



**DEPARTMENT OF DEFENSE  
SEXUAL ASSAULT PREVENTION  
AND RESPONSE OFFICE**

# **DoD Sexual Assault Prevention and Response Update**

**Response Systems To Adult  
Sexual Assault Crimes Panel  
May 5, 2014**

**Major General Jeffrey J. Snow  
Director, DoD SAPRO**

# Sexual Assault Prevention and Response

- Understand and own the problem
- Conduct prevalence research
- Provide professional advocacy
- Provide confidential reporting
- Ensure victim focus and empower victims to choose the manner in which they heal
- Conduct mandatory and independent investigations
- Field special victim capabilities
- Hold offenders appropriately accountable
- Conduct system oversight
- Measure and report effectiveness

***The Department of Defense aspires to be a national leader in combatting sexual assaults while continuing to prevent and respond to this terrible crime.***

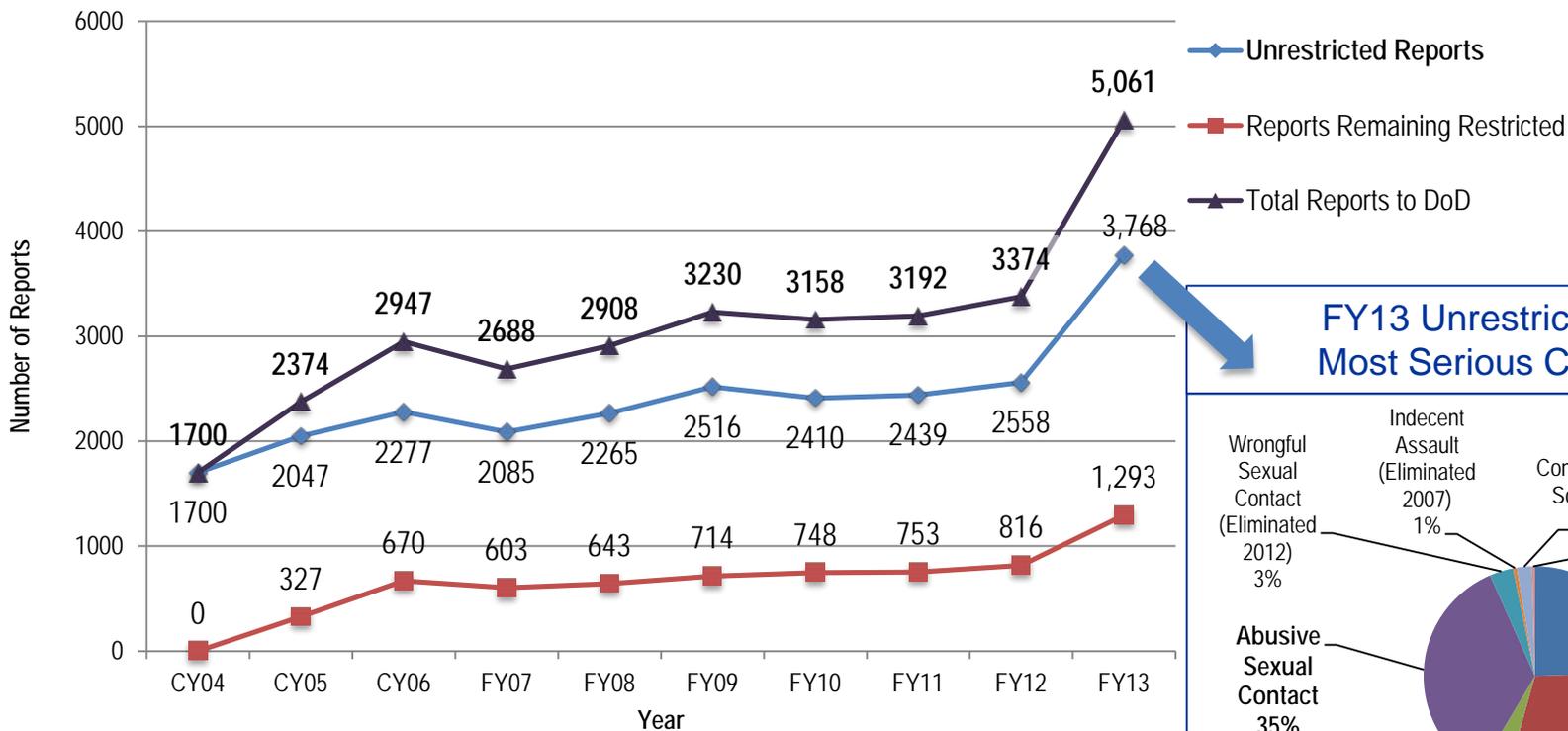
# Agenda

- FY13 Annual Report Results and Statistics
- DoD SAPR Program Update
- NDAA Implementation Update
- Prevention Strategy
- Progress Report to the President

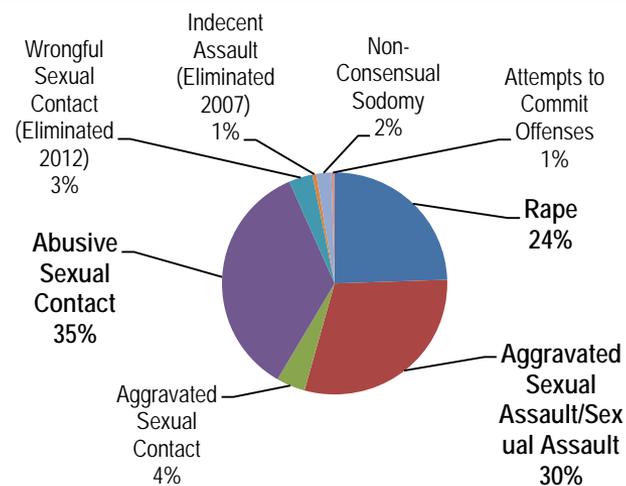
# FY13 Annual Report Top Line Results

- Sexual assault reporting increased by 50% overall
  - Unprecedented increase consistent with a growing level of confidence in DoD response system
  - The average annual increase of sexual assault reports has been approximately 5% since the first full year of Restricted Reporting in 2006
  - About 10% of the 5,061 reports of sexual assault received were for sexual assaults that occurred prior to military service
    - Past years' reporting has never exceeded 4%
- While sexual assault remains an underreported crime, the Department encourages greater reporting
  - Connects victims with care and services
  - Allows opportunity to hold offenders appropriately accountable
- The Department takes action in every case where it has jurisdiction and sufficient evidence to do so
  - FY13: DoD authorities had sufficient evidence to take some kind of disciplinary action on 73% of military subjects (1,569 of 2,149 military subjects)
  - FY12: DoD authorities had sufficient evidence to take some kind of disciplinary action on 66% of military subjects (1124 of 1714 military subjects)
- Next past-year prevalence estimate of unwanted sexual contact due in 2014 WGR Survey

# Reports of Sexual Assault: CY04-FY13



## FY13 Unrestricted Reports: Most Serious Crime Alleged



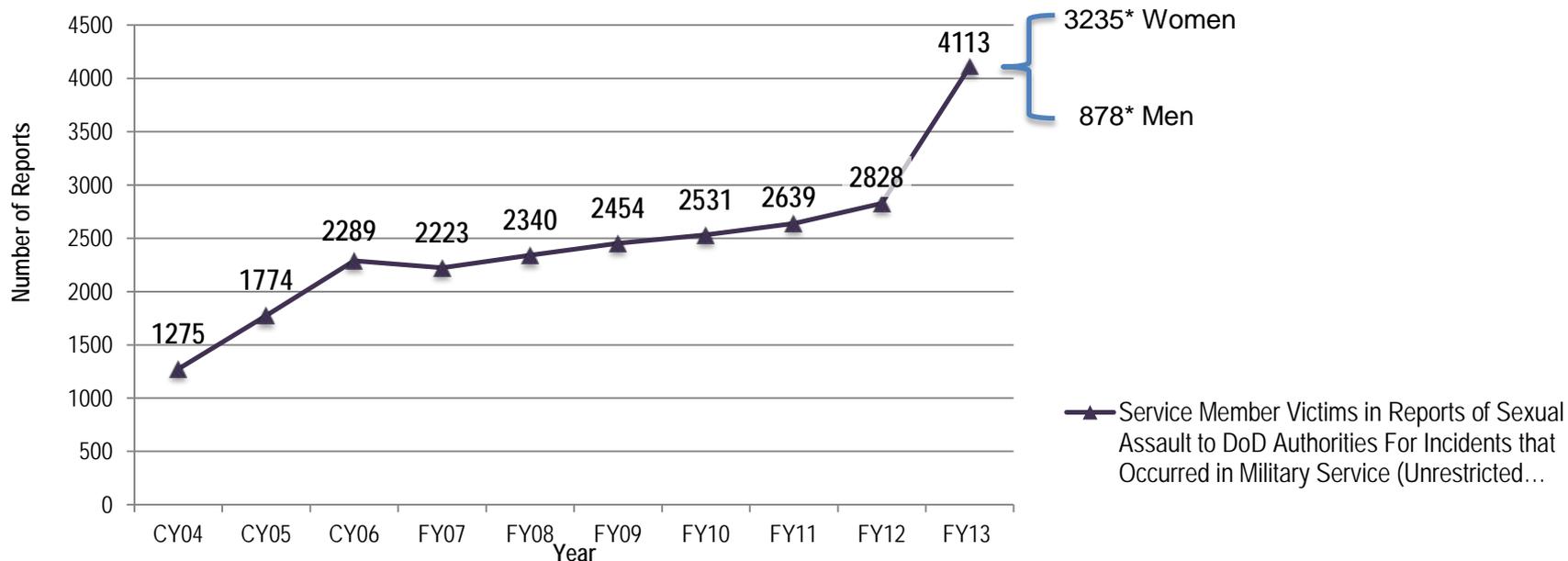
- Overall reporting increased 50% in FY13
  - Unrestricted Reporting increased by 47%
  - Reports remaining Restricted increased by 58%
- 492 reports were for an incident occurring prior to military service
  - Accounted for 10% of FY13 reporting
  - Prior years' pre-service reports never exceeded 4%

• In FY13, 56% of matters investigated by Military Criminal Investigative Organizations involved an initial allegation of a penetrating offense.

• Increased reporting leads to greater opportunities for victim care and accountability.

# Service Member Reporting

## Service Member Victims in Reports of Sexual Assault to DoD, For Incidents that Occurred in Military Service, CY04–FY13

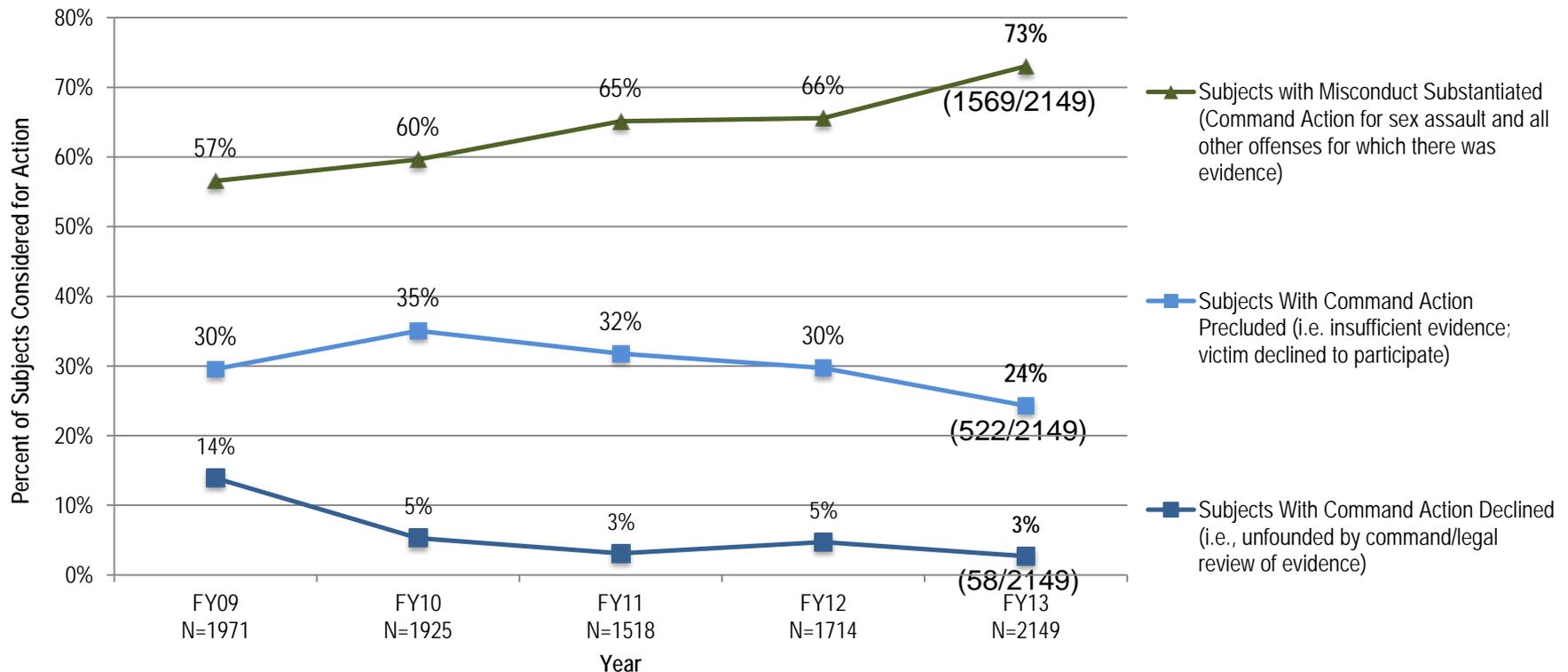


- Sexual assault is an underreported crime – meaning that reports to authorities fall far short of the actual number of incidents estimated to exist via confidential surveys. For as long as sexual assault remains significantly underreported, increased reporting is beneficial.
- This year's increased reporting is eroding the underreporting problem. Despite this year's overall increase in reporting, reporting behavior differs by gender:
  - Women: Of those women who indicate experiencing an incident of unwanted sexual contact, about 28 percent are accounted for in Unrestricted or Restricted Reports to DoD, up from 18 percent in FY12.\*\*
  - Men: Of those men who indicate experiencing an incident of unwanted sexual contact, about 5 percent are accounted for in Unrestricted or Restricted Reports to DoD, up from 3 percent in FY12.\*\*

\* Estimated; gender data not available for all military victims in Restricted Reports

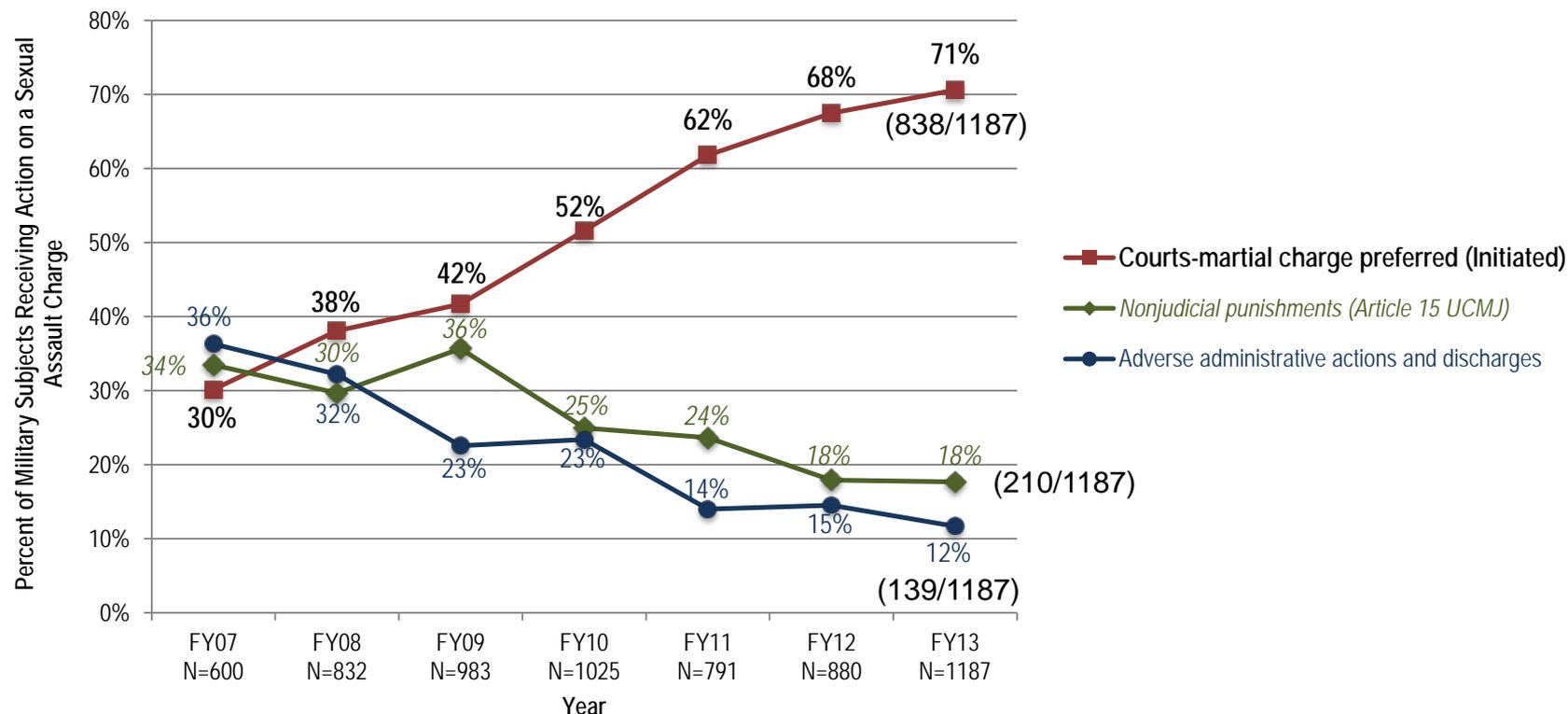
\*\*Estimated Using 2012 WGRA Past-year Prevalence of Unwanted Sexual Contact and FY13 reporting data

# Military Subject Outcomes



- In FY13, DoD authorities considered 2,149 military subjects for possible action; nearly three-quarters received some form of disciplinary action for a sexual assault charge or for any other offense for which there was evidence.
- The other quarter of military subjects could not be disciplined because the evidence did not support action (24%) or because DoD authorities determined the allegations were unfounded (3%).

# Command Action in Sexual Assault Offenses



- When the subject is under the legal authority of the Department and there is sufficient evidence to take action, commanders are increasingly addressing allegations of sexual assault by preferring court-martial charges.
- In FY13, 209 of the 210 nonjudicial punishments (NJP) administered was for a non-penetrating crime; one exception involved a victim who declined to participate at court.

# FY13 Annual Report Takeaways

- **Our results are measured in choices of victims, who are now reporting in unprecedented numbers**
  - Historically, reports of sexual assault have increased about 5% per year since 2006
  - In FY13, reports are up an unprecedented 50% with commanders at the center of our military justice system making disposition decisions
  - This is supported by an additional metric demonstrating victim confidence – there are growing numbers of reports made by victims about incidents that took place prior to joining the military, up from 4% in FY12 to 10% of total reports in FY13
- **There is no indication that the spike in reporting reflects an increase in crime**
  - Rates of unwanted sexual contact in active duty men and women have stayed in a relatively narrow range since the Department began using its current prevalence measure in 2006
  - These metrics provide indications that our initiatives over the past year and a half are having an impact as more victims are reporting and accessing support services
- **DoD's goals include increasing the percentage of victims who report while reducing sexual assault prevalence**
  - Going forward, we will *intensify our efforts* to prevent the crime
  - To further these efforts, in conjunction with the release of this report, the Secretary is directing a series of prevention actions that will add to our response system

# SAPR Mission, Lines of Efforts and Objectives

**Mission:** The Department of Defense prevents and responds to the crime of sexual assault in order to enable military readiness and reduce—with a goal to eliminate—sexual assault from the military.

## Lines of Effort

## Objectives

**Communication** – Communicate DoD’s efforts to support victim recovery, enable military readiness, and reduce—with a goal to eliminate—sexual assault from the military.

**Prevention** - Deliver consistent and effective prevention methods and programs.

**Investigation** - Achieve high competence in the investigation of sexual assault.

**Accountability** - Achieve high competence in holding offenders appropriately accountable.

**Advocacy/Victim Assistance** – Deliver consistent and effective victim support, response, and reporting options.

**Assessment** – Effectively standardize, measure, analyze, and assess program progress.

Cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault is not tolerated, condoned or ignored.

Investigative resources yield timely and accurate results.

Perpetrators are held appropriately accountable.

DoD provides high quality services and support to instill confidence, inspire victims to report, and restore resilience.

DoD incorporates responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of SAPR.

# FY13 SAPR Policy and Program Enhancements

- The Department has been focused on implementing a range of multidisciplinary initiatives to improve sexual assault prevention and response in DoD
- Secretary Hagel continues to meet with senior military and civilian leaders from each of the Services to monitor the progress of our efforts

Prevention	Investigation	Accountability	Advocacy/ Victim Assistance	Assessment
<p><b>Policy Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Updated and standardized all forms of SAPR Training</li> <li>• Officer evaluations must address SAPR in unit climate</li> </ul> <p><b>Program Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Updated DoD Prevention Strategy</li> <li>• Revised DoD Climate Survey SAPR Program Items</li> <li>• Reviewed policies prohibiting inappropriate relationships to ensure consistency</li> </ul>	<p><b>Policy Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Clarified: All investigations conducted by MCIOs – CID, NCIS, &amp; AFOSI</li> </ul> <p><b>Program Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Developed Special Victim Capability based on USAF pilot program</li> </ul> <p><b>DoD IG assessed MCIOs:</b></p> <ul style="list-style-type: none"> <li>• Training &amp; Investigative sufficiency/ compliance</li> <li>• Training on trauma-impacted memory and interviewing</li> </ul>	<p><b>Policy Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Updated requirement - provide legal services to victims</li> <li>• Updated policy: UCMJ offenses requiring sex offender registration</li> <li>• Updated Policy: US Marshals Sex Offender Targeting Center notified of offender release</li> </ul> <p><b>Program Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Special victims' advocacy program</li> <li>• Judge Advocates to serve as Article 32 investigating officers</li> </ul>	<p><b>Policy Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Expedited transfers now allow moves for accused <u>or</u> victim</li> <li>• Enhanced document retention policy</li> <li>• Directed Services use DoJ standards for sexual assault forensic exams</li> <li>• Certification of all SARC and VAs</li> </ul> <p><b>Program Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Fielded FY12 NDAA required SARCs/VAs</li> <li>• Revised victim security clearance procedures</li> <li>• Expanded Safe Helpline Services</li> </ul>	<p><b>Policy Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Implemented FY13 NDAA reporting requirements into DSAID and data collection activities</li> <li>• Developed command climate assessment feedback</li> </ul> <p><b>Program Enhancements:</b></p> <ul style="list-style-type: none"> <li>• Developed initial set of SAPR Metrics to capture reporting trends, victim assistance, and investigation data</li> <li>• Harmonized survey methodologies across the DoD to improve consistency and reduce survey fatigue</li> </ul>

# NDAA Implementation

- **FY12:** Included 5 provisions of law
  - **Status:** Fully Implemented, including dissemination of Consistent SAPR Training; issuance of the Expedited Transfer policy; and fielding of two Full-time Sexual Assault Response Coordinators and SAPR Victim Advocates per Brigade
- **FY13:** Included 18 provisions of law and 6 reports
  - **Status:** Majority of provisions were implemented through SAPR DoDI revision, including issuance of two Special Victims Capability Directive-Type Memos and Military Personnel and Policy office's Administrative Separation DoDIs for Enlisted and Officers
    - There are four pending: Two involve the § 576 panels and two will be completed when the DoDIs for the Reserve Component Line of Duty and the Military Equal Opportunity Program are issued
- **FY14:** Included 33 sections of law (multiple provisions within sections) and the most sweeping reform to the UCMJ since 1968, with 16 military justice provisions that enhance victims' rights and constrain convening authorities
  - **Status:** Decisively engaged in implementing these wide-ranging reforms, and have already put into effect three provisions:
    - Prohibitions on accessions for those who have sexual assault convictions ( § 1711)
    - Expedited transfer of a suspect ( § 1712)
    - Mandatory referral of sexual assault incidents to independent Military Criminal Investigative Organization ( § 1742)

# DoD Sexual Assault Prevention Strategy

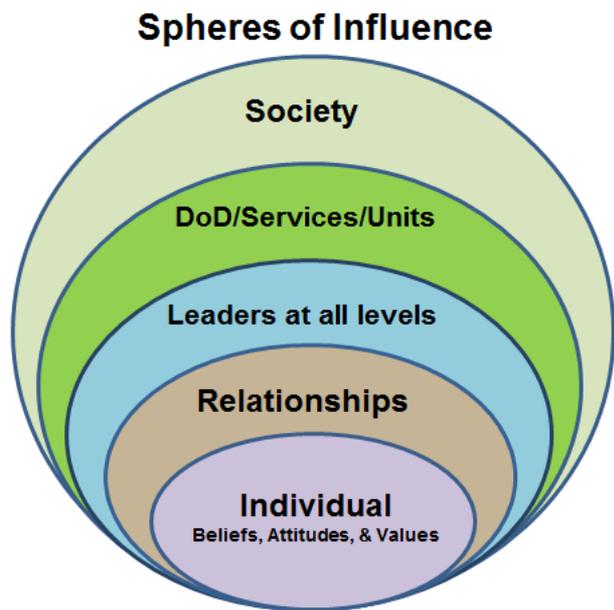
- DoD is intensifying its focus on prevention throughout the force and has released an updated prevention strategy
- The 2014-2016 Sexual Assault Prevention Strategy employs these foundational understandings as core elements of our prevention program; we must:
  - Establish an environment of mutual respect and trust, professional values, and team commitment that reinforce standards for appropriate conduct
  - Cultivate initiatives and interventions at the **individual, relationship, leader, and unit levels** which positively impact Service member knowledge, skills, and attitudes, to influence their behaviors, while shaping **the military community** in which our members live and work
  - Develop military leaders and commanders at every level who are informed by latest evidence-based practices and empowered to establish appropriate climates while holding members accountable
  - Focus on primary prevention -- approaches that take place before sexual violence occurs -- while maintaining victim support
  - Continuously engage civilian and military stakeholders, cohorts, social groups, **and other parts of US society** to inform development and revision of dynamic prevention strategies and methods
  - Deliver targeted and gender-responsive initiatives to diverse audiences and unique environments to support a climate free of inappropriate behaviors

# 2014-2016 DoD Sexual Assault Prevention Strategy

**Objective:** To deliver consistent and effective prevention methods and programs.

**EndState:** Cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault is not tolerated, condoned, or ignored.

★ **Leaders are the “center of gravity” for prevention efforts**



**Social-Ecological Model**

<i>Key Means – Resources</i>	<i>Key Ways – Objectives</i>	<i>Supporting End states</i>
DoD Benchmark Prevention Programs and Research	Develop DoD national benchmark prevention program that sets the example for civil society to follow	Acceptance and endorsement of the values shared by DoD
Directives, strategies, and policies	Institutionalize sexual assault prevention practices and programs throughout Department	Institutionalized culture & values, supported by policies
Leader mentorship and unit climate	Influence personnel values, attitudes, and behaviors	Establishment and maintenance of a culture/climate which supports the prevention of sexual assault
Education, skills building, & training	Promote healthy and supportive relationships between peers, partners, family, and friends	An environment in which Service members' networks support a culture of sexual assault prevention
Education, skills building, & training	Promote healthy social-emotional relationship skills	Identify, act, and intervene to prevent inappropriate behaviors associated with sexual assault

# Progress Report to the President

- On 20 Dec 2013, POTUS directed SecDef to provide a report demonstrating progress in the DoD on SAPR by Dec 2014; DoD's report to POTUS will:
  - Demonstrate DoD-wide SAPR efforts and leadership to POTUS
  - Exhibit command climate that is intolerant of harassment and assault
  - Illustrate comprehensive prevention and response system
  - Show clear measures of progress - both quantitative & qualitative:
    - Demonstrate signs of culture change
    - Measure outcomes of tasks and initiatives in Lines of Effort
    - Include past-year (FY14) prevalence rate of unwanted sexual contact
    - Provide an assessment of victim satisfaction and confidence in the system:
      - Demonstrate that reports progress as intended through the system
      - Describe experience of victims qualitatively
      - Address concerns of retaliation
      - Illustrate how investigations proceed appropriately
    - Provide review of the military justice system to include recent reforms (DoD OGC)
    - Show that cases are being processed correctly
  - Offer examples of best practices, projects, and interventions
  - Identify what other reforms, if any, are necessary

# Report Content

- Scope
  - Selected Initiatives from Dec 2011 to Sept 2014
    - POTUS Letter Requested Scope: Aug 2013 to Dec 2014
- Format
  - DoD Overview
    - By Line of Effort: Metrics & Non-Metric Areas
    - Statistical Section
  - Surveys
    - Workplace & Gender Relations Survey (RAND)
    - Survivor Experience Survey
  - Focus Groups
  - Service & NGB Enclosures
  - UCMJ Review (Joint Service Committee)

# Surveys

- **Workplace & Gender Relations Survey**

- Who: RAND
- When: Aug-Sept 2014 (Projected)
- Population: Active & Reserve Components
- Top Line Results<sup>\*\*</sup>: Due 15 October 2014
  - Analysis: Past-year Prevalence Estimate of “Sexual Assault”
    - By Gender, By Service
    - By Gender, By Type of Crime



*\*\*Full report not due until Spring 2015*

- **Survivor Experience Survey**

- Who: DMDC
- When: May-Sept 2014
- Population: Survivors 30-150 days after filing a report
- Results: Due 15 October 2014
  - Analysis: Organized by Service (Active & Reserve) & NGB
  - Includes both Unrestricted and Restricted Reports
  - Vetted by SMEs for relevance, appropriateness, and sensitivity



# Service Member Focus Groups

- Who: DMDC
- When: May-Aug 2014
- Results: Due 15 October 2014
- Overview: DoD-wide analysis of common themes (not broken down by Service)



## POPULATIONS

### **Trainees**

E1-E2 (some E3-E4)

Training Installations in US

Males / Females

### **Junior Enlisted**

E3-E4

US Installations

Males/Females

### **Mid-Level Enlisted**

E5-E6

US Installations

Males/Females

### **Junior Officers**

O2-O3

US Installations

Males/Females

### **Senior Enlisted**

E7-E9

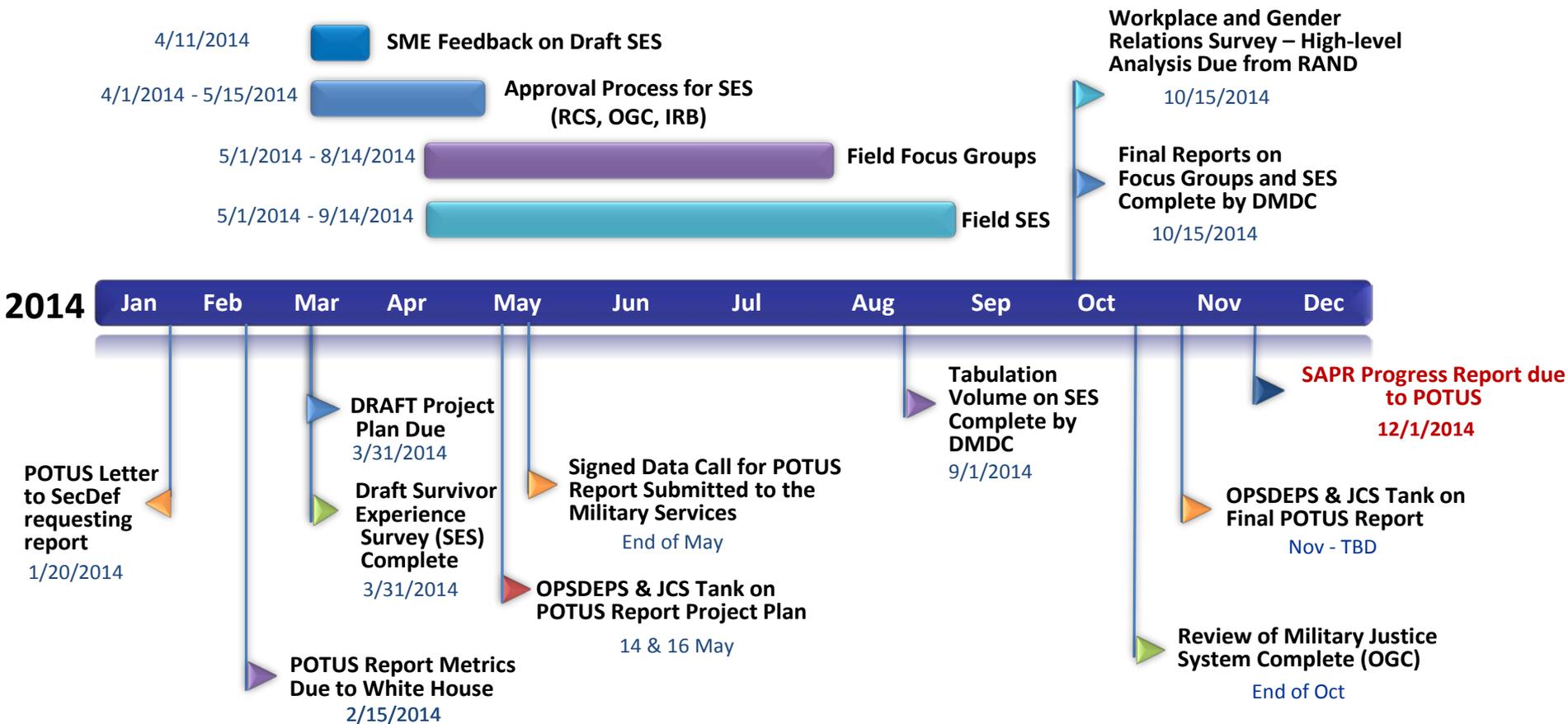
US Installations

Mixed

# Military Justice System

- DoD Office of General Counsel to conduct review of the military justice system; Review will consist of the following:
  - Major differences between the Uniform Code of Military Justice (UCMJ) and civilian justice systems
  - UCMJ procedures prior to SECDEF's April 20, 2012 withholding of initial disposition authority in certain sexual assault cases
  - Major reforms in processing and adjudicating Sexual Assault Cases
  - Overview of how military sexual assault cases arising after December 26, 2014 will be handled
  - Additional potential UCMJ reforms

# Report Timeline



# DoD SAPR Program Way Ahead

- **Sustain multi-pronged approach – no single “silver bullet” solution**
  - Requires sustained progress, persistence, innovation, and multi-disciplinary approach in prevention, investigation, accountability, victim assistance & assessment
- **Expand prevention efforts to reinforce cultural imperatives of mutual respect and trust, team commitment, and professional values**
  - Recognize that sexual harassment is strongly correlated with sexual assault
- **Continue to educate frontline commanders and leaders at all levels and hold them accountable in establishing and sustaining a culture of dignity and respect**
  - Must include programs on healthy relationships, bystander intervention, and peer leadership/social courage
- **Continue to ensure victim focus and control to help overcome vast underreporting**
  - Treat every case with utmost seriousness, protect privacy, allow victims to choose the manner in which they heal, and provide professional advocacy
  - Reporting is an essential bridge to victim care and accountability
- **Sustain commitment to holding offenders appropriately accountable – we are improving investigative and accountability efforts through Special Victims Capability, UCMJ Panels, and comprehensive oversight actions**

**Questions?**