




U.S. Coast Guard Briefing to DACOWITS RFI #5 December 2023


Presented by:
Office of Diversity & Inclusion
DCMS-DPR-4
USCG




5. a. Copies of or links to all published regulations, policies, and other instructions or guidance addressing the matter of domestic and intimate/dating partner abuse and outlining the range of response and care resources, procedures, and protection measures.

- FAMILY ADVOCACY PROGRAM (FAP), COMMANDANT INSTRUCTION 1752.1 (series).
- TRANSITIONAL COMPENSATION AND OTHER BENEFITS FOR ABUSED DEPENDENTS, COMMANDANT INSTRUCTION 1754.16A (series).





5. b. Provide DoD and Service policy definitions of domestic abuse/violence and whether those inflicting such abuse or violence including persons other than spouses, such as intimate or dating partners.



- **Domestic Abuse (DA).** A pattern of behavior resulting in emotional or psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person who is: (1) a current or former spouse; (2) a person with whom the abuser shares a child in common; or (3) a current or former intimate partner (IP). (32 CFR § 61.27)
- **Domestic Violence (DV).** An offense under the United States Code, the Uniform Code of Military Justice, or state law involving the use, attempted use, or threatened use of force or violence against a person, or the violation of a lawful order issued for the protection of a person, who is: (1) a current or former spouse; (2) a person with whom the abuser shares a child in common; (3) a current or former IP with whom the abuser shares or has shared a common domicile. This may include offenses as defined in Section 928b of Title 10, U.S.C. With respect to eligibility for legal assistance, alleged domestic violence offense is defined in Section 1044 of Title 10, U.S.C. (See Section 548 of PL 116-92). (per 32 CFR § 61.27, COMDTINST 1752.1)

5. c. Identify policy, reporting, or other changes or updates to policies made in the last four years (FY20-FY23) related to reporting, data collection, resources available to abuse victims and coordination with civilian authorities.

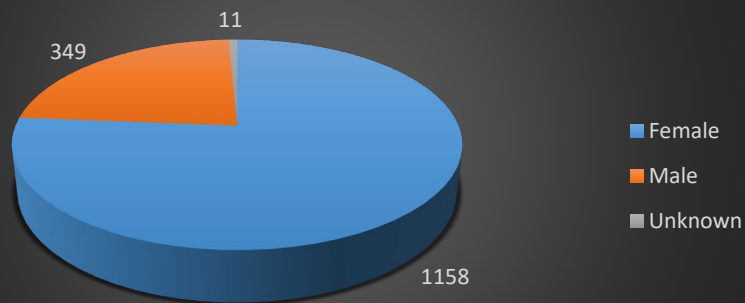
- **DOD Case Management System.** Inter-Agency Agreement between Coast Guard and Defense Health Agency to enhance FAP data collection and case management records.
- **Special Victims Counsel Program (SVC), COMMADANT INSTRUCTION 5801.5A.** The SVC Pilot Program was designed to provide SVC services to FAP DA victims, with an exception to policy, and to collect data to initiate a change in CG policy.
- **Legal Assistance Program, COMMANDANT INSTRUCTION 5801.4G** is in the approval process and this instruction explicitly addresses victim assistance.
 - Legal Assistance attorneys are trained in providing legal assistances to victims of DA/DV and are given priority appointments and referrals to Special Victims Counsel (SVC), if applicable.
- **Under the Expanded Legal Assistance Program (ELAP)** attorneys can provide DV victims with in-court representation if approved by the Command Director.
- **Family Advocacy Specialists and Legal Assistance Attorneys** are encouraged to foster community relationships to identify resources designed to support victims of abuse.



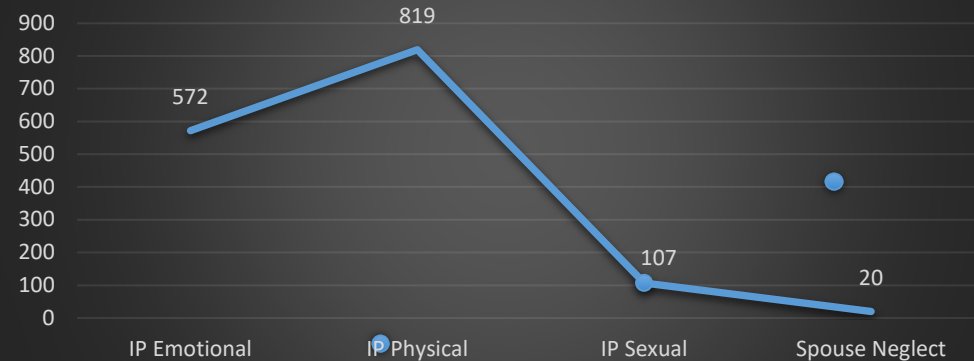


5. d. Provide data/metrics collected regarding the number of domestic and intimate partner abuse incidents reported or otherwise known to authorities for FY12-FY22 and include a breakout of whether the incidents involved spouses or intimate/dating partners, as well as the genders of the abusers and victims. If available, provide a breakdown of the total number by type of domestic and intimate partner abuse incidents (e.g., physical, emotional, sexual). However, do not include data for child abuse or neglect incidents.

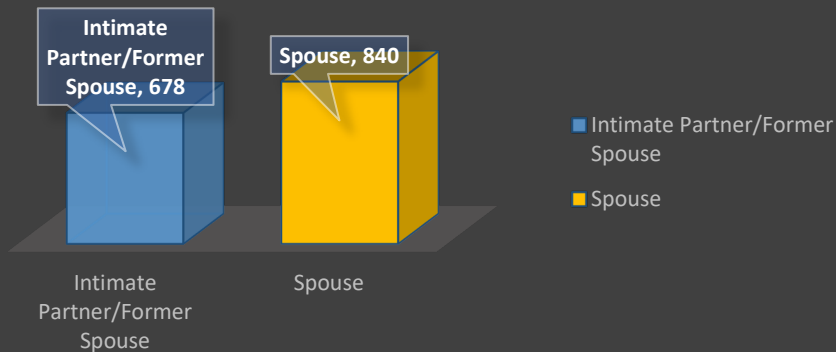
FY12-FY22 Victims by Gender



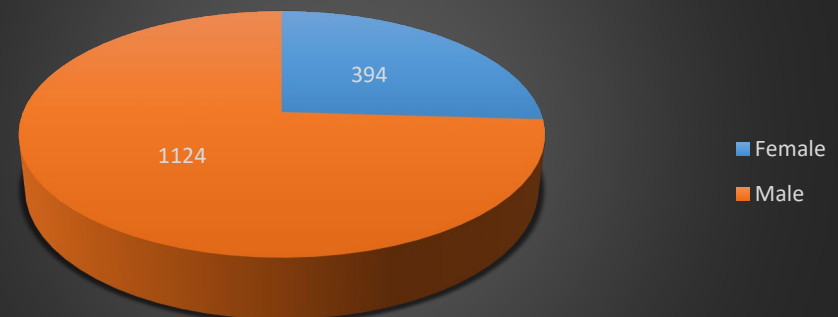
Count by Allegation Type



VICTIMS RELATIONSHIP TO OFFENDER



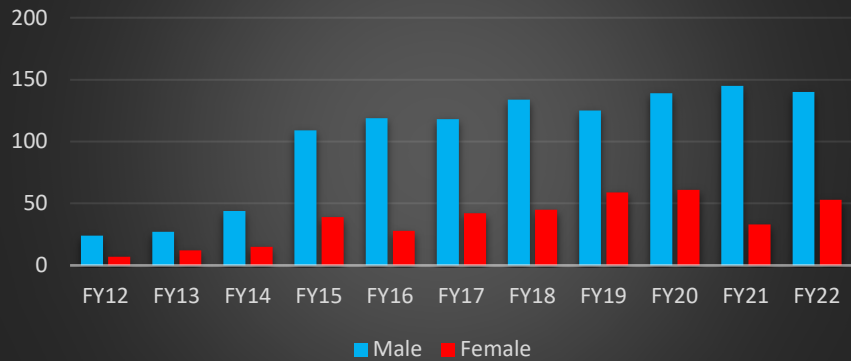
FY12-FY22 Offenders by Gender



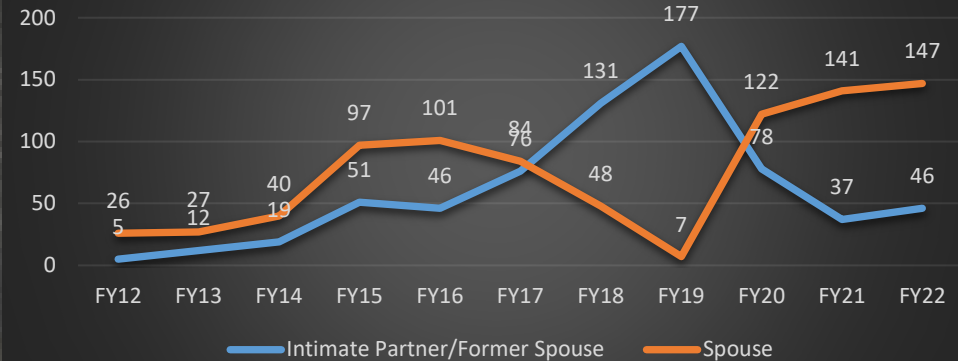


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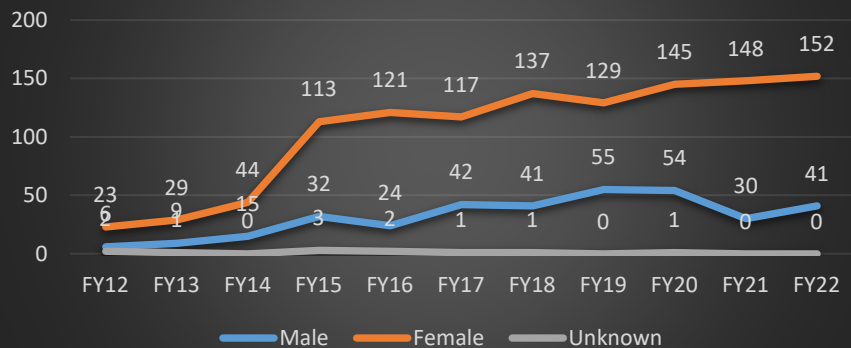
Gender of Offender



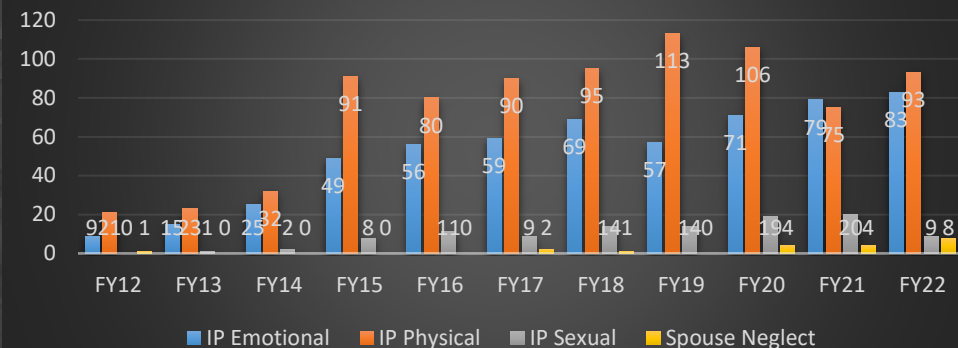
Offenders Relationship to Victim



Victim by Gender



Type of Allegation





5. e. Are military authorities required to notify civilian authorities when a military protection order (MPO) is issued?



Under 10 U.S.C. 1567a, the commander of the unit to which the member is assigned shall notify civilian authorities within 7 days of the issuance of the order. The law also requires notification to civilian authorities when the MPO is changed or terminated. In the event of a transfer, this same section requires the receiving commander to notify civilian authorities. By policy, the Coast Guard also enters MPOs into the National Criminal Information Center (NCIC) restraining order file.



5. f. What are the criteria for issuance of an MPO and who has the authority to issue such an order? What is the governing regulation and link thereto?

Coast Guard commanders consider several factors when determining whether to issue an MPO including but not limited to:

- a. Evidence of the need for protection.
- b. Is a Civilian Protective Order in place and if so, for how long.
- c. Changed circumstances since the issuance of the No Contact Order or since the issuance of the last MPO.
- d. Recommendations of the SAPR CIT, FAP IDC, or Workplace Violence CIT (if applicable).
- e. The recommendations of the SARC, FAS, HSWL Supervisor, SVC, CGIS case agent, and SAPR VA (as applicable).
- f. The desires of the protected person(s).



5. f. Criteria for issuance of an MPO (continued) and the governing regulation and link thereto?

- g. Has the protected person received an expedited transfer.
- h. Has the subject of the MPO been moved, via temporary or permanent change of station orders, and if so, how far from the protected person is the subject of the order, or, is the subject of the order in pre-trial confinement or subject to some other form of pre-trial restraint.
- i. Has the subject of the No Contact Order, or MPO, complied with the order, or is there any indication of non-compliance.
- j. Is there any impact on the subject or protected person(s) unit(s) or the execution of any Coast Guard missions.
- k. Does the MPO impact child custody, visitation, access to personal belongings, or other personal matters that impact the subject of the order or the protected person(s).

Guidance is contained in Chapter 5 of the Discipline and Conduct Manual, COMDTINST 1600.2. The guidance can be found at: [DISCIPLINE AND CONDUCT, COMDTINST M1600.2 \(sharepoint-mil.us\)](#)

5. g. How many MPOs have been issued in the last 10 years to safeguard servicewomen?

LMJ does not currently have this information. Previous attempts at compiling these records proved unreliable. It would take LMJ several months to consult each legal office and require the submission of actual MPOs/NCOs to ensure reliability and minimize double counting.



5. h. What efforts are being undertaken to ensure no dangerous weapons are in a household where both the abuser and victim reside?

For members who live in housing located outside military jurisdiction, the Coast Guard typically relies on the consent of the parties to turn over any dangerous weapons. For members that live on military bases, service regulations governing the possession of weapons in the home vary between bases. To the extent military authorities desire to conduct a search of a premises, they would have the authority to do so as either an administrative inspection, a consent search, or pursuant to search warrant depending on the facts.



5. i. Identify policies in place and resources available which provide immediate assistance and safe housing for military abuse victims.

- FAMILY ADVOCACY PROGRAM, COMDTINST 1752.1. USCG policies and procedures are designed to ensure the safety of DA victims.
- CG FAP, CG Investigative Service and the Command Center ensures a 24-hour emergency response.
- Command may issue a Military Protective Order or a No Contact Order to SMs, as needed.
- SM victims may be housed on base, in the barracks, a duty watch stander room, sent TDY or request an expedited transfer, if eligible, to ensure safety.
- Dual military situations: The offender is removed from the quarters and housed on base, in a duty watch room or another location until risk and safety is assessed and ensured.
- CGMA Safe Harbor Program provides victims essential funds to prevent privation by offering a combination of grants and interest-free loans as needed for shelter, food, transportation, and childcare costs while enrolling in the Transitional Compensation Program.
- Community DV Shelters
- The National Domestic Violence Hotline provides information regarding shelters, housing, counseling, job training, and legal assistance. at Domestic Violence Support | National Domestic Violence Hotline (thehotline.org)





Referenced Links

1. Family Advocacy Program:
 - [FAMILY ADVOCACY PROGRAM \(FAP\), COMDTINST 1752.1 \(defense.gov\)](#)
2. Transitional Compensation and Other Benefits for Abused Dependents:
 - [TRANSITIONAL COMPENSATION AND OTHER BENEFITS FOR ABUSED DEPENDENTS, COMDTINST 1754.16B \(defense.gov\)](#)