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DoD News Briefing

David Chu, Undersecretary of Defense for Personnel and Readiness and Brigadier General K.C. McClain, Commander, Joint Task Force Sexual Assault Prevention And Response
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To view slides used during the briefing go to:

<http://www.defenselink.mil/news/Jan2005/d20050104ppt.pdf>

MR. WHITMAN: Well, good morning and thank you for attending.

We're here today to talk about DOD's new sexual assault policy. The policy provides a foundation for which the department will improve its sexual assault -- its prevention of sexual assault and significantly enhance its support to victims and increase accountability.

Let me introduce who we have with us today, our briefers, and give you just a little bit of historical background on how this policy evolved before I turn it over to our experts. With us, of course, is Dr. David Chu. He's the undersecretary for Personnel and Readiness. And Air Force Brigadier General K.C. McClain, who is the commander of the Joint Task Force for Sexual Assault Response and Prevention.

As you know, the department's been working collaboratively with the services as well as members of Congress, advocacy groups and national experts to address the issue of sexual assault within our ranks. In February of 2004, Secretary Rumsfeld directed Dr. Chu to review the way in which we handled and reported sexual assaults in our services. The department's first step was to put together the Care for Victims of Sexual Assault Task Force -- that was led by Ms. Ellen Embrey, the deputy assistant secretary for Defense for Health, Protection and Readiness -- and charged the task force to report back within 90 days with recommendations. A tremendous amount of work went into that review, and there were a series of recommendations that were released in April which you were briefed on here in this room.

One of those recommendations was to establish a single point of accountability for sexual assault policy within the department. This led to the establishment of the Joint Task Force for Sexual Prevention and Response, and Brigadier General McClain was named the leader of that task force in October. The task force right now is an interim organization whose activities will evolve into a permanent office within the department by the end of the year.

The task force's first priority was to develop the new DOD sexual -- DOD-wide sexual assault policy that incorporated the recommendations that were set forth in the task force report on care for victims of sexual assault, as well as from the National Defense Authorization Act for fiscal year 2005, which directed the department to put into place by January 1st of this year a sexual assault policy. That brings us to why we're here today. The task force has completed 11 directive-type memorandums that establish the framework for many DOD-wide sexual assault policy changes. These memorandums were recently provided to Congress. They've been distributed to all of the services and with an immediate effective date and a deadline for implementation. The service branches are now in the process of

developing service-specific plans for implementation, and the task force will continue to provide ongoing oversight. Once implemented, the new policy will affect all of our uniformed service members.

So with that background and a bit of a lengthy introduction, I'd like to turn this over to the experts to talk more specifically about the policy memorandums and the work that went into them.

Dr. Chu.

MR. CHU: Bryan, thank you. Thank all of you for coming to join us this morning.

I would like at the start also to extend my thanks to the many individuals who have contributed to this effort and to the production of these policy documents. It's an extraordinary undertaking. It's been done on a relatively fast timetable. And I'm very grateful for their devotion to this set of outcomes. And I want to thank the members of the military services who participated with us, members of Congress who have given us their advice, and national experts who offered us their wisdom, as well as members of advocacy groups who have pointed out where they believe some of our shortcomings exist and where we need to improve.

I should also recall for all of us at the very start that sexual assault is a crime, and it's a crime the Department of Defense does not tolerate. At the same time, we recognize that it is a complex problem in our society at large, and that complexity is reflected in our military departments as well.

Could I have the next chart, Colonel Richard

As we looked at the issues we were asked to confront, we realized that we needed to accomplish several things simultaneously. First, significantly enhance education and training to help prevent sexual assault, which, of course, is the first priority. At the same time, we needed to improve our treatment and support of victims should assault occur. And finally, we need to enhance our investigative system and how we prosecute offenders.

Our goal in making these changes is to establish policies that provide consistency throughout the department, to take advantage of excellence where it's already achieved but to promulgate it elsewhere where it does not yet exist, and to establish a single point of accountability in a clear and uniform manner to ensure all of our service members receive the attention, treatment and care they deserve.

Next chart please, Colonel Richard

I am pleased to say that we do indeed have a comprehensive set of policies that we are forwarding to the Congress dealing with this issue of sexual assault. Once they are fully implemented -- and it will take time to implement these policies fully -- they will, I am confident, change how the military handles sexual

assault, from the operations arena all the way to the culture of the institution, in a profound and lasting way.

The new policy suggests several categories of effort that will improve our dedication to preventing sexual assault in the first place, enhance the support we provide to victims, and increase the accountability the system demands of all individuals in it. I want to cover in some detail what this all entails.

Next chart, please.

Let me say something, if I may, about the need of meeting the requirements of those who are victims of sexual assault. The department understands that our traditional system does not afford sexual assault victims the care and support they need across the board, and we are moving aggressively to put new systems in place to address this shortcoming. The well-being of victims is a priority for us, and we are doing whatever it will take to ensure they get the best possible care.

The policies we're announcing today will ensure that there is uniformity in the standards of care, so no matter where you are or what branch of service you serve in, you will have the same support systems and the same response personnel available to you. We aim to put in place a seamless reporting structure with specific guidelines and protocols so all assault cases are responded to appropriately and in a timely manner. We will treat victims with the dignity and respect they deserve.

I might add that this will hold true for our forces wherever they might be deployed on the globe, and all of these services should be available to everyone everywhere.

We hope that this new policy will demonstrate to our service members our commitment to building a climate of confidence, one that instills the trust in victims that they will receive the care they need, and one that instills in our services that this crime will not be tolerated.

That leads me to my next point, and that is that in order for us to build this climate of confidence, we needed to start at the beginning with the definition of sexual assault. So clearly, we need consistent prevention education across the military services to create a greater understanding of what constitutes sexual assault, what the risk factors are, and what the prevention measures are that we can undertake.

Next chart, please.

Our policy provides new baseline training for all department military personnel and includes for training and educational purposes a clear Definition of the terms "sexual harassment," "sexual assault," and other sexual-related offenses. This helps -- or at least we hope it helps -- to eliminate the confusion and uncertainty about which actions constitute which offense.

Next chart, please.

We then took a hard look at our current response capabilities, and we are creating a framework for an integrated sexual response capability worldwide, which gets back to the earlier point I made which bears repeating. This system is one designed to provide everyone everywhere the same access to support systems and response personnel.

We are establishing a position of the sexual assault response coordinator. It has an acronym, like all Pentagon titles: SARC. This new role will be standard across the department and the military services and will serve as the single point of contact to coordinate sexual assault victim care. When we fully implement this concept, there will be a sexual assault response coordinator dedicated to the oversight of every military installation around the world. A coordinator will be responsible for tracking the services provided to the victim from the initial report of a sexual assault through the resolution of the case. They will report to a senior level of command and be responsible for notifying commanders of an incident within 24 hours. The sexual assault response coordinator will also help orchestrate the efforts of the several other personnel who provide support to the victims.

Next chart, please.

In addition, we will take, in the handling of sexual assault cases that present, a case management approach. We believe this approach will provide victims with a greater level of personal attention to their needs and better resolution of their case.

Next chart, please.

Let me come back to our goal of creating a more confident environment for the victims of sexual assault. I'd like to spend a moment on this issue of confidential reporting. We are committed to confidential reporting. Our consultations have shown us that our current reporting procedures and our current investigation procedures, although well intentioned, have not been as successful as we would like and it has not been as sensitive to addressing the needs of victims. The lack of privacy and confidentiality were service members to report a sexual assault without triggering an investigation has in many instances proven to be a barrier to encouraging victims to come forward, for a host of reasons, including intimidation, embarrassment and the fear of ruining one's reputation.

We are in the process of putting the final details together on this policy. There is a legal issue yet to be resolved as to whether one of the things we wish to do may contravene current statutes, and if so, we'll seek the necessary statutory change from the Congress. That is still being adjudicated by the General Counsel's Office.

Next chart, please.

This leads me to a further point I'd like to highlight. We are making a concerted effort to make our policies, as I have already argued, consistent throughout the military services. We want to make these

policies clear. We want victims to know what care and support systems are available so there's no confusion. We want to hold our systems accountable. And we want to ensure the victims receive quality care. We want to work collaboratively with local communities near military installations so that, when appropriate, these communities may provide additional services to our individuals.

We believe the clarity of these policies will also help contribute to the climate of confidence that is essential to building trust in our sexual assault policies and reinforce the fact that we do not tolerate sexual assault in the Department of Defense. We propose to do this through vigorous training and education programs, programs that are key to maximizing the prevention of sexual assault.

Next chart, please.

We have set minimum requirements for each of the services and those are outlined on this chart. There will be training for personnel at entry, there will be training for personnel at later stages in their career, and there will be training also for those who provide the services for victims of sexual assault.

Next chart, please.

A portion of this training, as I've just suggested, will be geared to first responders. Training topics will include sensitivity to victims, timeliness of care, collection of forensic evidence, victim advocate assistance, reporting guidelines and procedures, the availability of mental health and other support services.

Next chart, please.

This new policy -- this set of new policies increases command accountability. And part of the policy package provides guidance to commanders, a checklist for commanders on how they should deal with sexual assault incidents.

I've tried to provide an overview here this morning of our policies as they have been laid out. We have a summary for you as part of your package.

I'd now like turn the podium, if I may, to General McClain, who will speak to next steps, which of course focus on implementation -- how are we going to carry out these policies successfully in the department and create both a different climate and a better response capability.

GEN. MCCLAIN: Thank you, Dr. Chu. Good morning, ladies and gentlemen. First, let me publicly recognize and thank the members of my task force. This task force came together in October with representatives from the Army, Navy, Air Force and Marines, and quickly coalesced into a first-place team. We had tremendous support from the services and from outside experts, and together we have

crafted a program that will strengthen our prevention efforts, enhance our support to victims, and increase accountability. It took everyone working together to get us here today.

Now, this is an exciting time as this is a substantial change in how the department approaches and handles the sexual assault issue. We firmly believe it will make a tremendous difference in the lives of the men and women in our services. We've made some huge strides. All of the services are in agreement in their commitment to prevent sexual assaults, and they are also in agreement in implementing these policies and programs. And although we have much work yet to do, we should not let these significant accomplishments go by unnoticed. They give us the solid foundation from which we are going to build upon. I guess an apt analogy would be that this is a relay race and we have finished the first leg and we're running strong. The next leg is implementation. And I assure you, we bring to this leg the same commitment, energy and desire to ensure success.

Now I'd like to take a few minutes on the next steps of the task force and what you can expect to see happening over the next year. First, if the mantra for real estate is "location, location, location," the mantra for our successful program implementation is "education, education, education." In order for these policies to be successful, we have to have the right education and training programs in place. Already the task force is working with the services to design programs to do this. We have directed that education and training will be recurring throughout a service member's career. This is not a one-time shot.

We're off to a good start, but I need to be clear -- I do not want to overstate -- that this is not a silver bullet. There is no overnight solution, and to do this right, it is going to take time. So the task force will be working hand in hand with the services to develop the right implementation policies and programs to get us where we need to be.

Now, you heard Dr. Chu talk about creating a climate of confidence for our victims, and we need to also build that same climate of confidence for our commanders and investigators so that they can trust and rely on this new program. As a former commander, I know full well the changes that will be required, and I am committed to ensuring that we implement a program that balances the needs of our victims with the responsibilities of our commanders.

Now, one of the important effects of establishing department-wide standards will be the use of the same terminology and process throughout the services. And this is increasingly important in an era where more and more of our service members find themselves working and living in joint environments.

For instance, when I was a wing commander, I not only had Air Force personnel reporting to me, but I also had an Army battalion, a Navy detachment and a Marine detachment on my installation. Under the past system, every military branch had its own programs to deal with sexual assault. What we're doing today is taking these fragmented programs and putting them together into a cohesive department-wide program that will ensure every service member has a baseline of training to help prevent sexual assault. And also, in the event that there is a sexual assault, every service member will have access to the same standard of care and support, regardless of where they are assigned.

Now we're going to incorporate these policies today, along with detailed implementation instructions, in a Department of Defense directive which will be produced later this year. In order to prepare for this directive, we will be holding a series of consultations and meetings with the services as well as other experts.

The joint task force is the sole focal point for sexual assault policy, and as part of that we provide oversight and we will be overseeing the implementation of these programs across the services to ensure that there is consistency and to ensure there is a standard. We will also, to ensure that the department remains focused on this very critical issue, the joint task force over the year will evolve into a permanent office.

In summary, we have accomplished a great deal, but we still have a lot of work ahead of us. Support from our senior leadership has been unwavering and service cooperation has been superb. We are all committed to better meeting the needs of people who experience a sexual assault, but more importantly we are committed to preventing sexual assaults so that we are not creating new victims.

Thank you very much for your time and attention, and now Dr. Chu and I will take your questions.

MR. WHITMAN: Go ahead.

Q Dr. Chu, when Secretary Rumsfeld ordered an assessment of DOD sexual assault policies, I guess about 11 months ago, there had been a series of sexual assaults against U.S. servicewomen by their male comrades in Iraq and Kuwait. Has this been an ongoing problem in the almost year since then? And do you have figures, updated figures on that?

MR. CHU: I don't have updated figures this morning. We are putting together the 2004 figures as we speak. This is an ongoing problem throughout our institution and our society, and that's why you're seeing this comprehensive set of policies being put forward today as the authorization act invited us to do. This is something that must be dealt with on a sustained basis to change behavior. Fortunately it's not a high incidence, but it is a situation where any incidence is reprehensible. So our goal is zero.

Now we recognize we're not going to get there right away, but we have already, over the last half a dozen years, as you know from the survey we released earlier last year, cut the incidence of sexual assault in this department in half in roughly a six-year period. I think a reasonable goal is can we cut it in half again in a similar period.

At the same time, and that's the import of these policies, we recognize we have to do a better job of caring for victims when assault does take place, and that's what a good deal of what General McClain and I have outlined is all about this morning.

Ma'am, you had a question.

Q Yes, sir --

Q Yes, I was curious: Are there plans to take this beyond the military population and to extend it to DOD civilians and contract personnel?

MR. CHU: We are -- our responsibility toward the civilian personnel and the contractors, of course, is a little bit different. We will be looking at that issue next, but I think, if I may, we're going to focus on the military personnel in the next few months as our first concern.

Q This legal issue -- I think you said -- regarding confidentiality and how it may conflict with statutes, could you explain that in detail?

MR. CHU: I'd rather not this morning because it's a bit arcane. If there is a legal barrier to how we would like to implement confidentiality, we will seek legislative changes to fix it. The lawyers are still arguing about whether there is or is not such a barrier.

Q Didn't one of the services have an issue with that aspect of it?

MR. CHU: No. The services -- I held a meeting in October of last year with the three service secretaries and the four chiefs of staff in which we reviewed the outcomes -- and there was a little history chart that Mr. Whitman presented earlier -- the outcomes of a conference we held in which we outlined a possible way forward drawing on national experts as well as expertise from inside the department. And it is from that summit meeting, so to speak, that these policies evolved.

So the services at the very top are all in support of these policies, including this issue of confidentiality. Now, how -- the devil is always in the details -- how you're going to do it. And the one detail we do have a legal issue on is, can we do it in the way we'd like to? If we can do it within existing statutes that's great; if we need to get the statutes changed, we'll promptly ask the Congress for such authority.

Ma'am, you had a question back there.

Q Hi. You mentioned that this is going to apply to all branches of services. I'm wondering if that also means the academies. And building on that, can you talk at all about how the scandal at the Air Force Academy might have influenced this policy?

MR. CHU: It will apply. The academy cadets or midshipmen are members of the military services, and so it will apply to them as well. They are, of course, also educational institutions, and so there will be some tailoring of these policies to fit their specific circumstances. And as you know, Congress has constituted a separate panel to look at the academies, chaired by Admiral Hoewing. It is in the middle of its work, and its work will importantly inform exactly how we carry out these concepts in those areas.

Q The decline of sexual assault in the military – some associate that with a lack of reporting. It's not the actual drop in actual assaults; people are just less likely to report. Is there ways you're addressing ways for women to be more willing to come forward when sexual assaults actually do happen?

MR. CHU: Well, let me make two points in response to your concern.

First, the incidence rate on which I reported is from anonymous surveys designed specifically to get around the issue that you've raised. Yes, the official figures -- and we know this in civil society as well as the military -- the official figures -- in other words, reported to investigators -- understate the actual incidence. And so the incidence numbers I quoted you and the fact that we cut it in half is from a set of surveys that we think better estimates the true underlying rate. Yes, this is an issue with our people. And that's why General McClain and I have so much emphasized this morning in our comments this question of building confidence in our people that they will be fairly and properly treated if they do come forward.

And that's why confidentiality is so important. One of the lessons the civil society has learned and we have learned is that if the immediate response is you're going to talk to an investigative person, a lot of people will say, "Well, wait a minute, maybe I don't want to go there; maybe I'll handle this myself or go off base to another organization." We want to create a different climate where our people feel comfortable coming forward. The Air Force Academy has already experimented with this, to come back to your question a moment ago, and their finding is if you offer confidentiality, you increase the reporting rate and more people are willing to say, "Yes, I'm willing to press charges."

Q A follow-up to that.

MR. CHU: Yes, ma'am.

Q In light of what you just said, is there a time frame for resolving this confidentiality issue? Because as you said, if you have to.

MR. CHU: As quickly as possible.

Q Go to Congress to change the law, that can take a lot of time. What you just expressed echoes what I've heard from others, that confidentiality is so central to fixing what's broken about this system. And if that's not a part of it, then the changes really aren't effective.

MR. CHU: We will reach a resolution of the legal issue inside the department in terms of what the lawyers tell me we can or cannot do, I think, within the next week or two. If it does require legislative changes, I am confident that Congress will act promptly.

Q Yes. Can you help me understand this education? You mentioned education about 20 times up there. Are you educating people who don't know that rape is wrong? Are you educating victims? And can you be a little more specific about how that education is going to take place? Is this in basic training?

MR. CHU: The answer to all of your questions is yes. We will start with basic training, but as General McClain emphasized, we will repeat this instruction. And of course repetition will occur at different levels. So for example, one of the things that I have instructed the military departments they must do is they must include a training on sexual assault in the professional military education that our more senior people receive. That includes the so-called war colleges. Because one of the things commanders need to do -- need to know is, how do I handle this? This does not occur that frequently, particularly reported cases, and so I can understand how commanders, when it first comes up, especially more junior commanders, say, "Oh, my, what am I supposed to do now?"

That's one of the reasons we've published a checklist; here is what you do next. Here is the standard procedure you use. This is very much like clinical guidelines in the medical profession. You standardize the treatment so people go through all the steps. It's just like pilots do with an aircraft. You don't want to leave anything out. And it's too easy, when it does not occur frequently, to leave out steps that with 20-20 hindsight prove to be important. So the answer is, just as General McClain said with her little take-off on the real estate example, repeated education at different stages of their career.

And yes, I know this sounds ironic, but often people, including victims, will not acknowledge that an action that has happened to them is indeed sexual assault. It's one of the survey experts' findings. You don't ask people, "Have you been sexually assaulted?" You ask them, "Have the following specific things happened to you?" and then you code that based upon the definition of sexual assault, is this assault or not. I know this sounds odd, but apparently this is a well-established finding in this field.

Q The people who end up being accused, is there something they don't understand that what they're doing is wrong? They don't understand that this is anti-social behavior?

MR. CHU: Well, I want to read to you in that regard, if I may -- part of what we said in this regard relating to this question of definition, which is the first in this series of memoranda. Sexual

assault is a crime. Sexual assault is defined as intentional sexual conduct characterized by use of force, physical threat or abuse of authority, or when the victim does not or cannot consent. And then we go on to list specific terms like rape and so on and so forth. So it -- yes, there are instances where perpetrators, they say, oh no, you know, no one said no. That's not a defense under this definition.

Q How do you propose to ensure confidentiality?

MR. CHU: By offering it.

MR. CHU: By offering it. You already have a confidential reporting channel in the military through the chaplains, so that's an established precedent. The question that we are dealing with is we want to extend it to various others, including specifically certain health care providers and victims' advocates.

Q A follow-up. Why did it take so long for you to come to the conclusion that confidentiality was critical to encourage victims to come forward when this has been an established principle in the civilian world for many, many years?

MR. CHU: I don't think it took us a long time to come to that conclusion. We started this journey, as the little historical chart indicated, early last year. We reached that conclusion during the course of the early 90-day effort. Our responsibility is to ensure that we can put in place a confidentiality policy that's going to work in practice.

Q Are there any changes being -- potential changes to the rights of the accused, rights or what happens to the accused, whether they move, change units, or their rights in judicial --

MR. CHU: Well, I don't -- That's part of our list of elements for the commanders to consider, and we have given the commanders greater discretion as to how they might proceed, both in terms of how they deal with any offenses by the victim or alleged victim as well as what they're going to do on this question of separating the individuals. And that is going to be a crucial implementation challenge.

Q Yes. You said you're going to increase command accountability. How are you going to do that? And, General, from a commander's point of view, how important will that be to the success of the overall program?

MR. CHU: Let me let you go first. Thank you.

GEN. MCCLAIN: Commanders are going to be critical to the success of this program. They have to understand the philosophy behind these changes and how this will help them. The

commanders are charged with the safety and security of everyone that is assigned to them, and that is one of the issues with confidentiality because the commanders will not know the identity of the victim nor the identity of the alleged perpetrator under our confidential reporting scenario. And so commanders need to understand, though, that they will get more information than they currently have. Right now, if a person elects not to report, the commander has no information that there was an assault. Under confidential reporting, they will at least be told you had an assault in this location and be given as much information as possible that does not identify the individuals. And so I think once we help them understand that although there is going to be an assault that happens on their location that other people who work for them will have information about that assault, it will still help the commander respond and help the victims and help improve the climate of that installation.

Q Well, how do you increase their accountability?

MR. CHU: Let me, if I could -- two things.

First, I want to follow up on what General McClain just said. I don't want to suggest commanders won't know more as a further point.

GEN. MCCLAIN: I think they will know more.

MR. CHU: They won't know more in terms of incidence rates and what's going on on their installation or in their division or their wing or ship, whatever the case may be. But once you move from what we're going to call restricted reporting or confidential reporting to unrestricted reporting, then you have a privacy issue where we try to protect the privacy of those concerned, both the alleged assailant as well as the victim. Commanders will know more detail at that point. So what General McClain's really speaking to are the early stages when the incident first occurs. If the victim is not comfortable with unrestricted reporting at that point, we will offer what we're going to call restricted reporting.

Now to this question of holding accountable, I would draw your attention -- and I can have Mr. Whitman give this to you if you like -- to the secretary's writing to the combatant commanders back in April of this year. He has made it clear in this memorandum that he is charging them -- this is starting with the four-star commander -- with responsibility for making sure this issue is properly addressed within their commands. And he set out a set of questions he wants them to confront, and he said, "I would like each of your commanders and senior enlisted advisors to meet with their direct reports to confront these questions and others related to preventing sexual assault in our forces. This series of meetings should continue down the chain of command, to include all officers in leadership positions." So the department's standard here is crystal clear: the commander is responsible.

Now it's not fair to the commander to make them responsible without giving them the tools with which to be effective, and I think there are two important tools in this set of policies. One is, of course, the checklist I mentioned earlier; here is what you do. This is really aimed to the smaller unit commander, not the big installation. Second, the creation of the sexual assault response coordinator position. In other words, here is the go-to person. Here is the person sitting at the commander's right hand who says, okay, here's our problems on this base or here's our problems in this unit. Here's what we need to do about these problems. Here's how we care for victims. Here's where we're falling short of department standards. Here's how we pull up our socks and do better. And I think that will get to the result we want.

Q I have a follow-up question to something you said about the commanders will have greater discretion in how they deal with any offenses by the alleged victim. I'm wondering if you could talk a little bit more about what you mean by this, because as I'm sure you know, this was a big barrier to reporting at the Air Force Academy, that the victim had been -- had broken curfew or done something and she knew if she reported it -- he or she knew if they reported it it would go against them in their record. The greater discussion almost sounds like there's still going to be the threat of that, that if the victim comes forward and she might have been doing something she shouldn't have done, then she's going to be written up for that or it's going to go down on her permanent record and hurt her career.

MR. CHU: Well, it's actually often much more serious than curfew violations.

Q Well at the academies it's different.

MR. CHU: It's just the civil society as well, I regret to say. Often what you have involved in many of these incidents is excessive alcohol intake, and that's a problem for us as a society. People are, therefore, reluctant to come forward, acknowledge that they have made this error.

What we're really doing is saying to commanders, look, you know, don't go and deal with this relatively modest issue first and ignore the import for the larger picture. Now, that's not to tie the commander's hands. Every case is different. And I think that's the strength of the Uniform Code of Military Justice is we give the commanders substantial latitude in terms of ensuring good order and discipline in the force as a whole.

But we are encouraging them -- and we'll be watching how they use these tools we put in their hands -- to take a more thoughtful perspective on how you deal with a whole range of offenses here, and to be sure we deal effectively with the most serious offense.

Q Yeah. I was just curious, who is the sexual assault response coordinator going to report to? What sort of staff would that person have? I mean, how much bureaucracy is going to be created?

MR. CHU: We hope not a lot of bureaucracy. The intent is to have someone who pulls together a series of other providers who are already out there, so we already have mental health workers, we already have clinical personnel out there. We do not always have -- the Navy does have a

strong program. We do not always have victim advocates, and that's one of the areas we're going to have to beef up. And yes, we put money in the budget in order to do these kinds of things as well.

So the coordinator's role is to ensure that this is a coherent effort, and the right and left hands do act together and know what each is doing.

Q But is this an added responsibility for an existing official or is this a full-time --

MR. CHU: No, this will be generally a -- it might be someone's new duty, granted, but this is generally a new position. This does not really exist at the moment, except de facto in some organizations.

Q When it comes to this monthly and then yearly reporting of the number of the incidents of sexual assault, who will get those numbers? Who will see them? Will they be made public?

MR. CHU: I would expect them to be made public, but in terms of who will see them inside the department, commanders starting at, as General McClain has emphasized, at the local level will want to know, "What's going on in my command? Do I have a problem? Should I be more careful about what my young people are doing? Do I need to offer more recreational opportunities, more healthy recreational opportunities to them?" And that's why it's important the commanders know an incident has occurred. It's less important -- and frankly, most commanders don't really want every detail -- less important to know every detail of that incident. They need to know what the incidence is and do I have a problem in my command that I need to address. But --

Q So service members on a base would know? Even the media would have access to that information?

MR. CHU: I'm not saying we're going to put up big billboards at the entrance, if that's your question, but it's something to be used as a tool by commanders at every level. Obviously, there's going to be public interest, and we will publish data. We publish data on all these kinds of things in the department. We have not established exactly how we're going to publicize numbers.

Q What level is the SARC going to be at? I mean, is that at the division level, brigade level?

MR. CHU: We have used -- I think General McClain's team had a wonderful phrase -- "appropriate senior level of command." What that means is going to vary with both the service structure and with where in the world you are. So if you're in the United States, it's one thing. It might be the installation commander, might be the division commander, let's say, or something like that. If you're overseas and you're a big operation, there might be a similar kind of person but there might not be an installation commander in the same way there is in the United States. But if you're a small place, that might be some umbrella organization that watches out over

all the little outfits. And so it's going to vary by location and the service and joint operations, involve exactly who it is.

What General McClain and myself watch out for is to make sure it is at the appropriate level. You want this at a fairly senior level because it's a question of allocation of resources and emphasis of effort. So it needs to be someone who's got clout, who can say, "No, we're not doing this right, it needs to be fixed." Base commanders can make that happen.

Q So this isn't something you're just going to leave with the Chaplain's Office?

MR. CHU: No

GEN. MCCLAIN: No. That individual will report to a senior commander.

MR. CHU: And I think in many cases it effectively is going to be either a full colonel or a flag-level commander. That's, again, part of the implementation detail that we are now working with military departments to put in place.

Q On the confidentiality issue, you have a victim and you have an alleged perpetrator. At what point does confidentiality come into play under the old system, and how would you like it to come into play under the new system?

MR. CHU: Under the old system, the only person in our department you could turn to on a confidential basis was the chaplain. Now if you think you've been a victim -- once we get this laid out -- there will be a series of people you could turn to. And I think the important ones to call out will be certain health care personnel and victim advocates, once we get those positions established. So there will be other people -- now, the victim advocates and some of the medical personnel might be non-military in character. I want to emphasize we will use the full range of resources available to our society in this regard.

Q And at what point, if you're going to punish the perpetrator, at what point do you have to -- I mean, can you remain confidential and still punish the individual?

MR. CHU: No. No, you can't do that. And that's why we want to talk about, as we go forward, restricted reporting, which will be the confidential period. So you come forward, say "something's happened to me." The key thing at that point, from our perspective, is to be sure that you get whatever care you need to make you well and that the forensic evidence is gathered in a prompt way. That does not commit the alleged victim to proceed. But as a physical -- as a biologic matter, most of the evidence deteriorates within 72 hours. So if we don't collect promptly, you will never have a case.

And one of the victim advocate's responsibilities -- and the sexual assault response coordinator's responsibility to ensure the advocate is effective -- one of the advocate's responsibilities is to counsel the alleged victim as to, okay, what are your choices here? What can you do? What are your -- what recourse might you have? And if the individual then says yes, I'm willing to have this reported on a, quote, "unrestricted basis" -- there will still be privacy involved at this point -- then you call in investigative authorities.

But the big change here is that your coming to see your CO, for example, does not necessarily immediately -- or your going to see the base clinic -- does not immediately trigger investigation if you're not ready for it. What we hope to do is to persuade you, yes, you should. Once you've calmed down, et cetera, we'd like to collect the following evidence, so on and so forth. But that's the essence of the challenge ahead.

Q So building on that, once there is an investigation, to who would the victim be identified at that point?

MR. CHU: That will depend upon privacy rules that will then be in place. Again, we're not trying to put up billboards here that say, you know, this happened to so and so. In fact, that's one of the deterrents. People don't like to acknowledge it happened because they feel they made a mistake in some fashion. How did I get myself in this predicament, how did I let this happen to me? They feel their career will be injured by this. And we are still working out exactly who needs to know what. This is a need-to-know kind of thing.

Now, if it does come to a criminal proceeding -- which it will, in some cases, come to a criminal proceeding -- then yes, the rules of our republic require a certain measure of disclosure, and those will have to be followed.

STAFF: Thank you very much for attending today.

MR. CHU: Thank you all.

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