DACOWITS

DoD Sexual Assault Prevention and Response

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December 11, 2012

Agenda

- Implementation of Joint Strategic Direction
- Military Criminal Investigative Organization
- Assessing Command Climate
- Elevation of Disposition Authority
- SAPR Communications
- Concluding Thoughts

Implementation of JCS Strategic Direction

- Joint Chiefs of Staff published "Strategic Direction to the Joint Force on Sexual Assault Prevention and Response" in May 2012
  - Organizes sexual assault initiatives along five lines of effort
  - Developed by planning team under the guidance of JCS
  - Signed by JCS (32 Stars)
- Strategic Direction must now be translated from JCS "guidance" into DoD-wide "action"
- SAPRO is developing DoD-wide SAPR Strategic Plan
  - Consistent with and aligned to JCS Strategic Direction
  - Includes goals, objectives, milestones, and measures of effectiveness
  - Draft strategy currently in coordination with Services
  - DoD SAPR Strategic Plan will be promulgated to all DoD agencies and components following SECDEF signature, and will carry weight of SECDEF Directive

SAPR Mission, Goals and End State

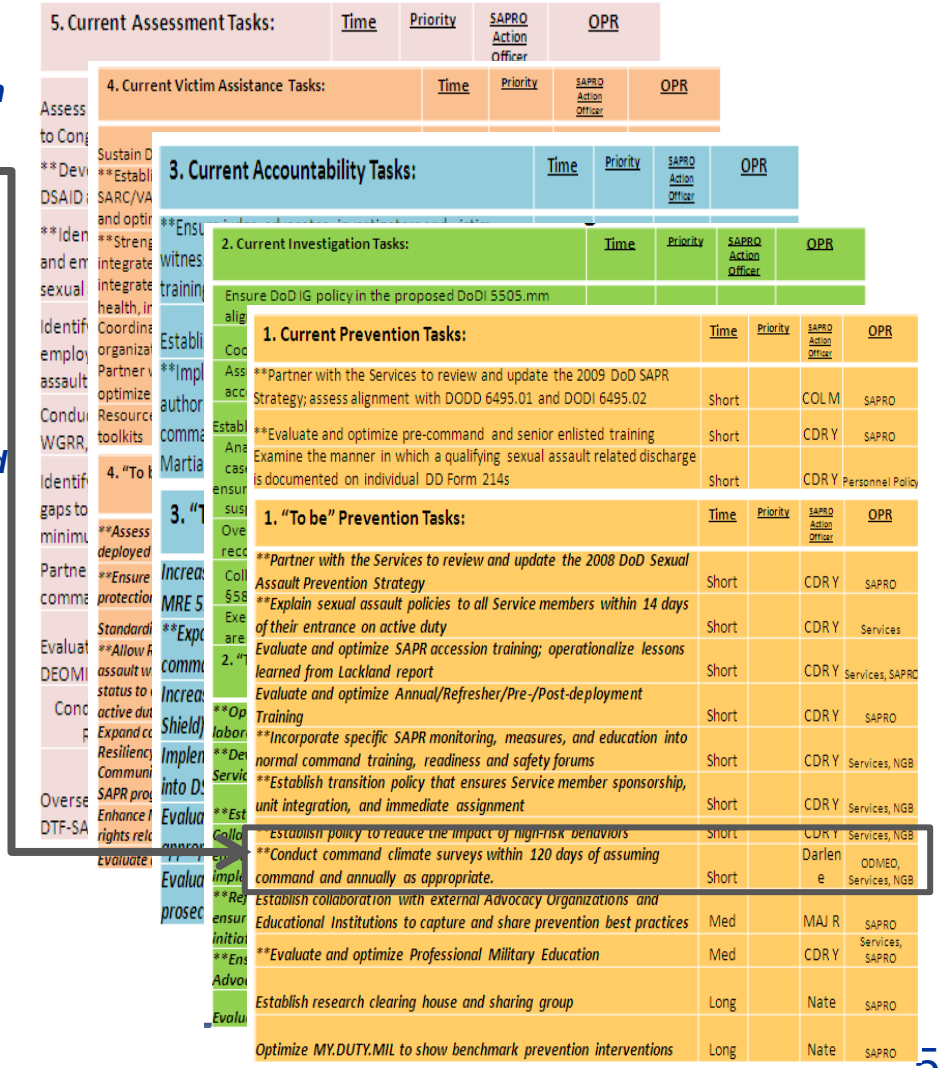
Mission: The Department of Defense prevents and responds to the crime of sexual assault in order to enable military readiness and reduce—with a goal to eliminate—sexual assault from the military.

Communication – Communicate DoD's efforts to support victim recovery, enable military readiness, and establish a culture free from sexual assault.

Goals	End State
Prevention - Standardize and deliver effective prevention methods and programs.	Cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault is not tolerated.
Investigation - Achieve high competence in the investigation of sexual assault.	Investigative resources yield timely and accurate results.
Accountability - Achieve high competence in holding offenders appropriately accountable.	Perpetrators are held appropriately accountable.
Advocacy - Standardize and deliver effective victim support, response, and reporting options.	DoD provides high quality services and support to instill confidence, inspire victims to report, and restore resilience.
Assessment – Effectively standardize, measure, analyze, and assess program progress.	DoD incorporates responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of SAPR.

Crosswalk of Tasks from JCS Strategic Direction to DoD Strategic Plan

- **Prevention**
  - **Task: *"Conduct command climate surveys within 120 days of assuming command and annually as appropriate"***
  - **OPR: ODMEO, Services, NGB**
- **Investigation**
  - **Task: *"Establish a quarterly MCIO Council (HQs Quantico)"***
  - **OPR: DoD IG**
- **Accountability**
  - **Task: *"Ensure judge advocates, investigators and victim-witness assistance personnel receive specialized SAPR training for responding to allegations of sexual assault"***
  - **OPR: Service TJAGs, DoD IG**
- **Advocacy**
  - **Task: *"Establish and maintain certification program for SARC/VAs; ensure SARC/VAs are certified; evaluate & optimize SARC/VA training"***
  - **OPR: SAPRO**
- **Assessment**
  - **Task: *"Develop, refine, train, and maintain DSAID across the force"***
  - **OPR: SAPRO**



5. Current Assessment Tasks:	Time	Priority	SAPRO Action Officer	OPR

4. Current Victim Assistance Tasks:	Time	Priority	SAPRO Action Officer	OPR

3. Current Accountability Tasks:	Time	Priority	SAPRO Action Officer	OPR

2. Current Investigation Tasks:	Time	Priority	SAPRO Action Officer	OPR
Ensure DoD IG policy in the proposed DoDI 5505.mm				

1. Current Prevention Tasks:	Time	Priority	SAPRO Action Officer	OPR
**Partner with the Services to review and update the 2009 DoD SAPR Strategy; assess alignment with DODD 6495.01 and DODI 6495.02	Short		COL M	SAPRO
**Evaluate and optimize pre-command and senior enlisted training	Short		CDR Y	SAPRO
Examine the manner in which a qualifying sexual assault related discharge is documented on individual DD Form 214s	Short		CDR Y	Personnel Policy

1. "To be" Prevention Tasks:	Time	Priority	SAPRO Action Officer	OPR
**Partner with the Services to review and update the 2008 DoD Sexual Assault Prevention Strategy	Short		CDR Y	SAPRO
**Explain sexual assault policies to all Service members within 14 days of their entrance on active duty	Short		CDR Y	Services
Evaluate and optimize SAPR accession training; operationalize lessons learned from Lackland report	Short		CDR Y	Services, SAPRO
Evaluate and optimize Annual/Refresher/Pre-/Post-deployment Training	Short		CDR Y	SAPRO
**Incorporate specific SAPR monitoring, measures, and education into normal command training, readiness and safety forums	Short		CDR Y	Services, NGB
**Establish transition policy that ensures Service member sponsorship, unit integration, and immediate assignment	Short		CDR Y	Services, NGB
**Establish policy to reduce the impact of high-risk behaviors	Short		CDR Y	Services, NGB
**Conduct command climate surveys within 120 days of assuming command and annually as appropriate.	Short		Darlene	ODMEO, Services, NGB
Establish collaboration with external Advocacy Organizations and Educational Institutions to capture and share prevention best practices	Med		MAJ R	SAPRO
**Evaluate and optimize Professional Military Education	Med		CDR Y	Services, SAPRO
Establish research clearing house and sharing group	Long		Nate	SAPRO
Optimize MY.DUTY.MIL to show benchmark prevention interventions	Long		Nate	SAPRO

Military Criminal Investigative Organization

- All unrestricted reports of sexual assault allegations under military jurisdiction are investigated by the Military Criminal Investigative Organizations
  - Consolidated HQs at Quantico
- Service HQs and DoD IG have oversight authority for MCIOs
  - Independent from the Chain of Command
- DoD IG established a Violent Crimes Division in FY2011
  - Conducting ongoing review of criminal investigations to include a sampling of closed sexual assault cases
  - Cases reviewed for:
    - Thoroughness
    - Compliance with existing DoD and Service standards
    - Timeliness
    - Investigative sufficiency
- MCIO Council
  - Concept introduced by JCS Strategic Direction
  - Currently under development as projected in DoD SAPR Strategic Plan

Assessing Command Climate

- Command Climate Assessments are used by unit commanders—they are accountable for their organization's climate (DoDD 1350.2)
- Command Climate is periodically assessed
- Results are provided to Unit Commanders; Senior Commanders can receive Command Climate Assessment findings upon request
- Intended to be a development tool for Unit Commanders
- Current survey includes 7 sexual assault related questions
  - Measures other aspects of climate (*see chart*)
- Governing policy currently under review; considering update to require dissemination of Command Climate Assessment results to Senior Commanders

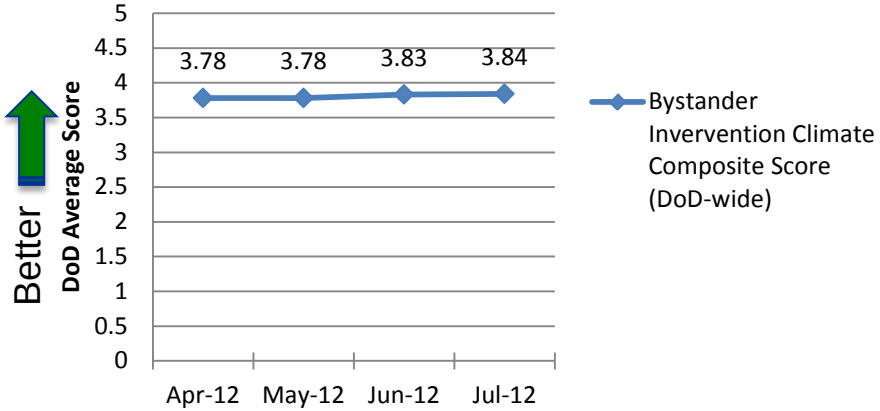
Command Climate Factors

- Sexual Harassment
- Sex Discrimination
- Attitudes toward Minorities
- Equal Opportunity Behaviors
- Racist Behavior
- Discrimination (Age, Religion, Disability)
- **Sexual Assault**

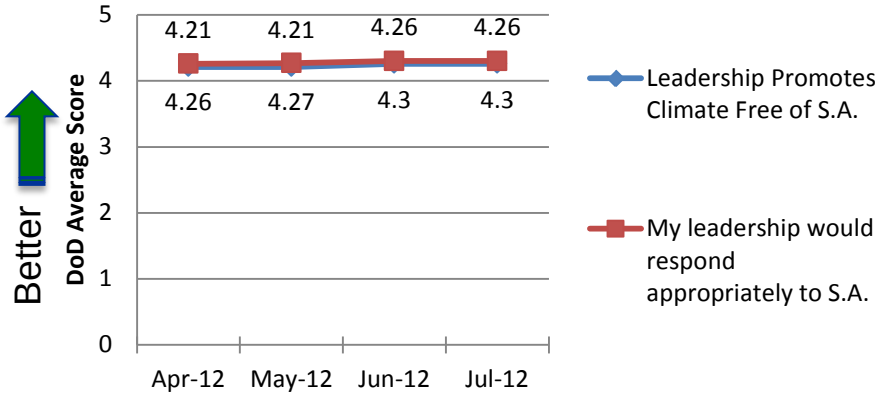
Command Climate Assessment Tools

Obtained from DEOMI Organizational Climate Survey (DEOCS)

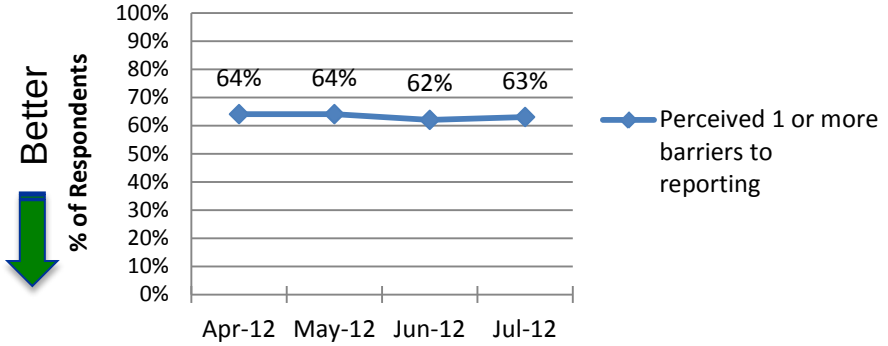
Bystander Invervention Climate



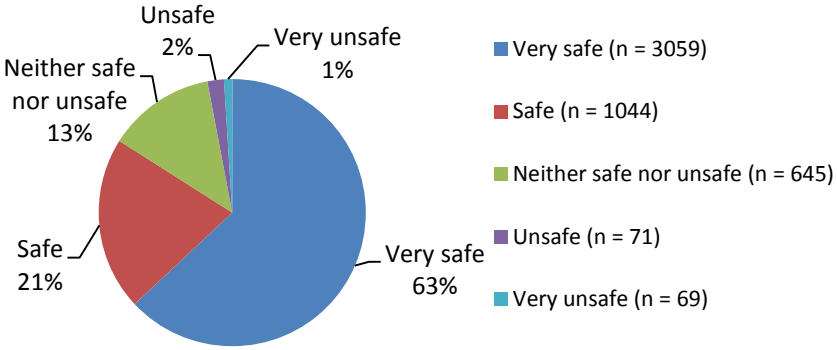
Perceptions of Leadership



Barriers to Reporting



To what extent do you feel safe from being sexually assaulted where you live?



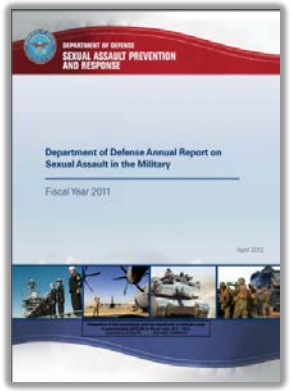
FY13 NDAA: Assess climate within 120 days of assuming command & annually.

Withholding Initial Disposition Authority

- DoD policy published April 2012 withholding initial disposition authority from all commanders who do not possess at least special court-martial convening authority and not in grade of O-6 or higher, for the following offenses:
  - Rape
  - Sexual assault
  - Forcible sodomy
  - Attempts to commit such acts
  - All other alleged offenses by victim or perpetrator arising from the same incident
- Elevates disposition decision of more serious sexual assault offenses to more senior commanders
- Balances burden on senior commanders by withholding only the more serious offenses

SAPR Communications

- SAPRO is implementing overarching Communications Plan
- Identifies messages and mediums to inform and educate stakeholders on policies, progress, and initiatives
- Example Stakeholder Group: DoD Community (incl. troops)
  - Sample messages: Sexual assault is a crime; Perpetrators will be held appropriately accountable; You have a role in preventing sexual assault and supporting victims; Victims must be treated with dignity and respect from initial report to case disposition—without retribution.
  - Mediums: Newspapers; PSAs; command and leadership correspondence
- Example Stakeholder Group: Command Team and Senior Leaders
  - Sample messages: Victims and their peers are paying attention to how you treat victims who decide to report; We take care of our people on the battlefield better than anyone else and we are extending that same ethos of care to combating sexual assault within our ranks.
  - Mediums: Pre-command course instruction; senior leader engagements



Concluding Thoughts

- We have made progress in preventing and responding to sexual assault, but we are not satisfied and recognize there is much more work to do.
  - Too early to see the full effects of recent policy changes and program improvements
  - Our aim is to reduce, with a goal to eliminate, the crime of sexual assault from the Armed Forces
- No silver-bullet solution
  - Sustained progress requires persistence along all five lines of effort
  - Victim reporting is an essential bridge to accountability
- Success requires behavioral change where:
  - Leaders create a “non-permissive” environment
  - Sexual harassment, sexual assault, and sexist behaviors are not tolerated, condoned, or ignored
  - Sexual assault/harassment prevention are linked to unit readiness and enforced up and down the chain of command
  - Victims are routinely treated with respect, dignity, and sensitivity

SAPR Environment: Looking Ahead

2012

- December – NDAA passage and implementation
- December – Military Service Academy Report

2013

- January – SAPRO presentation to US Commission on Civil Rights
- February – SECDEF Report from Sept Memo on Services Training
- April – Sexual Assault Awareness Month
- April – Services Training Objectives to be fielded
- April – Annual Report

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www.safehelpline.org

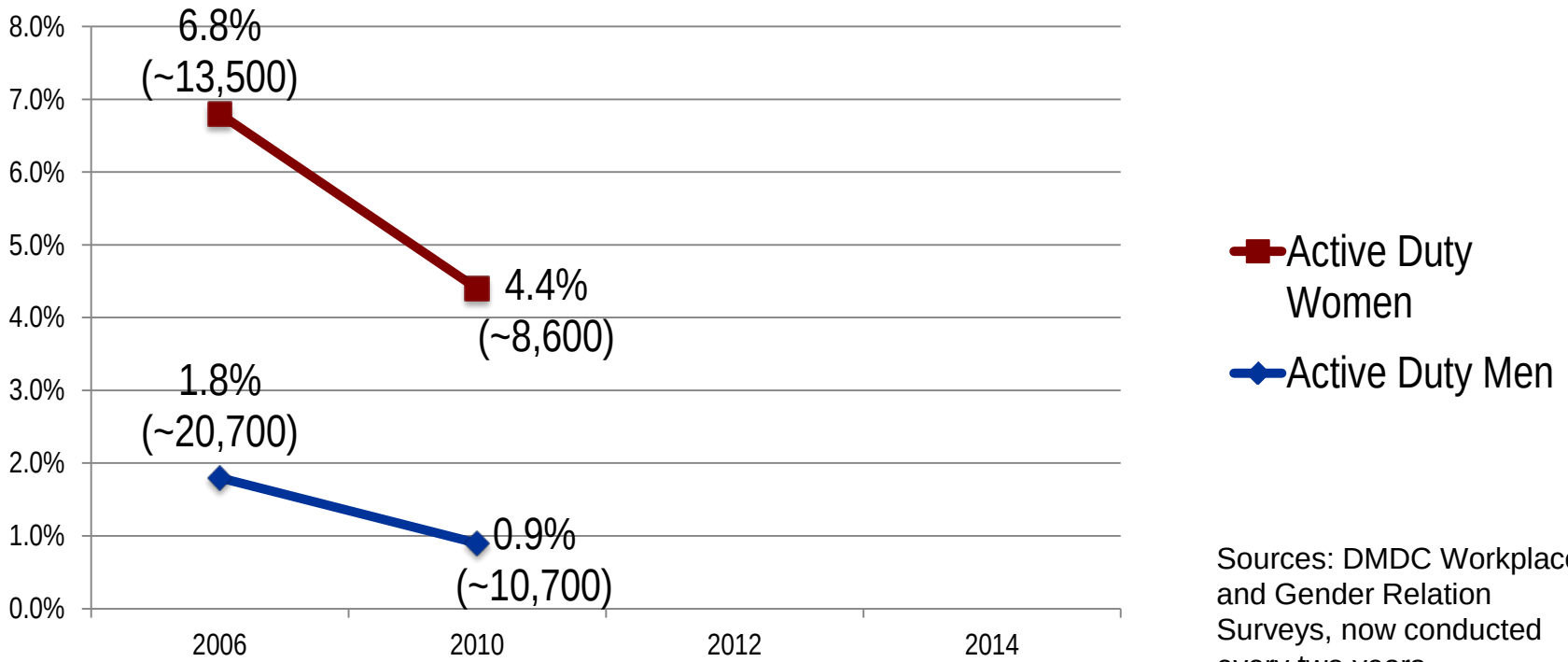
Backup Slides

JEC Briefing

2 NOV 2012

Prevention: Standardize and deliver effective prevention methods and programs.
End State: All elements of military community work together to preclude criminal behavior and negate the opportunity for sexual assault.

Prevalence of Unwanted Sexual Contact



Sources: DMDC Workplace and Gender Relation Surveys, now conducted every two years.

Bottom Line: DoD prevention work contributed, at least in part, to the decrease in past-year prevalence of sexual assault between 2006 and 2010.

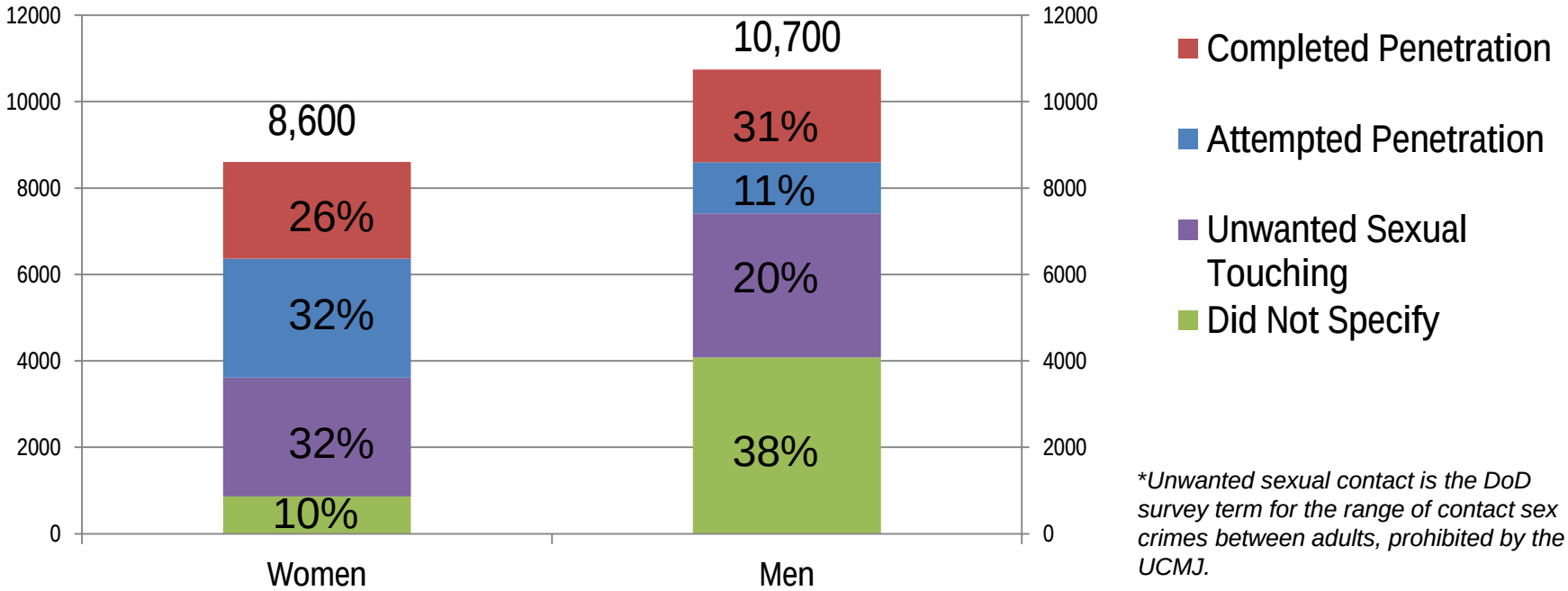
To continue this downward trend in prevalence, prevention efforts must be institutionalized and refreshed regularly.

Prevention: Standardize and deliver effective prevention methods and programs.
End State: All elements of military community work together to preclude criminal behavior and negate the opportunity for sexual assault.

Unwanted Sexual Contacts* Experienced

Estimates from 2010 Workplace and Gender Relations Survey

Trend to Watch

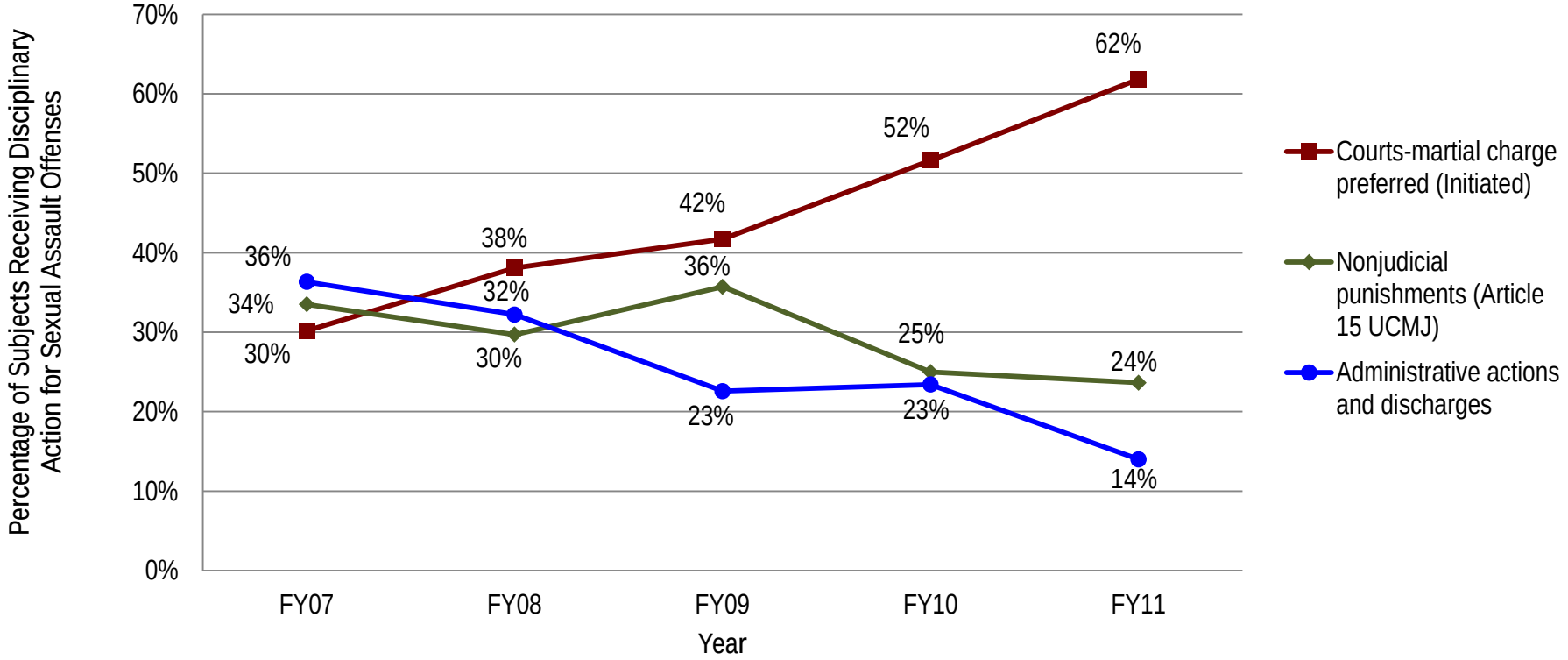


**Unwanted sexual contact is the DoD survey term for the range of contact sex crimes between adults, prohibited by the UCMJ.*

Bottom Line: Of those who indicated victimization via the DoD survey, roughly 58% of active duty women and 42% of active duty men experienced an attempted or completed penetration in FY2010.

Accountability: Achieve high competence in holding offenders appropriately accountable.
End State: Perpetrators are held appropriately accountable.

FY11 Disciplinary Actions for Sexual Assault Offenses

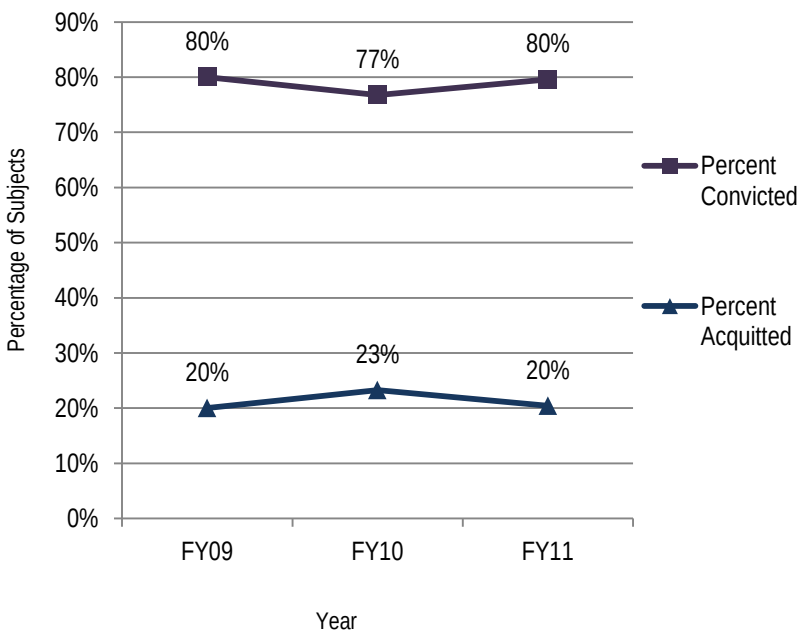


Bottom Line: In FY2011, commanders preferred court-martial charges on 62% subjects accused of a sexual assault offense.

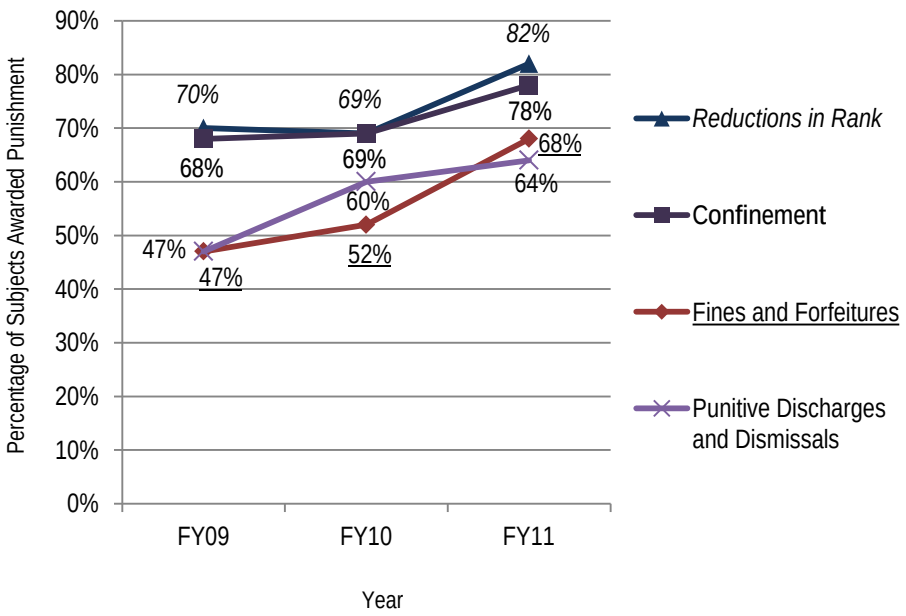
Accountability: Achieve high competence in holding offenders appropriately accountable.
End State: Perpetrators are held appropriately accountable.

Court-Martial Outcomes for Cases Proceeding to Trial in FY11

Convictions



Punishments*

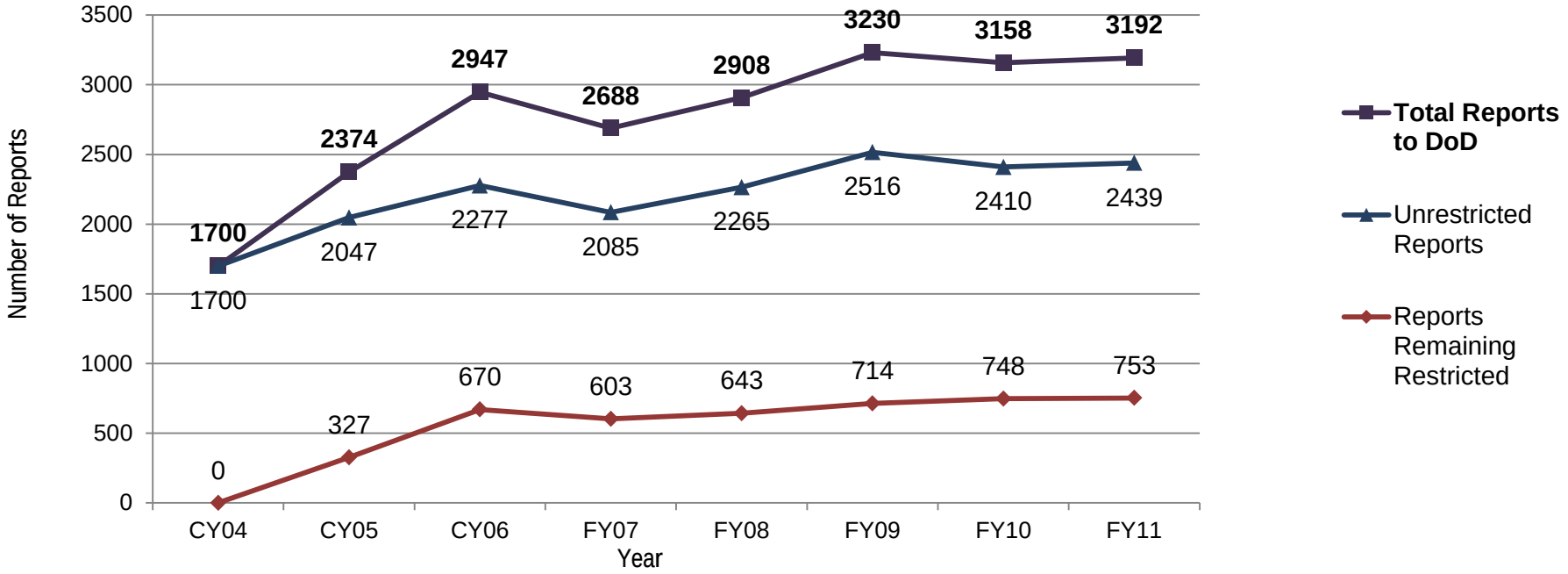


**Convicted members may be awarded one or more punishments.*

Bottom Line: A greater percentage of subjects are receiving the most serious punishments.

Advocacy - Standardize and deliver effective victim support, response, and reporting options.
End State: DoD provides high quality services and support to instill confidence, inspire victims to report, and restore resilience.

DoD Reports of Sexual Assault
CY04 to FY11



Bottom Line: Unrestricted and Restricted Reporting has remained steady over the past three years (4:1 ratio) and nearly parallel for the past six years.

Advocacy - Standardize and deliver effective victim support, response, and reporting options.
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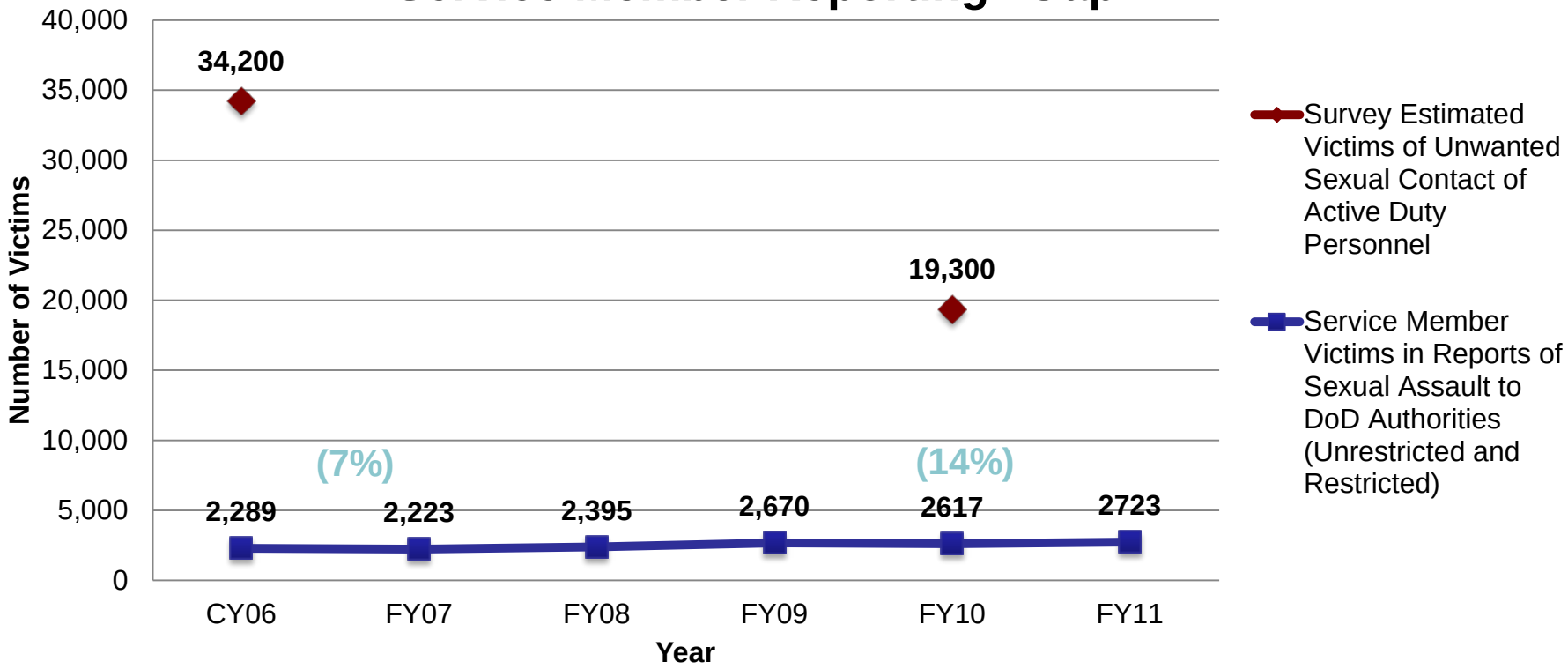
Service Member Reporting "Gap"



Bottom Line: Sexual assault is an underreported crime. Only about 14% of estimated victims reported the crime to a DoD authority in 2010. Increased reporting provides the primary means for improving accountability of offenders.

Advocacy - Standardize and deliver effective victim support, response, and reporting options.
End State: DoD provides high quality services and support to instill confidence, inspire victims to report, and restore resilience.

Reasons for Not Reporting (Source: WGRA Survey)

Of those who experienced unwanted sexual contact, the majority (71% of women and 85% of men) chose not to report it to an authority or organization.

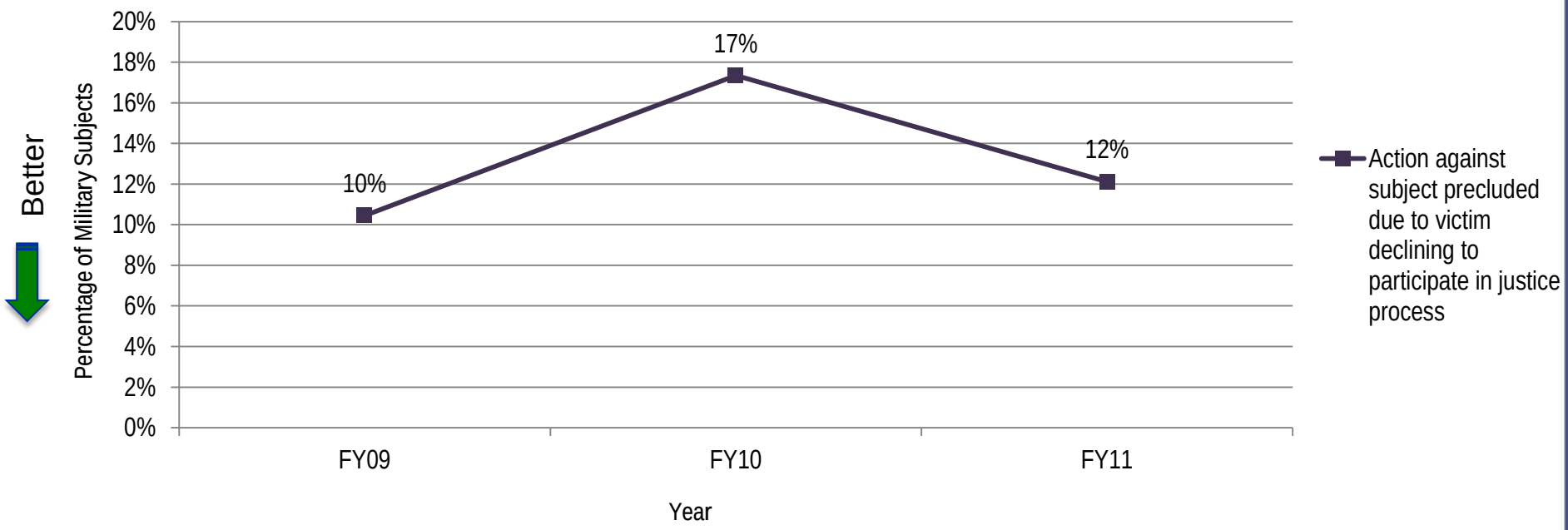
The top reasons women and men gave for not reporting the incident were:

- They did not want anyone to know (67% of women and 43% of men)
- They felt uncomfortable making a report (65% of women and 32% of men)
- They did not think their report would be kept confidential (60% of women and 36% of men)
- They were afraid of retaliation/reprisals from the person who did it (54% of women and 27% of men)
- They had heard about negative experiences other victims went through (47% of women and 20% of men)
- Incident was not important enough to report (46% of women and men)

Bottom Line: Commanders and subordinate leaders set a climate that encourages reporting by taking care of victims and taking reports seriously.

Advocacy - Standardize and deliver effective victim support, response, and reporting options.
End State: DoD provides high quality services and support to instill confidence, inspire victims to report, and restore resilience.

Alleged Offenders Without Command Action Because Victims Declined to Participate



Bottom Line: Commanders and subordinate leaders set a climate that encourages reporting by taking care of victims and taking reports seriously.