. [Ask if (ANY Q61 a-l = "Marked" OR Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked") AND Q79 b = "Marked"] **Who did you talk to in your chain of command with the expectation that some corrective action would be taken? *Mark all that apply.***
- Unit commander
  - Deputy commander (XO)
  - Senior Enlisted Leader
  - Another member in your chain of command, not listed above
  - Immediate supervisor
82. [Ask if (ANY Q61 a-l = "Marked" OR Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked") AND Q79 b = "Marked"] **What happened in response to this discussion? *Mark all that apply.***
- You got help dealing with the situation
  - Your leadership took steps to address the situation
  - The behavior(s) stopped on its own
  - The situation continued or got worse for you
  - You were told/encouraged to drop the issue
  - You are not aware of any action taken by the person that you told
83. [Ask if (ANY Q61 a-l = "Marked" OR Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked") AND Q79 d = "Marked"] **What happened as a result of filing a complaint? *Mark all that apply.***
- You got help dealing with the situation
  - Your leadership took steps to address the situation
  - The behavior(s) stopped on its own
  - The situation continued or got worse for you
  - You were told/encouraged to drop the issue
  - You are not aware of any action taken by the person that you told

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84. [Ask if (ANY Q81 a-f = "Marked" OR Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked") AND (Q79 a = "Marked" OR Q79 b = "Marked" OR Q79 c = "Marked" OR Q79 e = "Marked") AND (Q79 d = "Not marked")] **You indicated you chose not to file a complaint. Please indicate why you made this decision. Mark all that apply.**

- The person(s) stopped their behavior
- You did not want more people to know and/or judge you
- You did not know how to file a complaint
- You were told/encouraged not to file a complaint
- You did not think anything would be done or anyone would believe you
- You did not trust that the process would be fair
- You were worried that filing a complaint would cause you more harm than good
- Some other reason

85. [Ask if (ANY Q61 a-f = "Marked" OR Any Q67 a-c = "Marked" OR Any Q72 a-f = "Marked")] **What is the relationship between the individual(s) that took these actions against you and the perpetrator(s) identified in your report of sexual assault? Mark all that apply.**

- Same person(s)
- Friends with the identified perpetrator(s)
- In same chain of command
- No relationship
- Not sure

**OVERALL MILITARY JUSTICE EXPERIENCE**

86. **During the military justice process, to what extent do you feel you were kept up to date on the progress of your case?**

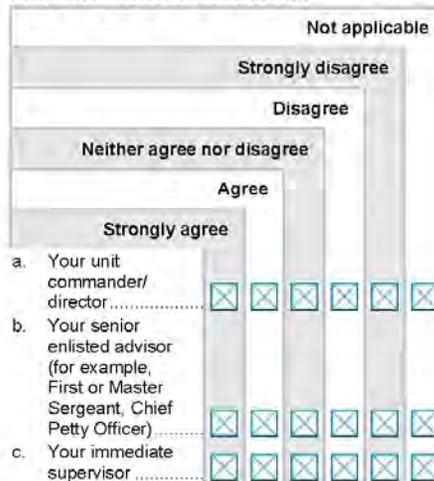
- Very large extent
- Large extent
- Moderate extent
- Small extent
- Not at all

87. [Ask if Q86 = "Very large extent" OR Q86 = "Large extent"] **Which individual or service provided you with the majority of information about the progress of your case? Mark one.**

- The Sexual Assault Response Coordinator (SARC)
- The Uniformed Victim Advocate (UVA) or Victim Advocate (VA)
- The military trial counsel
- The military criminal investigator(s)
- Your unit commander
- Your senior enlisted advisor (for example, First or Master Sergeant, Chief Petty Officer)
- Your immediate supervisor
- Special Victims' Counsel or Victims' Legal Counsel (SVC/VLC)
- Your Victim Witness Assistance Provider (VWAP)
- Other

[Ask if Q86 = "Very large extent" OR Q86 = "Large extent" AND Q87 = "Other"] **Please specify the other individual or service that provided you with the majority of information about the progress of your case. Please do not include any identifying information (for example, names, addresses, case details, etc.).**

88. **How much do you agree or disagree that the following individuals used discretion in sharing details of your case (i.e., case information was only shared with people who needed to know)? Mark one answer for each item.**



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	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Not applicable
d. Your Sexual Assault Response Coordinator (SARC) .....	<input checked="" type="checkbox"/>					
e. Your Uniformed Victim Advocate (UVA) or Victim Advocate (VA) .....	<input checked="" type="checkbox"/>					
f. Your Special Victims' Counsel or Victims' Legal Counsel (SVC/VLC) .....	<input checked="" type="checkbox"/>					
g. The military criminal investigator(s) .....	<input checked="" type="checkbox"/>					
h. The military trial counsel .....	<input checked="" type="checkbox"/>					
i. Your Victim Witness Assistance Provider (VWAP) .....	<input checked="" type="checkbox"/>					

89. Were charges preferred against the perpetrator?

- Yes
- No
- Unable to recall

90. Was there an Article 32 preliminary hearing on your case (for example, a preliminary hearing or pre-trial investigation)?

- Yes
- No
- Unable to recall

91. [Ask if (Q89 = "Yes" OR Q89 = "Unable to recall") AND Q90 = "Yes"] Were you satisfied with the charges that were preferred against the perpetrator?

- Yes, they were about what you had expected
- No, they were more severe than you had expected
- No, they were less severe than you had expected
- Does not apply; you did not really have any expectations

92. As a result of the legal proceedings, what official action(s) was taken against the perpetrator? *Mark all that apply.*

- There was no action taken against the perpetrator
- Administrative action (for example, Letter of Counseling [LOC], Letter of Admonishment [LOA], Letter of Reprimand [LOR])
- Non-judicial punishment (Article 15)
- Administrative discharge or resignation in lieu of court-martial (Chapter 4, Discharge in Lieu of Court Martial [DILC]/Resignation in Lieu of Court Martial [RILC])
- Court-martial conviction for a sexual assault offense
- Court-martial conviction for some other offense (not sexual assault)
- Court-martial acquittal for all offenses
- I don't know what final action was taken against the perpetrator

93. Were you satisfied or dissatisfied with the official action(s) taken against the perpetrator?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

94. Overall, how was the military justice process for you?

- Very easy
- Easy
- Neither easy nor difficult
- Difficult
- Very difficult

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95. [Ask if Q94 = "Difficult" OR Q94 = "Very difficult"] **During challenging times, what helped you most through the military justice process?** Please do not include any identifying information (for example, names, addresses, case details, etc.)

96. [Ask if Q94 = "Very easy" OR Q94 = "Easy"] **What do you think helped make the process easier?** Please do not include any identifying information (for example, names, addresses, case details, etc.)

97. **Of all the services you received during the military justice process, what did you find most helpful?** Please do not include any identifying information (for example, names, addresses, case details, etc.)

98. **Of all the services you received during the military justice process, what did you find the least helpful?** Please do not include any identifying information (for example, names, addresses, case details, etc.)

99. **Based on the services you were provided, how prepared were you for the military justice process?**

- Very well prepared  
 Well prepared  
 Neither well nor poorly prepared  
 Poorly prepared  
 Very poorly prepared

- [Ask if Q99 = "Poorly prepared" OR Q99 = "Very poorly prepared"] **What could have helped to better prepare you for the military justice process?** Please do not include any identifying information (for example, names, addresses, case details, etc.)

100. [Ask if Q89 = "Very well prepared" OR Q89 = "Well prepared"] **Which individuals and/or services were beneficial in preparing you for the military justice process? *Mark all that apply.***

- The Sexual Assault Response Coordinator (SARC)  
 The Uniformed Victim Advocate (UVA) or Victim Advocate (VA)  
 The medical provider, not for mental health needs (for example, someone from a military medical treatment facility or civilian treatment facility)  
 The mental health provider (for example, counselor)  
 The military trial counsel  
 The military criminal investigator(s)  
 Your unit commander  
 Your senior enlisted advisor (for example, First or Master Sergeant, Chief Petty Officer)  
 Your immediate supervisor  
 Special Victims' Counsel or Victims' Legal Counsel (SVC/VLC)  
 The chaplain  
 Your Victim Witness Assistance Provider (VWAP)  
 Other

- [Ask if (Q89 = "Very well prepared" OR Q89 = "Well prepared") AND Q100 m = "Marked"] **What other individuals and/or services were beneficial in preparing you for the military justice process?** Please do not include any identifying information (for example, names, addresses, case details, etc.)

101. **Based on your overall experience with the military justice process, would you recommend others who experience a sexual assault make a report?**

- Yes, an unrestricted report  
 Yes, a restricted report  
 No

102. **What could the Department of Defense do to help future survivors of sexual assault through the military justice process?** Please do not include any identifying information (for example, names, addresses, case details, etc.)

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**EXPEDITED TRANSFER**

**103.** Did you request and receive an expedited transfer as a result of your report of sexual assault? *An expedited transfer is a workplace or installation move requested by a Service member who has made an unrestricted report of sexual assault; by policy, such requests are answered by the unit commander within 72 hours.*

- Yes
- No

**104.** [Ask if Q103 = "Yes"] Compared to the time before you were transferred, are the following aspects of your life better, worse, or about the same? *Mark one answer for each item.*

	Not applicable	Worse than before	About the same as before	Better than before
a. Social support.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Medical/Mental health care.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Career progression.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Treatment by peers.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Treatment by leadership.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f. Living situation.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**ARMY**

**105.** [Ask if Q2 = "Army" OR Q3 = "Army Reserve" OR Q3 = "Army National Guard" AND Q8 = "I chose to convert it to unrestricted"] **Why did you choose to convert your restricted report to an unrestricted report? Mark all that apply.**

- You wanted to notify the command
- You wanted to pursue an investigation

**106.** [Ask if Q2 = "Army" OR Q3 = "Army Reserve" OR Q3 = "Army National Guard" AND Q8 = "I chose to convert it to unrestricted" AND Q40 = "Yes"] **Did having a Special Victims' Counsel (SVC) assigned to you influence your decision to convert your restricted report to an unrestricted report?**

- Yes
- No
- Unable to recall

**107.** [Ask if (Q2 = "Army" OR Q3 = "Army Reserve" OR Q3 = "Army National Guard") AND (Q16 = "Yes, I participated in all or some of the investigation and/or military justice process" AND Q40 = "Yes")] **Did the availability of Special Victims' Counsel (SVC) assist you in determining whether or not you wanted to participate in the military justice process?**

- Yes
- No
- Unable to recall

**108.** [Ask if Q2 = "Army" OR Q3 = "Army Reserve" OR Q3 = "Army National Guard" AND Q37 = "Yes"] **Did your Special Victims' Counsel (SVC) advocate on your behalf with any agencies outside the Army (for example, to obtain Social Security benefits or State or Federal compensation or restitution)?**

- Yes
- No
- Don't know

**AIR FORCE**

**109.** [Ask if Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard" AND Q8 = "I chose to convert it to unrestricted"] **Why did you choose to convert your restricted report to an unrestricted report? Mark all that apply.**

- You wanted to notify the command
- You wanted to pursue an investigation
- You desired a benefit available only under the unrestricted reporting option (for example, expedited transfer, military protective order)
- Other

**110.** [Ask if Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard" AND Q8 = "I chose to convert it to unrestricted" AND Q40 = "Yes"] **Did having a Special Victims' Counsel (SVC) assigned to you influence your decision to convert your restricted report to an unrestricted report?**

- Yes
- No
- Unable to recall

2016–2017 Military Investigation and Justice Experience Survey

111. [Ask if (Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard") AND (Q16 = "Yes, I participated in all or some of the investigation and/or military justice process" AND Q40 = "Yes")] **Did the availability of Special Victims' Counsel (SVC) assist you in determining whether or not you wanted to participate?**

- Yes
- No
- Unable to recall

112. [Ask if Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard" AND Q30 = "Yes"] **Did the military criminal investigator inform you about the availability of a Special Victims' Counsel (SVC)?**

- Yes
- No
- Unable to recall
- Not applicable; informed of SVC services prior to interview with military criminal investigator

113. [Ask if Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard" AND Q30 = "Yes" AND Q112 = "Yes"] **When did the military criminal investigator inform you of this option?**

- At initial meeting prior to formal interview
- At initial meeting following formal interview
- Within a week after initial meeting
- Within a month after initial meeting
- More than 2 months after initial meeting
- Unable to recall

114. [Ask if Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard" AND Q30 = "Yes"] **Did the military criminal investigator offer you a DD Form 2701 (explains your rights in the military justice process)?**

- Yes
- No
- Not applicable

115. [Ask if Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard"] **Did you testify at your Article 32 preliminary hearing?**

- Yes
- No

116. [Ask if Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard"] **Thinking about your overall military justice experience, how much do you agree or disagree with the following statements? *Mark one answer for each item.***

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. The preferred charges were explained to you by someone from a military legal office. ....	<input checked="" type="checkbox"/>					
b. You were asked for your input into the forum (non-judicial punishment vs. court).....	<input checked="" type="checkbox"/>					
c. The disposition was consistent with your stated desires. ....	<input checked="" type="checkbox"/>					

**NAVY**

117. [Ask if (Q2 = "Navy" OR Q3 = "Navy Reserve") AND Q22 = "Dissatisfied" OR Q22 = "Very dissatisfied"] **Why were you not satisfied with the services of your Sexual Assault Response Coordinator (SARC)? *Mark "Yes" or "No" for each item.***

	Yes	No
a. He/She did not believe me or take me seriously. ....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. He/She thought it was my fault. ....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. He/She did not think it was important enough or did not want to be bothered or get involved. ....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. He/She was inefficient or ineffective. ....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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**118.** [Ask if (Q2 = "Navy" OR Q3 = "Navy Reserve") AND Q8 = "I chose to convert it to unrestricted"] **Why did you choose to convert your restricted report to an unrestricted report? Mark all that apply.**

- You wanted to notify the command.
- You wanted to pursue an investigation.
- You wanted an expedited transfer.
- Other

**119.** [Ask if (Q2 = "Navy" OR Q3 = "Navy Reserve") AND Q7 = "Unrestricted"] **Why did you choose to make an unrestricted report? Mark all that apply.**

- You wanted to notify the command.
- You wanted to pursue an investigation.
- You wanted an expedited transfer.
- Other

**120.** [Ask if (Q2 = "Navy" OR Q3 = "Navy Reserve") AND (Q7 = "Restricted" OR Q8 = "it remained restricted and I am not aware of any investigation that occurred")] **Why did you choose to make a restricted report? Mark all that apply.**

- You didn't want anyone to know.
- You just wanted to get help.
- You were afraid of retaliation.
- You didn't want anyone to participate in an investigation.

**MARINE CORPS**

**121.** [Ask if (Q2 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND (Q33 = "Yes" OR Q37 = "Yes" OR Q48 = "Yes")] **Thinking of your overall experience with anyone in a military legal office (for example, trial counsel, Victims' Legal Counsel [VLC], Victim/Witness Assistance Coordinators), how much do you agree or disagree with the following statements? Mark one answer for each item.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/She ensured your needs were accommodated during the course of the military justice process (for example, transportation, parking, child care services, lodging, separate waiting room).....		<input checked="" type="checkbox"/>				
b. He/She effectively handled your travel arrangements to ensure timely appearances to the various military justice proceedings.....		<input checked="" type="checkbox"/>				
c. He/She asked for your views as to disposition of the case and forwarded them to the commander of the accused.....		<input checked="" type="checkbox"/>				

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**122.** [Ask if (Q2 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND (Q33 = "Yes" OR Q37 = "Yes" OR Q48 = "Yes")] Overall, did anyone in a military legal office (for example, trial counsel, Victims' Legal Counsel [VLC], Victim/Witness Assistance Coordinators)... *Mark one answer for each item.*

	Not applicable		
	No		Yes
a. Notify you of your rights under Article 6b (ability to testify at an initial review officer's [IRO] hearing or sentencing hearing)?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Discuss the availability of restitution with you?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Discuss the perpetrator's release from jail with you?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**123.** [Ask if Q2 = "Marine Corps" OR Q3 = "Marine Corps Reserve"] Did the following individuals inform you of the availability of Victims' Legal Counsel (VLC) during your first contact with them after making a report of sexual assault? *If the VLC program did not exist at the time you reported your sexual assault, please select 'Not applicable.'* *Mark one answer for each item.*

	Not applicable		
	No		Yes
a. Sexual Assault Response Coordinator (SARC)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Military criminal investigator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Victim/Witness liaison	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Military trial counsel	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**124.** [Ask if (Q2 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND Q37 = "Yes"] Thinking of your experience with the Victims' Legal Counsel (VLC), how much do you agree or disagree with the following statements? *Mark one answer for each item.*

	Not applicable				
	Strongly disagree				
	Disagree				
	Neither agree nor disagree				
	Agree				
	Strongly agree				
a. He/She helped you to understand your rights in the military justice process	<input checked="" type="checkbox"/>				
b. He/She helped you to fully understand your options regarding expedited transfer (an expedited transfer is a workplace or installation move requested by a Service member who has made an unrestricted report of sexual assault, by policy, such requests are answered by the unit commander within 72 hours)	<input checked="" type="checkbox"/>				
c. He/She helped safeguard your legal rights during meetings/interviews with criminal investigators, defense counsel, trial counsel, and/or others	<input checked="" type="checkbox"/>				

2016–2017 Military Investigation and Justice Experience Survey

125. [Ask if (Q2 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND Q52 = "Yes"] Thinking of your unit commander's/director's overall response, how much do you agree or disagree with the following statements? Mark one answer for each item.

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/She was professional in his/her interactions with you.....		<input checked="" type="checkbox"/>				
b. He/She ensured you had a voice in the military justice process.....		<input checked="" type="checkbox"/>				

**NATIONAL GUARD**

126. [Ask if Q3 = "Army National Guard" OR Q3 = "Air National Guard"] Thinking of your experience as a National Guard member on active duty in the process of transferring back to T32, how much do you agree or disagree with the following statements? Mark one answer for each item.

	Not applicable; I have not been on active duty in the process of transferring back to T32	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. I was given the option to transfer my case to my State National Guard SARC upon leaving active duty.....		<input checked="" type="checkbox"/>				
b. I felt fully supported by the active duty SARC after I transferred back to my State National Guard.....		<input checked="" type="checkbox"/>				

Not applicable; I have not been on active duty in the process of transferring back to T32

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
c. I felt completely supported during my transition from active duty to traditional Guard status.....	<input checked="" type="checkbox"/>				
d. My State National Guard SARC was appropriately aware of my case and circumstances when I returned.....	<input checked="" type="checkbox"/>				
e. I felt fully supported by my State National Guard during the judicial phase of my case.....	<input checked="" type="checkbox"/>				

**EXPERIENCE WITH SVC CONTINUED**

127. [Ask if (Q2 = "Army" OR Q3 = "Army Reserve" OR Q3 = "Army National Guard" OR Q2 = "Air Force" OR Q3 = "Air Force Reserve" OR Q3 = "Air National Guard") AND (Q16 = "No, I chose not to participate in the investigation or military justice process" AND Q17 = "Yes"))] Did having a Special Victims' Counsel (SVC) assigned to you influence your decision not to participate?

- Yes
- No
- Unable to recall

2016–2017 Military Investigation and Justice Experience Survey

### TAKING THE SURVEY

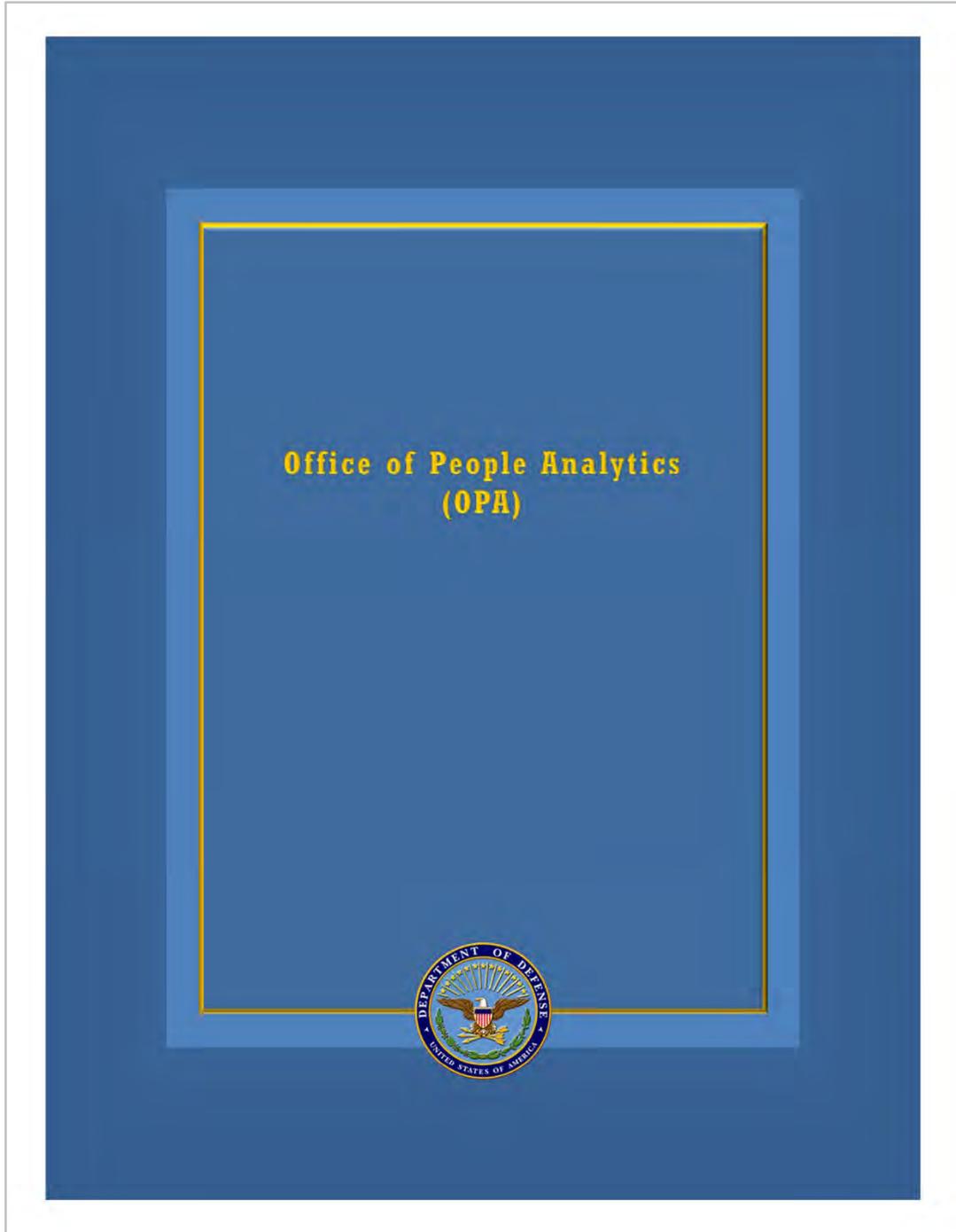
**128. Thank you for participating in the survey. It would be helpful for us to know how you heard of or were notified about the survey. Please indicate below how you heard about the survey. Mark all that apply.**

- E-mail notification
- Registered mail notification
- DoD Safe Helpline (877-995-5247)
- SAPR Connect
- SAPR.mil
- MyDuty.mil
- Other

**129. [Ask if (Q1 = "No, I am not a current uniformed military member" OR Q10 = "No" OR Q10 = "Unable to recall" OR Q11 = "No, the perpetrator(s) was/were a civilian" OR Q11 = "Unable to recall" OR Q11 = "Unknown" OR Q16 = "No, I chose not to participate in the investigation or military justice process" )]**

**Based on your answer to the previous question(s), you are ineligible to take this survey. If you feel you have encountered this message in error, click the back arrow button and check your answer(s). To submit your answers click *Submit*. For further help, please call our Survey Processing Center toll-free at 1-800-881-5307, or e-mail DODHRA.MIJES-Survey@mail.mil.**

**130. Thank you for participating in the survey. Your responses will be anonymous. There is no way for the Department to identify you or "track" you. If you inadvertently identified yourself in comments or combinations of questions, this information will be removed so as to protect your anonymity. Thank you again for your honesty on this survey! To submit your answers click *Submit*. For further help, please call our Survey Processing Center toll-free at 1-800-881-5307, or e-mail DODHRA.MIJES-Survey@mail.mil**



# **Appendix E. Composition of 2016–2017 MIJES Administrations**

**DATA  
DRIVEN  
SOLUTIONS  
FOR  
DECISION  
MAKERS**





## Appendix E: Composition of MIJES Administrations

### Comparisons Between Administrations

Before comparing the 2016 and 2017 *MIJES* administrations, it is important to examine whether the respondents to these administrations are similar. Significant differences between administration years are highlighted in yellow and are significant at the  $p < .05$  level.

**Table 1.**  
*Gender Composition*

	2016	SE	2017	SE	t-test
Male	10%	0.02	15%	0.03	1.42
Female	89%	0.02	85%	0.03	-1.33
Prefer not to respond	1%	0.01	1%	0.01	-0.19
Number of Eligible Respondents	228		143		

**Table 2.**  
*Age Composition*

	2016	SE	2017	SE	t-test
Under 21 years old	4%	0.01	8%	0.02	1.26
21–24 years old	32%	0.03	33%	0.04	0.26
25–33 years old	47%	0.03	42%	0.04	-1.02
34–45 years old	12%	0.02	15%	0.03	0.78
46 years old or older	4%	0.01	3%	0.01	-0.82
Prefer not to answer	0%	0.00	0%	N/A	---
Number of Eligible Respondents	228		143		

**Table 3.**  
*Paygrade Composition*

	2016	SE	2017	SE	t-test
E1–E4	48%	0.03	53%	0.04	0.92
E5–E9	42%	0.03	36%	0.04	-1.00
O1–O3	8%	0.02	5%	0.02	-1.20
O4–O6	1%	0.01	5%	0.02	1.82
Prefer not to answer	1%	0.01	1%	0.01	-0.20
Number of Eligible Respondents	226		143		

Appendix E: Composition of *MIJES* Administrations

**Table 4.**  
*Service Composition<sup>1</sup>*

	2016	SE	2017	SE	t-test
Army	35%	3%	67%	0.039419	6.26
Navy	19%	3%	10%	0.025714	-2.44
Air Force	11%	2%	3%	0.015415	-2.77
Marine Corps	30%	0.030576	11%	0.026453	-4.67
National Guard	4%	0.01371	8%	0.022362	1.25
Number of Eligible Respondents	226		143		

While respondents are similar with respect to composition in terms of age, gender, and paygrade, they differ in Service composition. We see the Army comprises a much higher proportion of respondents in 2017 than in 2016. This means that we must consider the fact that any differences we see between 2016 and 2017 may simply be a result of more Army respondents and fewer respondents from other Services rather than an actual change over time. Of course, we must acknowledge that very small cell sizes make it difficult to pick up on significant differences in Services other than the Army. Given that we know that the 2016 and 2017 respondents vary in terms of Service composition, we suggest taking caution when interpreting differences between survey administrations.

**Prepared by:**

Dr. Laura Severance and Natalie Namrow, Fors Marsh Group, LLC.

<sup>1</sup> Reserve members are included in the Service totals (e.g., Army Reserve is included in the Army results). National Guard results include both Army National Guard and Air National Guard.



**REPORT DOCUMENTATION PAGE**

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