



# Annual Report on Sexual Harassment and Violence at the Military Service Academies

Academic Program Year 2018 – 2019





**Department of Defense Annual Report on Sexual Harassment and Violence at the Military Service Academies, Academic Program Year 2018-2019**

# Table of Contents

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Executive Summary .....	3
Introduction .....	11
Focus Areas .....	11
Student Culture .....	12
Sexual Assault Reporting.....	13
Victim Assistance and Other Resources.....	18
Efforts to Reduce and Stop Sexual Assault .....	18
Way Forward.....	24

# List of Appendices

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- Appendix A: Army Compliance Assessment of the United States Military Academy
- Appendix B: Navy Compliance Assessment of the United States Naval Academy
- Appendix C: Air Force Compliance Assessment of the United States Air Force Academy
- Appendix D: Statistical Data on Sexual Assault and Sexual Harassment
- Appendix E: Aggregate Data Matrices and Military Service Academy Case Synopses
- Appendix F: List of Acronyms
- Appendix G: Office of People Analytics *2019 Service Academy Gender Relations Focus Group* Overview Report

**Reporting Requirement**

- Congress requires the Department to assess the academies to determine the effectiveness of sexual harassment and sexual violence policies, training, and procedures. This year, it accomplished this by conducting onsite assessments and focus groups.

**What We Learned**

- Cadets and midshipmen tend not to intervene except in the most obvious situations, and live in cultures tolerant of sexually harassing behavior and alcohol misuse.
- The number of sexual assault reports increased, consistent with the Department’s policy to encourage reporting. However, a reporting rate cannot be determined as a prevalence survey was not conducted.
- Students remain hesitant to report sexual assault, fearing negative social, academic, and career impacts.
- Inspections of Sexual Assault Prevention and Response and Military Equal Opportunity programs found that the academies are in compliance with policy, noting minor discrepancies.

*Continued on following page*

# Executive Summary

## Current State and Enduring Actions

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The Department of Defense made considerable progress in reducing sexual assault at the Military Service Academies between 2012 and 2014. However, the estimated prevalence of unwanted sexual contact<sup>1</sup> and sexual harassment increased between 2014 and 2018.

The increases in prevalence across higher education are highlighted in the recently released American Association of Universities 2019 *Campus Climate Survey on Sexual Assault and Misconduct*. Of the 21 institutions who participated in both the 2015 and 2019 surveys, prevalence increased for undergraduate men and women, indicating the shared challenge of reducing and stopping sexual assault in the military and civilian sectors.

In May 2019, then-Acting Secretary Patrick Shanahan released a “Call to Action” memo to target actions that address sexual assault and related risk factors, such as sexual harassment. This memo aligned with previous actions for the academies, including targeting the following areas:

**Populations of greatest risk:** Data show that the population of greatest risk for sexual assault is 17 to 24-year-old Service members, including considerations around alcohol use. Concerns about peer behavior and peer leaders also factored prominently in data from the academies.

**First-line supervisor skills:** Sexual harassment persists, and data illustrate that cadet and midshipmen leaders should continue to be the cornerstone of our efforts to address student culture at the academies.

<sup>1</sup> Although the term “unwanted sexual contact” does not appear in Articles 120, 125, or 80 of the Uniform Code of Military Justice (UCMJ), for the purposes of the *Service Academy Gender Relations Survey* and this report, it is used to refer to a range of sex-related offenses that the UCMJ prohibits. These offenses include completed or attempted oral, anal, or vaginal penetration by a body part or an object and the unwanted touching of genitalia, buttocks, breasts, or inner thighs when the victim did not or could not consent. The survey is conducted in April of even numbered years. Respondents to the survey are asked about their experiences of unwanted sexual contact in the 12 months that constitute the Academic Program Year (June 1 to April 30). The definition of unwanted sexual contact used is behaviorally based and not intended to designate specific UCMJ offenses or establish crime rates.

- Students are generally aware of program resources; however, unfamiliarity with staff deters some from seeking help.
- Cadets and midshipmen in focus groups indicated that students remain largely desensitized to disrespectful behaviors, such as sexual harassment, that make sexual assault in military climates more likely.
- The academies demonstrated use of best practices in some prevention efforts assessed by the Department, although few were formally evaluated for effectiveness.
- Prevention efforts lack the maturity, resourcing, and organization to make sustained reductions in sexual assault victimization over time.
- The Department advises the academies continue to invest in their well-designed, ongoing initiatives, and develop a comprehensive plan to organize and integrate prevention activities over the course of students' academic careers.
- The Department has funded technical assistance initiatives to support these efforts.

The entire report is available at [www.SAPR.mil](http://www.SAPR.mil)

**Military justice improvements:** The Sexual Assault Accountability and Investigation Task Force updated military justice processes to motivate increased reporting and victim assistance, and to address sexual harassment. Reporting a sexual assault is a unique and critical challenge at the academies, and sexual harassment experience remains high.

**Efforts to reduce and stop sexual harassment:** The Department released the Prevention Plan of Action in April 2019, which was used to develop a framework to conduct a baseline assessment of academy prevention efforts.

### Assessment Process

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The Military Service Academies (United States Military Academy, United States Naval Academy, and United States Air Force Academy) invest in activities to prevent and respond to sexual assault and misconduct. In accordance with Congressional requirements, the Department assesses sexual assault via two primary metrics; estimated sexual assault prevalence (desired state is decrease) and sexual assault official Restricted or Unrestricted reporting (desired state is increase).

Department assessment reports for Academic Program Years beginning in odd-numbered years include an anonymous survey of cadets and midshipmen known as the Service Academy Gender Relations. The survey covers both sexual assault prevalence and reporting. Assessment reports for Academic Program Years beginning in even-numbered years, as is the case with this report, assess academy actions and sexual assault reporting.

For this year's report, Department and Military Service representatives conducted on-site assessments and provided technical assistance at the academies. This report includes compliance inspections overseen by the Military Departments, the Department's new baseline assessment of academy prevention efforts, and feedback from focus groups conducted with cadets, midshipmen, faculty, and staff.<sup>2</sup>

### Focus Areas for this Assessment

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The Academic Program Year 2018-2019 report provides the Department's assessment of the academies' response and prevention systems from June 1, 2018 to May 31, 2019. This report primarily focuses on the following areas:

<sup>2</sup> Focus group results provided in the report are not generalizable to the full population of the Military Service Academies. Themes should be considered the opinions of focus group participants only and not those of all students, faculty, and staff.

- Student Culture
- Sexual Assault Reporting
- Victim Assistance and Other Resources
- Efforts to Reduce and Stop Sexual Assault

## Student Culture

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### Making a Difference

Past Department actions directed the academies to improve how they help cadets and midshipmen understand and address disrespectful elements of academy culture. Focus group participants favorably acknowledged senior academy leader efforts to address sexual harassment and sexual assault as having no place at the academies and in the military. Unit leaders were also recognized as having the ability to set the tone and culture, both positively and negatively. Leadership qualities vary, from healthy proactive approaches to endorsing toxic behaviors or being apathetic to sexual assault and harassment.

### Areas to Improve

There is little evidence that such efforts from senior leaders translated into greater interest to challenge disrespectful elements of academy culture. Students in focus groups noted a “stereotypical male culture” which requires females to “fit in” with the “boy’s club.” Students often do not report sexual harassment due to the inability or unwillingness to recognize disrespectful experiences as “unacceptable.” They also advised that sexually harassing behaviors are perceived as lacking severity or seen as “normal.” Perceived social repercussions of reporting deter students from seeking assistance, reporting, or intervening with sexual harassment, especially when such situations are vague or lack overt cues. The perceived costs of intervening are often higher for women. Peer leaders continue to lack experience, authority, and will to enforce policies and accountability as well. Findings from the Annual Report on Sexual Harassment and Violence at the Military Service Academies, Academic Program Year 2017-2018 showed that half of academy women and more than one-third of academy men indicated that their peer leaders do not enforce academy rules and desired values of leadership.

## Sexual Assault Reporting

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### Sexual Assault Prevalence Trends

The Department has taken steps to reduce and stop sexual assault, including addressing sexual assault risk factors in military populations such as alcohol and sexual harassment. However, as documented in last year’s Academy Report, estimated past-year rates of unwanted sexual contact (penetrating and sexual contact crimes) at the academies increased in 2018, compared to rates measured in 2014 and 2016.

The number of sexual assault reports by and against cadets and midshipmen increased this year as well. However, the Department cannot fully interpret this increase in terms of a reporting rate, as a prevalence survey was not conducted. The Department received 149 reports of sexual assault involving a cadet or midshipman as a victim and/or alleged subject, an increase from 117 reports received the year prior. Of these 149 reports, 122 were made by academy students who reported a sexual assault that occurred during military service. In

addition, 8 reports were made by active duty Service members or civilians who reported a sexual assault that involved a currently enrolled cadet or midshipman, or occurred at the academies within the last 4 years, and 19 other reports were made.

While the Department holds itself, and the academies, to a higher standard of behavior based on its critical mission, research suggests that the increase in sexual assault prevalence reflects a trend observed at colleges and universities nationwide. In October 2019, the American Association of Universities released the *2019 Campus Climate Survey on Sexual Assault and Misconduct*, an update to its 2015 survey of its member institutions. For schools that participated in the 2015 and 2019 surveys, the rate of nonconsensual sexual contact by physical force or inability to consent increased from 2015 to 2019 for undergraduate men and women, as well as for graduate and professional school women. Sexual assault prevalence at the academies is comparable to rates observed in civilian colleges.

### **Making a Difference**

The Department's policies are intended to encourage reporting to connect victims with needed care and to hold alleged offenders appropriately accountable. Over the years, the academies have worked to encourage reporting of sexual assault through a variety of means, including changing reporting policies, relocating sexual assault prevention and response offices, and updating training and outreach programs.

Reporting rates have doubled at the academies since 2008, increasing from approximately 6 to 12 percent. However, overall reporting rates at the academies have remained low and reflect significantly fewer reports than the 30 percent of alleged active duty victims who reported their experience in 2018. The Catch a Serial Offender Program (CATCH) was implemented this year resulting in four CATCH-specific reports since its launch in August 2019. This program allows alleged victims making Restricted Reports to anonymously provide details about their incident or alleged offender. Should this information match another's allegation, alleged victims are offered the opportunity to convert their report to Unrestricted and participate in the military justice process.

### **Areas to Improve**

This year's focus group feedback found that participants noted some helpful changes at each academy. However, the Department found little evidence of change in long-standing attitudes that deter reporting and help-seeking. Sexual assault reporting continues to be hindered by persistent cadet and midshipmen concerns, most notably that reporting will negatively impact their academic and military careers. Reporting is perceived to pay a heavy social price, leading to ostracism and reputation damage. Unhelpful impressions persist among cadets and midshipmen about false reporting, victim blaming, and the reporting process. Students also shared perceptions that the reporting process takes too long, rarely concluding favorably in the alleged victim's case, and may force individuals to re-live trauma. This feedback is similar to that from the American Association of Universities *2019 Campus Climate Survey on Sexual Assault and Misconduct*, indicating shared barriers to reporting at the academies and in the civilian sector overall. Common responses for not reporting included that students perceived the incident to be not serious enough to contact a program or resource, because the person felt embarrassed or ashamed, and that it would be too emotionally difficult to report.

## Victim Assistance and Other Resources

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### Making a Difference

This year, the Military Departments oversaw program compliance inspections of the academy Sexual Assault Prevention and Response Programs that provide assistance to cadets and midshipmen. The inspections found only minor administrative and/or procedural discrepancies, which have since been addressed. All three academies are in compliance with Department and Service sexual assault prevention and response, sexual harassment, and military equal opportunity policy. Focus group participants noted being aware of helpful and beneficial program features offered by the academy offices that address sexual assault. Students hear of good experiences with staff and noted peer assistance groups and others as being helpful.

### Areas to Improve

Participants also indicated that Academy Sexual Assault Prevention and Response offices remain largely underutilized by cadets and midshipmen due to their lack of familiarity with staff. If they were to experience a sexual assault, students would prefer to first speak with their peers or military cadre and civilian faculty and staff with whom they have established rapport, rather than seeking formal victim assistance. This feedback is similar to that from the American Association of Universities 2019 *Campus Climate Survey on Sexual Assault and Misconduct*, which indicated that civilian victims often do not think office resources can help them following an experience of sexual assault.

Perceived stigma about sexual assault reporting and the high-visibility Sexual Assault Prevention and Response office locations deter some cadets and midshipmen from greater interaction with staff. This feedback stands in contrast to the increases in reporting each academy has observed following office moves, or by providing student support services in addition to sexual assault victim advocacy. In sum, efforts to make victim assistance more accessible may benefit from additional programs to prepare other members within the academy environment to refer cadets and midshipmen to appropriate resources.

## Efforts to Reduce and Stop Sexual Assault

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### Prevention Framework

Estimated rates of unwanted sexual contact (penetrating and contact sexual crimes) at the Military Service Academies increased in 2018, compared to rates measured in 2014 and 2016. Recent research suggests that there are similar upward trends in sexual assault victimization at colleges and universities, and in the United States as a whole.<sup>3,4</sup> Despite this apparent national upward trend in sexual assault, the Department holds itself, and the academies, to a higher standard of behavior. Sexual assault has no place in the United States military.

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<sup>3</sup> David Cantor et al., Report on the *AAU Campus Climate Survey on Sexual Assault and Misconduct* (Rockville: Westat, 2019).

<sup>4</sup> Rachel E. Morgan, and Barbara A. Oudeker, *Criminal Victimization, 2018* (U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2019).



To this end, the Department issued the Prevention Plan of Action in April 2019 to help drive demonstrable, measurable, and sustainable reductions in sexual assault in the military. The Plan outlines the prevention process and system elements that comprise the Department's framework for sexual assault prevention and related oversight. System elements that facilitate and accelerate efforts to reduce and stop assault include an "integrator," engagement of stakeholders, and collaborations. An integrator is a dedicated individual or team who ensures activities are integrated across stakeholders and data are collected and shared for planning and assessing impact. Stakeholders are leadership, policy and program leads, data and evaluation analysts, faculty, staff, and student leadership. These stakeholders are not only engaged and actively collaborating, but also equipped and empowered to select, implement, and evaluate prevention activities that meet the unique needs of each academy. Lastly, collaborations are forums that synchronize and evaluate cross-cutting prevention activities. Research indicates that without synchronized activities across all system elements, interventions will not fully infiltrate the culture and long-term change is difficult to sustain.

The Department employed the Prevention Plan of Action framework to develop metrics to conduct a baseline assessment of academy prevention capabilities this past summer. This forward prevention approach evaluated the degree of alignment between current academy efforts and research-based best practices. Findings from this newly established assessment may help explain why academy efforts have had little impact on the prevalence of sexual assault. In 2018, 15.8 percent of female and 2.4 percent of male cadets and midshipmen experienced unwanted sexual contact in the past 12 months, a significant increase in the estimated prevalence from 2016.

### **Making a Difference**

To their credit, the academies have implemented a variety of activities aimed at prevention. Leaders are visibly engaged and taking action to improve prevention efforts, and flagship prevention activities are research-based.

Focus group feedback found that most participants could identify situations and techniques for bystander intervention of sexual assault. Most academies have employed this approach as a primary focus in preventive efforts. In addition, students in focus groups acknowledged the great potential that Tactical Officers (Military Academy), Company Officers (Naval Academy), and Air Officers Commanding (Air Force Academy) have to both positively and negatively impact culture and climate within their units.

### **Areas to Improve**

The Department's baseline assessment found that all three academies are in an "early" phase of prevention capability. This means the academies' human resources, infrastructure, and collaborative activities are not sufficiently developed to make lasting decreases in the prevalence of sexual assault. For example, integrators are not yet empowered and/or resourced to synchronize efforts, and stakeholders are not consistently equipped. In addition, all three academies lacked an effective means for integrating existing sexual assault, harassment, alcohol misuse, and character development activities. These efforts were found to be siloed throughout the schools' organizational structures. Finally, although the Department found the academies' flagship prevention programs were partially or substantially aligned with best practices, most prevention activities have not yet been evaluated. As a result, the academies' prevention efforts may not have infiltrated yet into the culture in a way that will impact prevalence of sexual assault. Importantly, this new prevention framework provides actionable steps the academies can take in light of their baseline assessment. It was not

expected that the academies would have already achieved fully mature prevention capability as this was the first year that the assessment was administered. However, forward progress will be monitored using the same annual assessment.

Focus group feedback also revealed little change to themes that have persisted for many years, including an underlying culture tolerant of sexually harassing behavior and alcohol misuse, which are risk factors for sexual assault. Roughhousing or horseplay, telling sexual jokes, and talking about one's sexual activity are viewed as "normal" behaviors at the academies and do not warrant intervention. Alcohol misuse remains a glorified part of academy culture according to cadets and midshipmen. Participants indicated these cultural factors limit the willingness and ability of students to intervene. In addition, participants noted that cadet and midshipmen peer leaders fail to match what they say with what they do to encourage accountability among the students they lead.

## Way Forward

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Over the last decade, the Department has made progress combatting sexual assault, but has seen increases in estimated prevalence rates the last few years in both the active duty and at the academies. Recent data on national trends, including in colleges and universities, show similar increases since 2015, highlighting this shared challenge. The Department continues to approach sexual assault holistically by focusing on prevention and leaders at all levels, addressing problematic culture, and promoting reporting options, including confidential venues. This report is an assessment of our programs and policies, and highlights areas of continued concern.

### Student Culture

Sexual harassment persists, and findings illustrate that student leaders should continue to be the cornerstone of our efforts. To address challenges with student culture, the academies must prepare staff and peer leaders to better assess and address problems within academy climates. The academies and Department will work together to pilot climate assessments, with the intent to provide cadet and midshipmen leaders the opportunity for greater responsibility and accountability for improving academy climate.

### Sexual Assault Reporting

Reporting barriers continue to exist, including student "norms" developed and promulgated via the rumor mill and informal communications, that undermine the academies' efforts to increase reporting. To motivate greater sexual assault reporting, the academies must counter narratives and behavior that impede cadets and midshipmen from greater reporting and help seeking. In this effort, they will identify key student influencers to help counter narratives that deter reporting and bystander intervention. The academies will also publicize confidentiality when implementing their plans for the CATCH Program.


### Victim Assistance and Other Resources

Students tell the Department that they are most likely to reach to resources they know and trust, which deters them from immediately seeking academy services such as Sexual Assault Prevention and Response offices and counseling centers. To promote greater help seeking and victim assistance, the academies will prepare academy peer helping groups to

ensure cadets and midshipmen have an accurate understanding of available academy services and the benefits they provide. Each academy has a cadre of cadets or midshipmen that it uses to inform and refer students experiencing problems to helping resources. While applying appropriate supervision, the academies should provide such groups with sufficient resources and training to help dispel concerns and facilitate greater contact with all forms of assistance.

### **Efforts to Reduce and Stop Sexual Assault**

The Department has focused greater attention on prevention of the crime. It leveraged partnerships with subject matter experts to develop a prevention framework at each academy to ensure our interventions have the greatest chance for success. The academies will employ the Department's feedback to inform a manpower analysis to determine appropriate academy staffing, resourcing, and alignment of the full spectrum of prevention efforts. The academies are critical points of accession and where we develop future leaders – we must get this right.



# Introduction

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The Department of Defense (DoD) annually assesses the Military Service Academies' (MSA) programs that address sexual harassment and sexual assault per Section 532 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364). This report fulfills this requirement by reviewing the effectiveness of the academies' policies, training, and procedures regarding sexual harassment and sexual violence involving academy personnel at the United States Military Academy (USMA), United States Naval Academy (USNA), and United States Air Force Academy (USAFA).

This report assesses the MSAs' compliance with DoD and Military Service sexual harassment and sexual assault policies. Compliance reports by each Military Service are enclosed in Appendices A, B, and C. Detailed statistical data and analysis from Academic Program Year 2018-2019 (APY 18-19) can be found in Appendices D and E.

DoD assessments for APYs beginning in even-numbered years include focus groups conducted by the Office of People Analytics (OPA) with cadets, midshipmen, faculty and staff.<sup>5</sup> The *2019 Service Academy Gender Relations (SAGR) Focus Groups* covers topics such as perceptions about sexual assault occurrence and prevention, and climate characteristics including alcohol use and leadership involvement. Findings from the *2019 SAGR Focus Group Overview Report* help contextualize the Department's metrics for measuring sexual assault response and prevention efforts at the academies and are enclosed in Appendix F of this report.

## Focus Areas

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The APY 18-19 report provides the Department's assessment of the academies' current prevention and response systems from June 1, 2018 to May 31, 2019. For this year's report, Department and Military Service representatives conducted on-site assessments and technical assistance at the academies. This assessment includes compliance inspections overseen by the Military Departments, the Department's baseline assessment of academy prevention efforts, and feedback from focus groups conducted with cadets, midshipmen, faculty, and staff.<sup>6</sup> This report focuses primarily on the academies' strengths and challenges in the following areas:

- Student Culture
- Sexual Assault Reporting
- Victim Assistance and Other Resources
- Efforts to Reduce and Stop Sexual Assault

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<sup>5</sup> For APYs beginning in odd-number years, as was the case with last year's report, the Department report includes each MSA's self-assessment and a scientific, anonymous survey of cadets and midshipmen, conducted by OPA. This biennial survey, known as the *SAGR*, covers topics such as the past-year estimated prevalence of sexual assault and sexual harassment, and characteristics of unwanted sexual and gender-related behaviors. No such survey was conducted this year. OPA will conduct the next *SAGR* in March and April of 2020.

<sup>6</sup> Focus group results provided in the report are not generalizable to the full population of the MSAs. Themes should be considered the opinions of focus group participants only and not those of all students, faculty, and staff.

# Student Culture

## Top Line Observations

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### The Number of Sexual Harassment Complaints Increased

Department policy promotes the chain of command as the primary and preferred channel for identifying and correcting sexual harassing behaviors. In conjunction with command action, resolution of situations perceived to involve sexually harassing behaviors at the lowest interpersonal level is encouraged. Service members may elect to address offensive situations through an informal or formal complaint, including anonymous complaints. Sexual harassment complaints at the academies remain relatively low compared to survey estimates of sexual harassment. Given the variety of means available to address sexual harassment, complaints do not reflect all the ways Service members resolve sexually harassing behaviors.

Reporting of sexual harassment increased, compared to last year. In APY 18-19, the MSAs received a total of 17 informal sexual harassment complaints, up from 7 received the year prior. There were no formal complaints filed for sexual harassment in the past year.

USMA received 7 informal complaints of sexual harassment this year, up from 4 the year prior. USNA had 4 informal complaints of sexual harassment, compared to 2 received last year. Finally, 6 cadets at USAFA made an informal complaint of sexual harassment, compared to 1 complaint the year prior.

### Sexual Harassment is an Enduring Experience at the Academies

Cadets and midshipmen focus group participants favorably acknowledged senior academy leader efforts to address sexual harassment and sexual assault. However, there was little evidence that such efforts translated into greater interest to challenge disrespectful elements of academy culture. Students often cannot or will not identify disrespectful experiences as unacceptable behavior. Participants also noted the perception that sexual harassing behaviors either lack severity or are considered “normal” at the academies.

Participants advised that cadets and midshipmen generally have negative impressions about those they believe are making false reports. Focus group findings show that male students’ perceptions of false reporting may drive female students to avoid discussing unwanted events. Overall, reporting unwanted sexually harassing behaviors remains a divisive issue among female and male cadets and midshipmen. Perceived social repercussions of reporting deter students from seeking assistance, reporting, or intervening, especially when such situations are vague or lack overt cues.

### The Academies are in Compliance with Military Service and Department Sexual Harassment Policy

DoD Office of Diversity, Equity, and Inclusion and the Military Services conducted compliance assessments of the MSAs response systems and found that all three are in compliance with sexual harassment and military equal opportunity policy. Academy-specific compliance reports by each Military Service are enclosed in Appendices A, B, and C.

# Sexual Assault Reporting

## Sexual Assault Prevalence Trends

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### Estimated Increases in Sexual Assault Prevalence Reflect a National Trend

As documented in last year's Academy Report, estimated past-year rates of unwanted sexual contact<sup>7</sup> (penetrating and sexual contact crimes) at the MSAs increased in 2018, compared to rates measured in 2014 and 2016. Recent research suggests that the increase reflects a trend observed at colleges and universities nationwide.<sup>8</sup>

### **2019 Campus Climate Survey on Sexual Assault and Misconduct**

In October 2019, the American Association of Universities (AAU) released the *2019 Campus Climate Survey (CCS) on Sexual Assault and Misconduct*, an update to its 2015 survey of its member institutions. For the schools that participated in both the 2015 and 2019 surveys, the rate of nonconsensual sexual contact (which includes penetration, sexual contact, and attempts to commit these acts) by physical force or inability to consent increased from 2015 to 2019 for undergraduate men and women, as well as for graduate and professional school women. Rates of nonconsensual sexual contact increased for undergraduate women, from 23.6 percent in 2015 to 26.5 percent in 2019, and for undergraduate men, from 5.6 percent in 2015 to 7.1 percent in 2019. It should be noted that not every school taking the survey experienced an increase.

These increases reflect average changes in the 21 schools that participated in both the 2015 and 2019 surveys. The rates show the cumulative experiences of students since enrolling at their college or university. This, and other differences in survey methodology, impede scientific comparisons between the *CCS* and the *SAGR Survey*. However, the Department also asks cadets and midshipmen about their experiences with unwanted sexual contact since enrolling at their academies. Similar increases in these rates were observed between 2016 and 2018. In 2018, 28.5 percent of academy women indicated experiencing unwanted sexual contact since entering the academy, up from 21.6 percent in 2016. In 2018, 5.8 percent of academy men indicated experiencing unwanted sexual contact since entering the academy, up from 3.3 percent in 2016.<sup>9</sup>

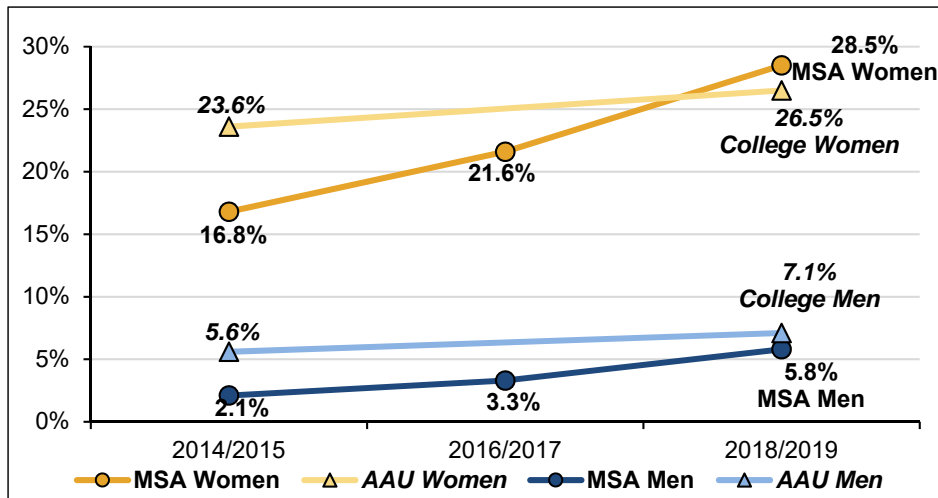
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<sup>7</sup>Although the term "unwanted sexual contact" does not appear in Articles 120 or 80 of the Uniform Code of Military Justice (UCMJ), for the purposes of the *SAGR* and this report it is used as a proxy for "sexual assault," referring to a range of penetrative, contact, and attempted sex-related offenses that the UCMJ prohibits. The definition of unwanted sexual contact used in the *SAGR* is not intended to designate specific UCMJ offenses or establish crime rates.

<sup>8</sup> David Cantor et al., *Report on the AAU Campus Climate Survey on Sexual Assault and Misconduct* (Rockville: Westat, 2019).

<sup>9</sup> The *2018 SAGR Survey* and the *AAU 2019 CCS* used different methodologies. However, both surveys used a proxy metric for sexual assault that measured penetration and/or sexual contact that were physically forced or when the respondent did not or could not consent. Both surveys also measured the experience of sexual assault over the course of one's four-year academic career, which is shown here. Comparisons are not scientific.

**Exhibit 1. Estimated Prevalence of Sexual Assault since Entering a Higher Education Institution**



**2018 National Crime Victimization Survey**

Unfortunately, results from the *CCS* and *SAGR Survey* may reflect the general increase in sexual victimization in the United States (U.S.). The Department of Justice’s *2018 National Crime Victimization Survey (NCVS)* found that the rates of rape and sexual assault nearly tripled from 2014 to 2018, increasing from 1.1 to 2.7 victimizations per 1,000 persons aged 12 or older.<sup>10</sup> While sexual victimization may be on the rise in the country, the Department and the academies are held to a higher standard of conduct. Sexual assault has no place in the military.

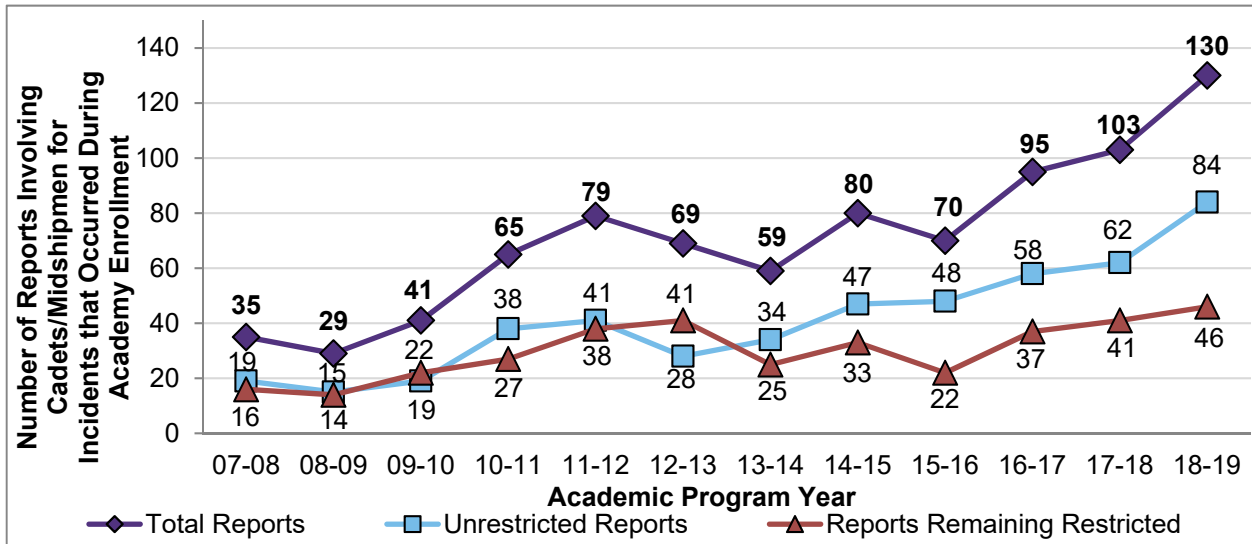
**Top Line Observations**

**Reports of Sexual Assault Increased at All Three Academies in APY 18-19**

In APY 18-19, the MSAs received 149 total reports of sexual assault involving a cadet or midshipman as a victim and/or subject, up from 117 reports received the year prior. Of these 149 reports, 122 were made by academy students who reported a sexual assault that occurred during military service. In addition, 8 reports were made by active duty Service members or civilians who reported a sexual assault that involved a currently enrolled cadet or midshipman, or occurred at the academies within the last four years, and 19 other reports were made. There were 77 initial Restricted Reports of sexual assault in the past year, of which 21 were converted to Unrestricted Reports leaving 56 reports remaining Restricted at the end of the APY, reflecting an increase of 2 conversions from last year.

<sup>10</sup> Rachel E. Morgan, and Barbara A. Oudeker, *Criminal Victimization, 2018* (U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2019). Significant differences in methodology between the *NCVS*, *SAGR*, and *CCS* prevent the Department from making comparisons to collegiate populations. For example, the *NCVS* uses the term “rape” to refer to penetrative sex crimes and “sexual assault” to refer to contact sex crimes. In addition, the data available for review could not be analyzed by sex and age of respondent. Nevertheless, the *NCVS* trends in rates generalizable to the U.S. as a whole and provides important context for understanding the national prevalence of sexual victimization.

**Exhibit 2. Sexual Assault Unrestricted and Restricted Reports**



Of the 149 reports received by the Department, 130 reports were made by and/or against **actively enrolled cadets and midshipmen** for incidents that occurred during military Service (the 130 reports came from 122 cadet or midshipmen victims, 5 active duty victims, and 3 civilian victims). As the graph above shows, there were 84 Unrestricted Reports and 46 reports remaining Restricted at the end of APY 18-19. These 130 reports are an increase from the 103 reports received in APY 17-18. However, this increase in the number of reports is difficult to interpret as a prevalence survey was not conducted this year. The Department continues to implement policies that encourage greater reporting of sexual assault to better connect victims with recovery services and to hold alleged offenders appropriately accountable.

**Exhibit 3. Total Reports of Sexual Assault at the Academies**

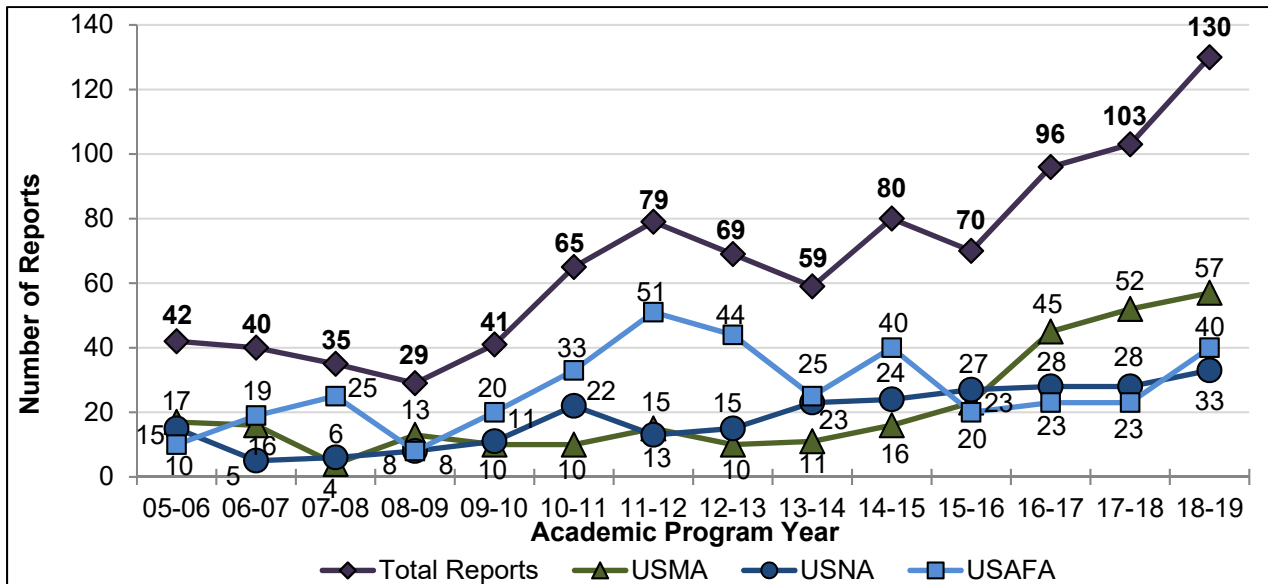


Exhibit 3 illustrates the number of sexual assault reports involving enrolled cadets and midshipmen by academy. At USMA, 57 reports of sexual assault were made by and/or against actively enrolled cadets for an alleged incident that occurred during military service,

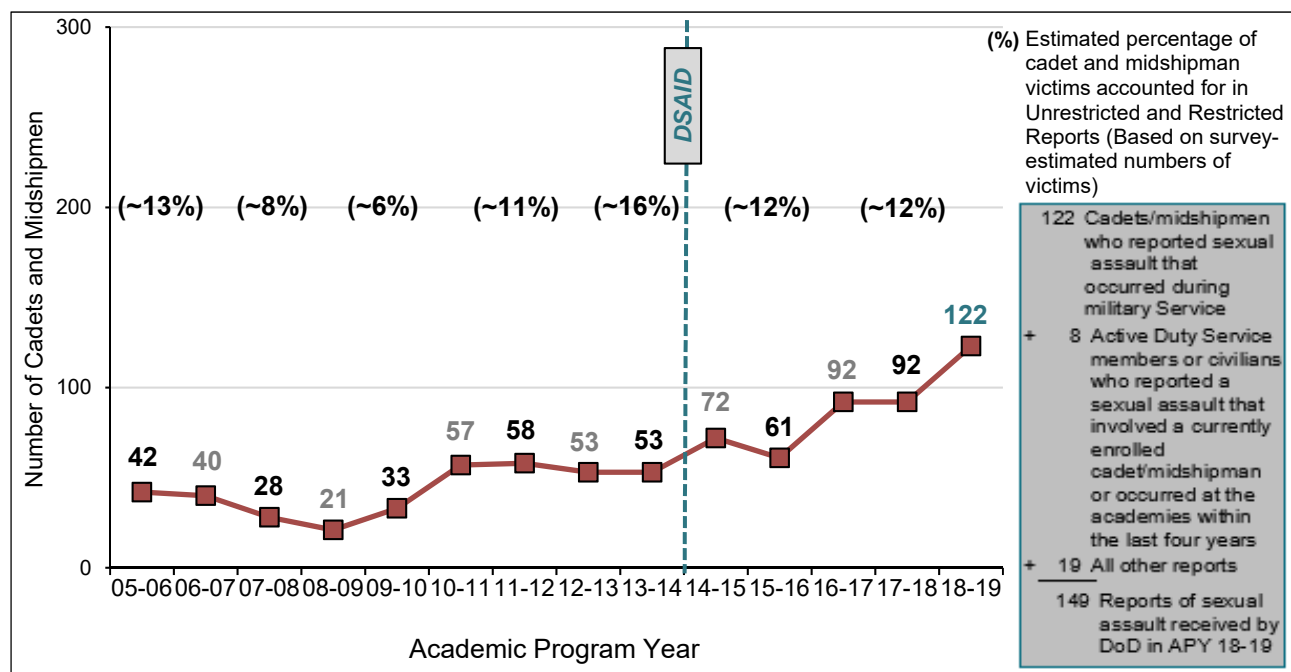


representing an increase of 5 reports since the previous APY. Of these total reports, 40 were Unrestricted, and 17 remained Restricted at the close of APY 18-19.

At USNA, 33 reports of sexual assault were made by and/or against actively enrolled midshipmen for an alleged incident occurring during military service, an increase of 5 reports from the prior year. Among these reports, 22 were Unrestricted, and 11 remained Restricted.

At USAFA, 40 reports of sexual assault were made by and/or against actively enrolled cadets for an alleged incident occurring during military service, an increase of 17 reports since previously measured. Of these total reports, 22 were Unrestricted, and 18 remained Restricted. Detailed statistical data from APY 18-19, and analysis of these data, can be found in Appendices D and E.

**Exhibit 4. Overall Reporting Rates and Reports by Cadets and Midshipmen**



Unfortunately, as no prevalence survey was conducted this APY, it is difficult to determine if a true increase in reporting occurred rather than an increase in crime. Regardless, academy reporting rates have not matched the increase in reporting rates seen in the active duty component over the past decade. In 2018, about 30 percent of the estimated number of active duty victims reported their alleged incident to a DoD authority. In contrast, about 12 percent of the estimated number of cadet and midshipman victims at the academies reported in APY 17-18, as shown in Exhibit 4.

### Past Efforts to Encourage Greater Reporting

The Catch a Serial Offender Program (CATCH) was implemented this year resulting in four CATCH-specific reports since its launch in August 2019. This program allows alleged victims making Restricted Reports to anonymously provide details about their incident or alleged offender. Should this information match another’s allegation, alleged victims are offered the opportunity to convert their report to Unrestricted and participate in the military justice process.

The academies have worked over the years to encourage greater reporting of sexual assault, ranging from policy changes about collateral misconduct and third-party reporting to high-profile events for students that underscore the impact sexual assault has on victims and the military's mission. In addition, all three academies have peer-led programs to provide and connect cadets and midshipmen with resources to help them cope with a variety of challenges, including being a victim of sexual assault. It is difficult to assess the contributions that each of these programs have made to reporting behavior as none have been formally evaluated for their ability to increase sexual assault reporting.

In efforts to reduce barriers in sexual assault reporting, USMA established the Sexual Harassment and Assault Response and Prevention (SHARP) Resource Center. The Center co-located Sexual Assault Response Coordinators (SARCs) and Victim Advocates (VAs) to improve resource accessibility for cadets. USMA strives to provide cadets with multiple connection points to the SHARP Team and empower members of the community to support and assist victims in their decision-making process. They implemented a SHARP and Wellness West Point mobile application, which makes it possible for someone to review sexual assault reporting options and resources, and directly connect to support services.

At USNA, several midshipmen used the Leave of Absence program and Midshipman Development Center support groups, which remain essential tools to encourage midshipmen to seek short- and long-term care. The Sexual Assault Prevention and Response (SAPR) Office and Commandant continue to receive feedback from midshipmen that the Leave of Absence program represents an improvement to the USNA reporting process. SARCs, VAs, and the chain of command coordinate when making critical decisions about issues and potential accountability for misconduct associated with an incident.

USAFA encouraged greater reporting of sexual assault by publishing the Safe-to-Report policy in response to concerns of punishment for collateral misconduct. USAFA hired new SAPR staff and increased efforts to perform outreach per Air Force Policy to increase confidence in the program, and subsequently in reporting sexual assault. In addition, USAFA implemented the LiveSafe mobile application in APY 18-19. While this has been branded as a safety app, it includes a SAPR anonymous reporting feature that confidentially directs victims to SAPR personnel who provide reporting options. USAFA SAPR will continue assessing outreach efforts on campus, including the Washroom Wisdom program, to increase cadet and personnel familiarity with the staff and program resources.

### **Barriers to Greater Sexual Assault Reporting Endure**

This year's focus group feedback found that participants noted some helpful changes at each academy. However, the Department found little evidence of change in long-standing attitudes that deter reporting and help-seeking. Sexual assault reporting in the civilian sector and at the academies continues to be hindered by persistent student concerns, most notably the fear that reporting will negatively impact their academic and professional careers. They also endorsed perceived social consequences and concerns of being ostracized or damaging their reputation as barriers to reporting.

Participants had negative impressions about those they perceive to be making false reports, and the reporting process in general. Male and female cadets and midshipmen perceive the impact of false reporting differently: men fear being falsely accused and punished without the chance to defend themselves, while women noted many peers are quick to assume the victim is lying. The reporting process in general poses a barrier to cadets and midshipmen

who indicated that it takes too long, rarely concludes in the victim's favor, and forces survivors to re-experience trauma. Focus group findings show that some students either fail to recognize or are unwilling to recognize behaviors as misconduct, or as risk factors for sexual assault. Additional analysis of the 2019 SAGR Focus Groups findings are enclosed in Appendix G.

## Victim Assistance and Other Resources

### Top Line Observations

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#### **The Academies' Sexual Assault Prevention and Response Programs are in Compliance with Department and Service Policy**

This year, the Military Departments oversaw program compliance inspections of the academy SAPR programs that provide assistance to victimized cadets and midshipmen. The Services found only minor administrative and procedural discrepancies, which have since been addressed and resolved. All three MSAs are in compliance with sexual assault, sexual harassment, and military equal opportunity policy. Academy-specific compliance reports are enclosed in Appendices A, B, and C.

#### **Academy SAPR and SHARP Offices are Underutilized by Cadets and Midshipmen**

Focus group participants provided mixed feedback about victim assistance staff and offices. Students acknowledged many of the positive changes to encourage greater confidence in the staff and to reduce concerns about reporting (e.g., mitigating concerns about punishment for collateral misconduct). However, they also indicated that cadets and midshipmen are unlikely to go to SAPR or SHARP offices if they experience sexual assault because of their lack of familiarity with staff. Academy students likened telling a SARC about their experiences to confiding in a stranger. This feedback is similar to 2019 CCS findings, which indicated that civilian victims often do not think office resources can help them following a sexual assault.

In addition, while some cadets and midshipmen were unaware of SAPR and SHARP resources, others feared the lack of confidentiality when using program resources. Some participants noted that the conspicuous placement of the SAPR and SHARP offices deterred cadets and midshipmen from accessing victim assistance. Overall, participants indicated that they preferred to first speak with their peers or military cadre and civilian faculty and staff with whom they have an established rapport, rather than seeking assistance from the SAPR or SHARP office for resources. Participants advised that students are not likely to use these resources when contemplating making a report but would likely go to the SAPR or SHARP office once they have made the decision to report. In sum, efforts to make victim assistance more accessible may benefit from additional programs to prepare other trusted members within the academy environment to refer cadets and midshipmen to sexual assault resources.

## Efforts to Reduce and Stop Sexual Assault

### Prevention Framework

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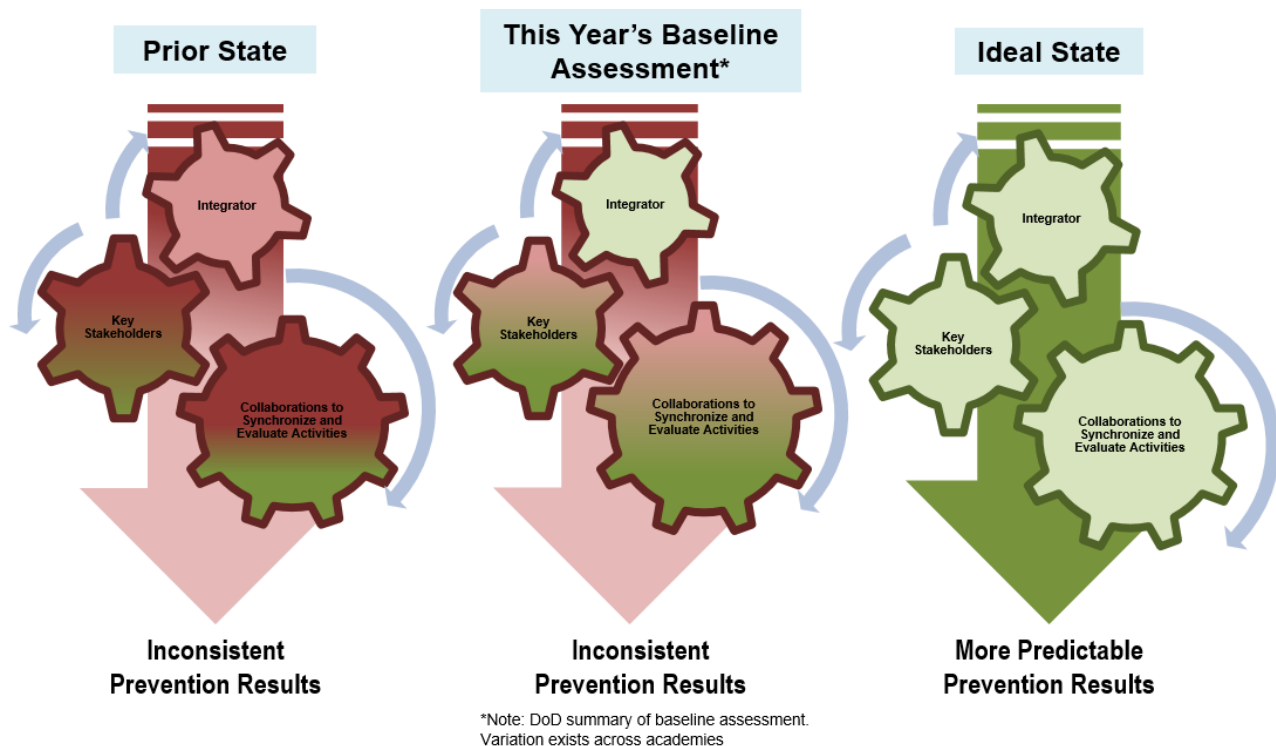
Estimated rates of unwanted sexual contact (penetrating and contact sexual crimes) at the MSAs increased in 2018, compared to rates measured in 2014 and 2016. Recent research

suggests that the increase appears to reflect upward trends in sexual assault victimization at colleges and universities, and in the U.S. as a whole.<sup>11,12</sup> Despite this apparent national upward trend in sexual assault, the Department holds itself, and the academies, to a higher standard of behavior. Sexual assault has no place in the U.S. military.

To this end, the Department issued the Prevention Plan of Action (PPoA) in April 2019 to help drive demonstrable, measurable, and sustainable reductions in sexual assault in the military. The Plan outlines the prevention process and system elements that comprise the Department’s framework for sexual assault prevention and related oversight.

System elements that facilitate and accelerate efforts to reduce and stop assault include an integrator, stakeholders and collaborations. An “integrator” is a dedicated individual or team who ensures activities are integrated across stakeholders and data are collected and shared for planning and assessing impact. Stakeholders are leadership, policy and program leads, data and evaluation analysts, faculty, staff, and student leadership. These stakeholders are not only engaged and actively collaborating, but also equipped and empowered to select, implement, and evaluate prevention activities that meet the unique needs of each academy. Collaborations are forums that synchronize and evaluate cross-cutting prevention activities. Research indicates that without synchronized activities across all system elements, interventions will not fully infiltrate the culture and long-term change is difficult to sustain. Graphics of the prior, baseline assessment, and ideal states of prevention at the academies are below.

**Exhibit 5. Prior, Baseline Assessment, and Ideal States of Prevention Activity at the Academies**



<sup>11</sup> David Cantor et al., *Report on the AAU Campus Climate Survey on Sexual Assault and Misconduct* (Rockville: Westat, 2019).

<sup>12</sup> Rachel E. Morgan, and Barbara A. Oudeker, *Criminal Victimization, 2018* (U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2019).

Green shading indicates positions that are currently staffed and in place, while red denotes those not yet staffed and/or properly empowered. The outline of the gear indicates the level of training and skill of staff in place, with red showing not yet fully trained personnel to implement prevention efforts.

## Top Line Observations

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### Assessment: The Academies are in an Early Phase of Prevention Capability Development

While supporting alleged victims and holding alleged offenders appropriately accountable are enduring efforts for the Department, sexual assault prevention must receive equal, if not greater, emphasis if reductions in victimization are to occur. To assess the academies' prevention programming, the DoD Sexual Assault Prevention and Response Office (SAPRO) developed and validated a set of best practice prevention criteria, operationalizing each element of the PPOA. DoD SAPRO employed this framework to develop metrics to conduct a baseline assessment of MSA prevention capabilities this past summer and will use the framework to monitor and evaluate progress moving forward. The Department collected and validated data for these baseline analyses before, during, and after on-site engagements. It then assessed the alignment of the academies' prevention efforts with the prevention best practices in the evaluation criteria.

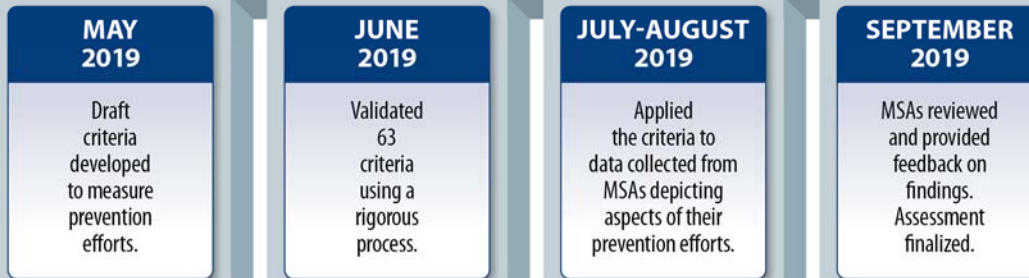
This year's baseline assessment found that although a tremendous amount of momentum exists around using innovative practices and visible senior leadership engagement in preventing sexual assault on campus and in national discussions, the academies are overall in an early phase of prevention capability. Academy efforts have yet to produce cohesive, comprehensive prevention approaches that consider and integrate key contributing factors, such as alcohol misuse and sexual harassment, limited resources, a lack of consistent training for individuals performing prevention roles, and siloed efforts among prevention staff. Although flagship programs were partially or substantially aligned with best practices, the majority of activities had undetermined effectiveness. The findings help explain why Academy efforts have had little impact on the estimated prevalence of sexual assault. Academy-specific findings gleaned from the Department's baseline assessment are presented below. For more information on the baseline assessment process, see Exhibit 6.

**Exhibit 6. Baseline Prevention Assessment of the Academies**

## 2019 Baseline Assessment of Military Service Academies' Prevention Efforts

**The Department developed a framework to establish a baseline assessment of the Military Service Academies' (MSA) prevention capability.**

Research indicates that without synchronized activities across all system elements, interventions will not fully infiltrate the culture and long-term change will be difficult to sustain.

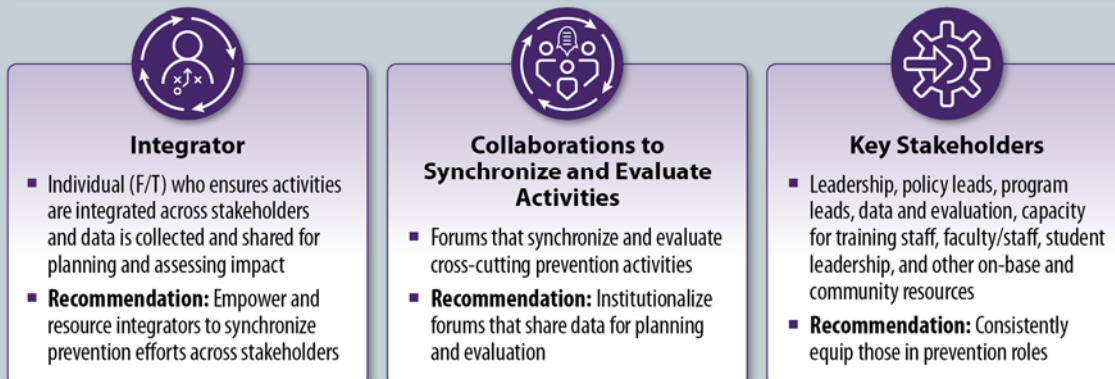


*These activities helped the Department establish a baseline assessment of each MSA's prevention capability.*

### KEY FINDINGS



### SYSTEM ELEMENTS THAT FACILITATE AND ACCELERATE EFFORTS TO STOP AND REDUCE ASSAULT:



*In 2020, MSAs will conduct self-assessments using the same criteria to determine progress.*

## **Despite Notable Strengths, Similar Limitations Hinder the Impact of Prevention Efforts at Each Academy**

### ***USMA Baseline Prevention Assessment***

The Department's baseline assessment of prevention activities at USMA found several strengths. USMA leaders are visibly engaged in prevention efforts, and they have fostered collaborative relationships on campus through the establishment of the cross-cutting "Tiger Team." USMA uses data to inform its decision-making processes. They utilize EverFi surveys to identify needs and track activity progress. USMA has plans to develop a more systematic, integrated campaign to address key protective and risk factors of sexual assault, including alcohol misuse.

Despite these strengths, several limitations impact the efficacy, implementation, and sustainability of USMA's prevention efforts. USMA lacks a full-time prevention workforce and formalized training, both initial and iterative sessions, in prevention best practices for individuals performing prevention roles. Limited time, money, and manpower to develop, implement, and evaluate evidence-based prevention also hinders the effectiveness of efforts. Although USMA has made strides with the establishment of its Tiger Team, the collaboration of this group with other prevention personnel is unclear and its existence is time-limited. A comprehensive prevention plan targeting multiple risk and protective factors across levels of the social-ecology, including evidence-based practices, is needed.

### ***USNA Baseline Prevention Assessment***

The structure of prevention programs conducted at USNA is a strength of their program. For over a decade, USNA has conducted Sexual Harassment and Assault Prevention Education (SHAPE), a multi-year education program aligned with the four-year leadership curriculum. SHAPE is a well-established, multicomponent prevention program that is resourced and supported by USNA senior leadership. In addition, the Department found evidence of collaborative relationships among staff and leaders.

USNA has a limited, full-time prevention workforce. These individuals do not receive formalized initial and ongoing training in prevention best practices. There are limited formal mechanisms for consistently monitoring implementation, message oversaturation, and outcomes across prevention activities. Although SHAPE provides a potential structure to execute a comprehensive approach, it has not been evaluated for effectiveness. Given this, the sufficiency of SHAPE to prevent sexual assault and its risk and protective factors is undetermined. Without a systematic prevention plan, the efficacy, implementation, and sustainability of USNA's prevention efforts may be hindered. Evaluating the effectiveness of SHAPE for the prevention of sexual assault, sexual harassment, and alcohol misuse is needed to determine what elements should be maintained, adjusted, or discontinued.

### ***USAFA Baseline Prevention Assessment***

The Department found that USAFA employs multiple capable prevention staff across the academy. These personnel are using programs that have demonstrated reductions in sexual assault at the academy or in other settings. USAFA's Cadet Health Personal Skills training was studied in a randomized control trial and found to have positive effects. USAFA is planning on implementing the Enhanced Access, Acknowledge, Act Sexual Assault Resistance program, which has been shown to decrease sexual assault victimization as well, and an adaptation of

the Air Force's Green Dot program. Senior leadership are committed to holistic, evidence-based prevention and evaluation activities, and open to receiving direct feedback from cadets.

Despite these strengths, gaps in the USAFA system remain. The Department found limited formal mechanisms to consistently monitor program implementation, message oversaturation, and outcomes across activities at USAFA. Although a well-staffed prevention workforce exists, there is a lack of coordination and effective integration among multiple prevention-related groups, resulting in potentially duplicative and disconnected efforts. Lastly, the Department found that the Commander's intent may not be consistently understood or applied across all levels of leadership.

### **Student Tolerance of Sexually Harassing Behavior and Alcohol Misuse Complicate Sexual Assault Prevention**

Feedback from the *2019 SAGR Focus Groups* found that most participants could identify situations and techniques for bystander intervention of sexual assault. Most MSAs have employed this approach as a primary focus in preventive efforts.

However, other feedback revealed little impact to themes that have persisted for many years, including an underlying culture tolerant of sexually harassing behavior and alcohol misuse, which are risk factors for sexual assault. Female cadets and midshipmen expressed the perceived need to adapt to social norms to fit in with the "boy's club." They noted a number of behaviors embedded in the "bro" culture, including sexual jokes, making sexual comments, gestures, or advances, and unwanted touching that they tolerate to be socially accepted. Participants indicated many of these unwanted, sexually harassing behaviors are not perceived to be explicitly offensive that would otherwise motivate intervention by other students.

Participants expressed varied opinions of their leaders, noting a general lack of faith in cadet and midshipmen peer leadership. They indicated peer leaders do not match their personal behavior to the messages they give about sexual assault and sexual harassment, sometimes even contributing to the rumor mill surrounding sexual assault cases. Participants acknowledged the great potential that Tactical Officers (USMA), Company Officers (USNA), and Air Officers Commanding (USAFA) have to both positively and negatively impact culture and climate within their units. However, participants said the quality of officers' leadership on sexual assault and sexual harassment matters varied considerably, ranging from proactively leading by example to being noticeably uninvolved. They described a lack of consistency by officer unit leaders on gender relations as well, as some demonstrate healthy, proactive approaches, and others handle issues regarding assault and harassment poorly. Across all academies, cadets and midshipmen participants recognized that senior-most leaders, such as superintendents and commandants, actively prioritize efforts to address sexual assault and sexual harassment.

These responses show that mitigating alcohol use remains a persistent challenge for the MSAs. Participants described irresponsible alcohol use by students. They described alcohol use as a glorified part of the academy culture, with frequent overindulgence and engagement in binge-drinking, particularly on weekends. According to participants, cadets and midshipmen view alcohol as an acceptable coping and stress reduction strategy that is endorsed by military culture. Participants said that training at the MSAs excels in messaging centered on helping someone in need. However, these trainings could be made more effective, realistic and tailored to academy life. Participants believed that most cadets and midshipmen view training on responsible alcohol use as "punishment" administered reactively to an alcohol incident.



# Way Forward

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Sexual assault and sexual harassment remain persistent challenges, especially in the academy environment. Despite the academies' many attempts to prevent sexual assault, an underlying culture tolerant of sexually harassing behavior and alcohol misuse remains.

Over the last decade, the Department has made progress combatting sexual assault, but has seen increases in the last few years in both the active duty and at the academies. Recent data on national trends, including in colleges and universities, show similar increases since 2015, highlighting this shared challenge. The Department continues to address sexual assault holistically by focusing on prevention and leaders at all levels, addressing problematic culture, and promoting reporting options including confidential venues. This year's report was an assessment of our programs and policies, and highlights areas of continued concern.

Sexual harassment persists, and findings illustrate that student leaders should continue to be the cornerstone of our efforts. To address challenges with student culture, the academies must prepare staff and peer leaders to better assess and address problems within academy climates. The academies and Department will work together to pilot climate assessments, with the intent to provide cadet and midshipmen leaders the opportunity for greater responsibility and accountability for improving academy climate.

Reporting barriers also continue to exist, including student "norms" developed and promulgated via the rumor mill and informal communications, that undermine the academies' efforts to increase reporting. To motivate greater sexual assault reporting, the academies must counter narratives and behavior that impede cadets and midshipmen from greater reporting and help seeking. In this effort, they will identify key student influencers to help counter narratives that deter reporting and bystander intervention. The academies will also publicize confidentiality when implementing their plans for the CATCH Program.

Cadets and midshipmen tell the Department that they are most likely to reach to resources they know and trust, which deters them from immediately seeking academy services such as SAPR offices and counseling centers. To promote greater help seeking and victim assistance, the academies will prepare peer helping groups to ensure cadets and midshipmen have an accurate understanding of available services and the benefits they provide. Each academy has a cadre of cadets or midshipmen that it uses to inform and refer students experiencing problems to helping resources. While applying appropriate supervision, the academies should provide such groups with sufficient resources and training to help dispel concerns and facilitate greater contact with all forms of assistance.

The Department has focused greater attention on prevention of the crime. It leveraged partnerships with experts to develop and apply a prevention framework at each academy to ensure our interventions have the greatest chance for success. The academies will employ the Department's feedback to inform a manpower analysis to determine appropriate academy staffing, resourcing, and alignment of the full spectrum of prevention efforts. The academies are critical points of accession from which we draw future leaders – we must get this right.