



**UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000**



**PERSONNEL AND  
READINESS**

**NOV 22 2004**

**MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
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UNDER SECRETARIES OF DEFENSE  
ASSISTANT SECRETARIES OF DEFENSE  
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DIRECTOR, NET ASSESSMENT  
DIRECTOR, FORCE TRANSFORMATION  
DIRECTORS OF DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES**

**SUBJECT: Increased Victim Support and A Better Accounting of Sexual Assault Cases**

This directive-type memorandum establishes DoD guidelines for providing enhanced response to Service member victims of sexual assault and to bring about a better accounting of those responses. Each Military Service shall establish appropriate guidance to ensure that all reported sexual assault incidents are appropriately investigated and disposed of in accordance with the Uniform Code of Military Justice, Manual for Courts-Martial, and established policies. Service member victims, and to the extent practicable civilian victims, are to be kept well-informed of any investigative actions taken in response to their reported sexual assault.

Effective immediately, unit commanders of reported victims of sexual assault will ensure, at a minimum, a monthly update is provided to the victim regarding the current status of any on-going investigative, medical, legal or command proceedings regarding their sexual assault. This requirement is in addition to those established by the Victim-Witness Assistance Program. Monthly updates are required until the final disposition of the reported assault. "Final disposition" means the conclusion of any judicial, non-judicial, and administrative actions (including separation actions) taken in response to the offense, whichever is later in time.

In an effort to improve the timeliness of investigations and promote expedient resolution of sexual assault cases, unless otherwise expressly excused by operation of law, regulation, or policy, any military authority who receives a report of an incident of sexual assault shall refer the matter as soon as practicable to investigative authorities assigned to



the appropriate Military Criminal Investigative Organization (i.e., Defense Criminal Investigative Service, Naval Criminal Investigative Service, United States Army Criminal Investigation Command, or Air Force Office of Special Investigations), who, in turn, will ensure the victim's unit commander is informed.

Finally, to ensure these cases receive the consistent and appropriate level of command attention and the full responses required by the sensitivities and complexities involved, all Services shall designate a level of command commensurate with the maturity and experience to address the responsibilities involved. The Services will provide a copy of this proposed policy or guidance, with an accompanying rationale NLT January 14, 2005. My POC for this action is Brigadier General K.C. McClain, USAF, Commander, Joint Task Force (Sexual Assault Prevention and Response).

The actions we take to enhance victim support and improve the manner in which we account for the actions taken will encourage more victims to come forward and report these tragic incidents. With time, an increased number of reported cases will build victim confidence in our investigative and military justice systems, and allow us to take the necessary actions to identify and appropriately discipline perpetrators.

This guidance establishes DoD policy on sexual assault matters. This memorandum is effective immediately. This and other sexual assault policies will be consolidated into a DoD issuance within 180 days.



David S. C. Chu