



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR (600A)

MEMORANDUM FOR Chairman, Defense Advisory Committee on Women in the Services (DACOWITS), ATTN: DACOWITS Members, Washington, DC 20310-0111

SUBJECT: Army Written Responses to DACOWITS's Requests for Information March 2024 RFI 5

1. The Committee requests a written response from the Army on the following:

a. Provide copies of the annual fatality reports required by DoDI 6400.06 from FY12-FY22. Provide information (from FY12-FY22) on what action was taken, and the result, against those abusers believed to be criminally responsible for a victim's death? How many fatalities were of undetermined cause?

Response: FY22 fatality cases are still under review and will be presented and decided upon at the next Annual Army Fatality Review Board, which will convene in June 2024. Approximately 111 fatalities are currently in review. FAP is not involved in the punitive process and cannot provide information on what actions were taken against those abusers believed to be criminally responsible for a victim's death. Copies of the Annual Fatality Reports are labeled Controlled Unclassified Information (CUI) and not releasable to the public.

Total number of fatalities by fiscal year that met criteria for DV/ CAN for inclusion into the annual fatality reports for FY12-FY21.			
Fiscal Year	Adult Fatalities	Child Fatalities	Total Fatalities
FY12	54	27	81
FY13	40	32	72
FY14	52	29	81
FY15	48	20	68
FY16	36	15	51
FY17	16	11	27
FY18	25	14	39
FY19	19	10	29
FY20	36	28	64
FY21	29	13	42

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Total number of fatalities which were ruled as an undetermined cause for FY12-FY21.		
Fiscal Year	Undetermined Adult Fatalities	Undetermined Child Fatalities
FY12	0	16
FY13	0	19
FY14	1	10
FY15	1	12
FY16	0	3
FY17	0	7
FY18	0	3
FY19	0	3
FY20	0	11
FY21	0	6

b. Provide data regarding participation in the CATCH program outlined in DoDI 6400.06. How long has that program been in effect and how many alleged serial offenders involved in IPV/DA have been identified/entered into the system since inception of that program?

Response: Section 543, NDAA FY15 required SECDEF to develop a plan to allow victims filing a restricted report of sexual assault to disclose suspect or incident information to Military Criminal Investigative Organizations (MCIOs) to identify suspects alleged to perpetrate multiple sexual assaults. On December 15, 2021, DoDI 6400.06 expanded CATCH access to victims who file a restricted report of sexual abuse with FAP. The CATCH Program allows eligible victims filing a restricted report of sexual abuse involving a spouse or intimate partner to submit alleged abuser or incident details into the CATCH website for the purpose of identifying individuals suspected of perpetrating multiple sexual assaults. Participation in the CATCH Program is voluntary and the victim may decline to participate in the CATCH Program at any stage, even after being informed that there was a potential “match” to another entry in the CATCH system or to a law enforcement case. There shall be no adverse consequences for the victim, if the victim does not agree to participate or if a victim opts out of the CATCH Program after being contacted with information of a potential “match.”

Since the rollout of CATCH for FAP in January 2023, there have been a total of 22 requests for CATCH passwords across the services. Army FAP has received two of those 22 requests. A total of nine CATCH entries has been submitted. Army FAP has received one of those nine entries.

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Army FAP is diligently working to spread awareness of the CATCH program at multiple levels, including increased socialization efforts at the Army Headquarters level, multiple briefings at the Family Advocacy Staff Training Course and other courses for FAP personnel, housing CATCH marketing materials in a centralized location, and continuous queries to the field of barriers associated with socializing the CATCH program.

c. Have you conducted any surveys addressing the topic/soliciting information about the incidence of IPA/DA? If so, provide dates and findings of those surveys.

Response: While no surveys have been conducted, the Office of the Provost Marshal General (OPMG) uses data obtained from the Army Law Enforcement Reporting and Tracking System (ALERTS) to analyze trends of Domestic Violence (DV) and assess the severity levels of reported DV cases. OPMG also analyzes completion rates of DA Form 4833 (Commander's Report of Disciplinary or Administrative Action), which outlines actions taken by commanders to hold individuals accountable.

d. Provide the number of restricted reports received in the years FY12 through FY22, in the same format and with all the same categories reported for unrestricted reports in the December 2023 QBM meeting. If you do not have all that data available, provide as complete a report as possible and identify where you lack specific data fields. At minimum, local installation FAPs should have these numbers even though DoD collects only unrestricted report data. If your Service does not have a complete data set of restricted reports, explain why that data is not collected and what efforts may be underway to collect and analyze it.

Response: Army FAP is unable to provide a comprehensive response on the number of restricted reports from FY12-FY22 by spouse or intimate partner victim by gender, spouse or intimate partner abuser by gender, or spouse or intimate partner abuse type, as this level of detail is not reported for restricted reports.

Army FAP is bifurcated into two programs that seek to identify abuse as early as possible and provide treatment for affected family members: FAP prevention and education via the Installation Management Command (IMCOM) and FAP treatment via the Army's Medical Command (MEDCOM). As such, restricted reporting data is captured and maintained in two separate systems, creating barriers to the accurate collection of and data-sharing between the two programs.

Army FAP recognizes challenges with internal reporting systems and that the accurate collection of domestic abuse and child abuse-related data is crucial to helping the Army prevent and respond to incidents of abuse. Army FAP is dedicated to creating one centralized data collection system that allows FAP leaders to analyze the data,

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measure the effectiveness of the Family Advocacy Program, and improve service delivery and program outcomes.

Restricted report incident count. FY12-FY14 is MEDCOM data only. FY15-FY22 is includes MEDCOM and IMCOM data	
Fiscal Year	Total
FY12	205
FY13	159
FY14	209
FY15	1,674
FY16	1,830
FY17	1,596
FY18	1,407
FY19	1,501
FY20	1,256
FY21	1,267
FY22	1,650

FY12-22 Restricted Report by Allegation (MEDCOM Data Only)						
	Emotional	Neglect	Physical	Sexual	Other	TOTAL
FY12	78	0	138	16	0	232
FY13	71	2	104	4	0	181
FY14	103	1	110	10	2	226
FY15	103	1	129	12	2	247
FY16	90	2	138	17	0	247
FY17	142	0	150	23	0	315
FY18	116	0	120	30	0	266
FY19	130	1	122	12	0	265
FY20	123	0	84	18	0	225
FY21	125	1	109	29	0	264
FY22	173	2	99	28	1	303

e. Is information regarding restricted reports, types of allegations involved, and the assessed threat level reported to the installation Incident Determination Committee (IDC) (or other group-define) and relevant command authorities (recognizing identifying

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information is confidential) to assure awareness and enhance outreach/training/other community prevention efforts?

Response: The Incident Determination Committee (IDC) is conducted in accordance with established policies and guidelines. The IDC uses established criteria known as the decision tree algorithm to determine whether the reports meet the criteria for entry into the Service FAP central registry of child abuse and domestic abuse incidents. DODM 6400.01 v3, AD 2021-21, AR 608-18, and OPORD 22-019. Restricted reports are not staffed at the IDC or other installation meetings. They are staffed at the Clinical Case Staffing Meeting (CCSM) if the victim is receiving treatment services in FAP. The Installation FAP Manager is part of the CCSM and is responsible for enhanced community outreach and prevention efforts.

f. How many nonjudicial punishment or court-martial actions have been taken against military Service members for:

i. Violations of UCMJ Article 128B or its previously equivalent predecessor articles for domestic or IPV violence from FY12-FY22; and

ii. MPO or CPO violations from FY12-FY22?

Response: See Enclosure 1 to RFI 5

g. How many reported abuse/violence incidents have resulted in an imminent danger assessment from FY12-FY22 (as defined in DoDI 6400.06)? Identify by gender the abuser and victim, category of abuse/violence, and whether incident involves intimate partners or spouses.

Response:

Imminent Danger Incidents of Spouse Victims				
Fiscal Year	Female	Male	Unknown	Total
FY12	78	9	0	87
FY13	76	12	0	88
FY14	101	15	0	116
FY15	91	24	0	115
FY16	74	15	0	89

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Imminent Danger Incidents of Spouse Abusers				
Fiscal Year	Female	Male	Unknown	Total
FY 2012	8	79	0	87
FY 2013	12	76	0	88
FY 2014	15	101	0	116
FY 2015	22	93	0	115
FY 2016	16	73	0	89
FY 2017	25	95	0	120
FY 2018	23	74	0	97
FY 2019	20	99	0	119
FY 2020	17	101	0	118
FY 2021	16	51	0	67
FY 2022	10	63	0	73

Imminent Danger Incidents of Intimate Partner Victims				
Fiscal Year	Female	Male	Unknown	Total
FY 2012	7	0	0	7
FY 2013	7	0	0	7
FY 2014	17	0	0	17
FY 2015	9	1	0	10
FY 2016	7	2	0	9
FY 2017	10	0	0	10
FY 2018	8	1	0	9
FY 2019	15	0	0	15
FY 2020	20	2	0	22
FY 2021	4	1	0	5
FY 2022	10	2	0	12

Imminent Danger Incidents of Intimate Partner Abusers				
Fiscal Year	Female	Male	Unknown	Total
FY 2012	0	6	1	7
FY 2013	0	7	0	7
FY 2014	0	17	0	17
FY 2015	1	9	0	10
FY 2016	3	6	0	9
FY 2017	0	10	0	10
FY 2018	1	8	0	9
FY 2019	1	14	0	15
FY 2020	2	20	0	22
FY 2021	1	4	0	5

h. Although the metrics collected represent only unique victims and abusers, do you have data identifying how many abusers are repeat offenders (i.e., are identified as the abuser in more than one incident)? If so, please provide that data for FY12-FY22 or for as many of those years as possible.

Response: For fiscal year data, counts of unique abusers appear in the first year in which re-abuse occurred regardless of the number of subsequent met criteria incidents of domestic abuse in which an abuser was involved. This method ensures that re-abusers are counted only once. From FY12-FY22, there were a total of 33,831 unique abusers involved in met criteria incidents of domestic abuse. Among those 33,831 unique abusers, 3,489 were involved in a subsequent met criteria incident of domestic abuse during that same time period. Re-abuse is defined as a subsequent met criteria incident that was reported after 7 or more days.

Service	Number of Unique Domestic Abuse Abusers by Fiscal Year of Re-Abuse										
	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Army	251	361	384	371	360	344	174	269	276	324	375

i. What is your Service’s progress on implementing a coordinated community response process IAW DoDI 6400.06? Outline the process, agencies involved, and their

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respective responsibilities. How often does the group meet and do they undertake analysis of incidents to identify trends, repeat offenders, or other important indicators? Are commanders tasked, and how, to identify actions taken to hold abusers accountable via administrative or disciplinary action when circumstances warrant such actions?

Response: The Army uses a CCR approach to respond to incident of abuse, ensuring a comprehensive, collaborative, and victim-centered response which includes prevention, education, and response/recovery components. The CCR includes collaboration between military and civilian agencies according to their specialty and convenes as established by installation policies and procedures. Civilian agencies include:

- (1) child welfare services
- (2) child advocacy centers
- (3) civilian medical facilities
- (4) juvenile justice centers
- (5) civilian law enforcement agencies
- (6) local shelters and emergency food banks

The Commander's role in DV and CAN incidents:

- (1) Collaborate with FAP staff to understand and monitor risk and support safety planning actions.
- (2) Issue a Military Protective Order (MPO) when warranted
- (3) Coordinate safe housing options; the preference is to move the alleged abuser rather than the Victim/children.
- (4) Support safety plans for all victims including expeditiously processing victim requests for expedited transfers and safety moves [under JTR (Chapter 5, Part B, Section C)]
- (5) Advise victims to seek assistance from FAP, Domestic Abuse Victim Advocate, Special Victims Counsel (SVC), Victim Witness Liaison (VWL), Transitional Compensation (TC), and other resources, as appropriate.
- (6) Attend Incident Determination Committee (IDC) for incidents involving Soldiers within assigned Unit.
- (7) Rear detachment commanders must inform deployed commanders of family problems occurring at the home station before Soldiers return home in order to establish a safety plan.
- (8) Hold alleged military offenders accountable for their conduct through appropriate disposition under the Uniform Code of Military Justice (UCMJ) and/or administrative regulations, as appropriate.
- (9) Request or order the Soldier, as appropriate and after a consult with the appropriate legal servicing office, to secure all personal weapons until the commander in consultation with FAP determines the risk of future incidents is reduced.

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Army Medical Command's (MEDCOM) role is to meet with Commanders and staff treatment recommendations with them after every CCSM. MEDCOM solicits information on actions taken by Commanders, though inconsistently received by FAP clinics.

OPMG participates when the DoD CCR is activated. At the installation level, the Provost Marshal/ Directorate of Emergency Services (PM/DES) are listed members of the installation IDC, who analyzes trends, repeat offenders, and important indicators. The OPMG does not measure the activation or inclusion of PM/DES at installation level IDCs. The OPMG is the proponent for DA Form 4833 (Commander's Report of Disciplinary or Administrative Action), which is the form used to identify actions taken by Commanders to hold abusers accountable.

j. What are the challenges your Service faces in providing adequate victim services access and coverage, particularly at OCONUS and remote locations? For example, what is the personnel staffing situation in regard to the number of DAVAs, clinical providers and special victims counsel? Are you adequately staffed and funded to provide required victim services access and coverage at military installations? What is the situation at your OCONUS and remote installations?

Response: Staffing for clinical and prevention positions continues to be a challenge. Staff shortages create moderate to significant issues at overseas and remote locations. When installations are short-staffed, the priority for clinical victim services becomes emergency response, intakes, risk assessments, and safety planning.

Challenges to staffing positions and retaining talent include high turnover due to competing positions in the field with higher grades, lengthy onboarding processes, domestic abuse victim advocate (DAVA) grades which have not caught up with the responsibilities associated with the position, and lack of opportunities for upward mobility and career progression.

While the CCR is designed to serve as a sustained function that collaborates and supports each component in fulfilling its role in the process of providing coordinated victim support services, often, agencies work in silos. Particularly in OCONUS or remote locations, services are not co-located and are separated by geographical barriers, making it difficult to collaborate in a genuine CCR. When collaborating at its best, the CCR is a highly functional entity. Work continues and sustained collaboration is an ongoing effort. In line with DoD CCR, the Army is making efforts to establish Army CCR governance board.

k. The most recent change to DoDI 6400.06, para 4.1, enables the Military Departments to implement mandatory training at a frequency determined by the Military Services instead of annually. Provide information on the number, types, and titles of

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training your Service conducts, the target audiences for each, the training's frequency, and copies of that training.

Response: Family Advocacy Staff Training (FAST) Course. This course is a mandatory, 40-hour inter-service Department of the Army course, with a distance learning prerequisite, designed for U.S. Army Soldiers and DA Civilians working in a Family Advocacy environment. The course is conducted by the U.S. Army Medical Center of Excellence (MEDCoE) and provides a basic orientation to guide the development of the installation FAP, as well as the management and efficient use of available resources to prevent, identify, investigate, and treat child maltreatment and partner abuse.

Abuse within Relationships and Families: For Leaders. This course is an online Office of Defense (OSD) 101 family advocacy course designed for military leaders and supervisors. The course provides commanding officers and senior enlisted advisors on an overview of their roles as it relates to the Family Advocacy Program and preventing and responding to incidents of child abuse and domestic abuse.

Family Advocacy Program Managers (FAPM) must provide Commanders and Senior leaders a briefing to supplement the Abuse within Relationships and Families: For Leaders course within 45 days of taking command.

Community education program. This program informs the military community of the extent and nature of spouse and child abuse and focuses awareness of Family violence, including how to report it and what services are available. Community education involves making FAP services known, accessible, and attractive to those in the military community who can best use the services to improve their Family functioning. Awareness and Training are presented to groups (Soldiers, Family Members (new parent support program targeting families with children 3 years of age and younger (NPSP- Standard) and parents at moderate to high risk (NPSP-Plus), and personnel who work with children. Trainings and workshops include topics such as:

- (1) Command and troop education
- (2) Community awareness
- (3) Conflict resolution
- (4) Couples communication skills
- (5) Stress management
- (6) Prevention programs and services
- (7) New Parent Support program
- (8) Parent education
- (9) Domestic violence prevention
- (10) Victim Advocate program
- (11) Relationship support
- (12) Safety education

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(13) Respite Care Program

(14) Emergency Placement Care Program (at OCONUS installations)

(15) Reporting procedures

Parents as Teachers Foundational Virtual Training is an evidence-based curriculum used as a component to the FAP's NPSP in-home service delivery approach and is a mandatory requirement for all NPSP home visitors to complete. The curriculum is a collection of professional resources and parent handouts designed specifically for the military community. The training ensures that NPSP primary and secondary prevention services are implemented with excellence and quality, resulting in the enhancement of readiness and overall well-being for military families with young children.

Encl

///Original Signed///

AGNES GEREKEN SCHAEFER

Methodology

1. A Business Objects Query was conducted in the ALERTS data warehouse for all Service Members titled with following offense codes in FY12-22:
 3S1, Violation of a Military Protective Order
 3S2, Violation of a Civilian Protective Order
 5D3A, Violation of a Military Protective Order
 5D3B, Violation of a Civilian Protective Order
 5C2D, Domestic Violence
 9U1, Family Abuse (Domestic) -- Adult (Administrative Code which usually accompanies a primary offense code such as assault or sexual assault).
 2. Coordination was made with IMD to query the historic COPS data (01OCT2011-31MAR2015) for the same offense codes above. Data was received, duplicates were identified and removed, unique cases/subjects were combined with the ALERTS data for further analysis.
 3. DA Form 4833 Commander's Report of Disciplinary or Administrative Action housed in ALERTS/historic COPS were evaluated to determine if nonjudicial or court-martial activity was annotated in conjunction with the above listed offenses per Service Member Subject, per Case.

- How many Nonjudicial punishment or court-martial actions have been taken against military Service members for:**
- i. Violations of UCMJ Article 128B or its previously equivalent predecessor articles for domestic or IPV violence from FY12-FY22; and
 - ii. MPO or CPO violations from FY12-FY22?

	FY12-22 Domestic Abuse/Violence and MPO/CPO Violation Adjudication (Subject Per Case per FY Count)											
	FY12	FY13	FY14	*FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	Total
128b/DV Nonjudicial Action Taken	8	4	6	54	127	178	152	270	275	273	212	1,559
128b/DV Court-Martial Action Taken	6	8	0	90	111	119	153	306	353	323	228	1,697
128b/DV Discharge (if Nonjudicial/Court-Martial Action Taken "No")		1		14	23	73	92	206	288	286	302	1,285
MPO Nonjudicial Action Taken		1	2	13	17	32	44	29	22	35	30	225
MPO Court-Martial Action Taken		2	1	18	11	19	14	22	20	25	40	172
MPO Discharge (Nonjudicial/Court-Martial Action Taken "No")				3	6	11	9	17	18	46	40	150
CPO Nonjudicial Action Taken	5	4	3	3	5	9	8	6	2	4	1	50
CPO Court-Martial Action Taken	33	28	22	34	51	47	20	25	16	23	12	311
CPO Discharge (Nonjudicial/Court-Martial Action Taken "No")			3	2	8	6	1	8	7	3	4	39

**01APR2015, COPS and AC12 migrated to the Army Law Enforcement Reporting and Tracking System (ALERTS). Not all MP Data in COPS were migrated to ALERTS and may have been documented in information report or RDF.*

1. Counts are for Military Service member per DV Offense/MPO-CPO violation, per investigation. Some Service members are listed in multiple cases and may have offenses for both Domestic Violence and MPO/CPO Violations.

2. Article 128b was an amendment to the UCMJ, which took effect on 01 January 2019; this resulted in the implementation of offense code 5C2D for Domestic Violence.

3. Changes in DoDI 6400.06, which took effect 15 December 2021 broadened the definition of Domestic Abuse/Domestic Violence. The change added the following "Person who is or has been in a social relationship of a romantic or intimate nature with the accused and determined to be an intimate partner (as defined in this issuance)." This new definition may have resulted in larger numbers of DV reported after it's implementation.

4. MPOs: Army Directive 2021-26 was updated on 05 May 2021, which further clarified MPO Issuances and Process, to include the requirement to be entered into NCIC. Guidance from OPMG was MPOs were to be added into ALERTS as law enforcement reports by MP/DES and CID.