DoD Policy on Prevention and Response to Sexual Assault

January 4, 2005
Historical Background

- February 2004: Secretary Rumsfeld directed a review of DoD treatment and care of sexual assault victims
- April 2004: Care for Victims of Sexual Assault Task Force report released
- September 2004: Care for Victims of Sexual Assault Conference addressed five foundational issues:
  1. Definition of Sexual Assault
  2. Privacy and Confidentiality
  3. Transparency
  4. Response Capability
  5. Crimes Committed by Citizens of Another Country
- October 2004: DoD Leadership Summit convened and consensus was reached on Conference recommendations
- Consensus served as framework for DoD policy creation
Joint Task Force Sexual Assault Prevention and Response

- October 2004: Joint Task Force Sexual Assault Prevention and Response established as single point of accountability on sexual assault policy matters
  - Led by Brigadier General KC McClain
  - Eight-person multi-service team stood up for one year on 12 Oct 04 as interim step to permanent office
  - Charged to develop policies, guidelines and standards for sexual assault prevention, reporting, response, and accountability
Joint Task Force Sexual Assault Prevention and Response (cont.)

- First priority: Develop DoD sexual assault policy
  - Incorporate recommendations set forth in the Task Force Report on Care for Victims of Sexual Assault
Enhance and Improve:

- Education and training programs to help prevent sexual assaults
- Treatment and support of victims
- System of investigating and prosecuting offenders
# Overview of DoD Policy Changes

1. Definition of Sexual Assault
2. Commander Checklist
3. Response Capability for Sexual Assault
4. Increased Victim Support
5. Collaboration with Civilian Authorities for Sexual Assault Victim Support
6. Training Standards for Service Members
7. Training Standards for Response Groups
8. Training Standards for Pre-Deployment Information on Sexual Assault and Response
9. Collateral Misconduct
10. Administrative Separations
11. FY 04 Data Call
Meeting the Needs of Victims

- Ensure uniformity in the standards of care
  - Provide for victim safety and protection
  - Ensure victims receive the best care possible
  - Provide a coordinated and timely response to their case

- Our studies and consultations showed that we need to:
  - Improve victim protection
  - Treat victims with dignity and respect
  - Offer victims the medical treatment, care and counseling they deserve
Definition of Sexual Assault

● Provides a clear Department-wide definition of sexual assault for training and educational purposes

● Delineates distinctions between “sexual harassment”, “sexual assault”, and “other sex-related offenses”

● Eliminates confusion and uncertainty about which actions constitute which offense
Response Capability for Sexual Assault

- Creates a framework for an integrated sexual assault response capability worldwide

- Establishes the position of Sexual Assault Response Coordinator (SARC):
  - Standardized term utilized throughout DoD and the Services
  - Serves as the single point of contact to coordinate sexual assault victim care
  - Reports to a senior level of Command designated by the Services
  - Responsible for tracking the services provided to the victim from initial report of a sexual assault, through disposition
  - Maintains oversight responsibility for the Victim Advocate
  - Tracks the dispositions of all military sexual assault cases for their designated area of responsibility
  - Provides regular updates on status of a case
  - Responsible for training and reporting
Response Capability for Sexual Assault (cont.)

- Services will use a case management model

- Case management includes:
  - Reviewing cases
  - Improving reporting
  - Facilitating monthly victim updates
  - Discussing process improvement to ensure system accountability and victim access to quality services
Confidential Reporting of Sexual Assault

- The Department is committed to, and currently developing, policy that will provide for confidential reporting

- The complexity of the issue requires due diligence and prudence to ensure that the Department implements a viable program
Training Standards on Sexual Assault

- **Three Policy Memorandums:**
  - Training Standards for Service Members
  - Training Standards for Response Groups
  - Training Standards for Pre-Deployment Information on Sexual Assault and Response
Training Standards

- Establishes baseline training requirements for all Military Services on Sexual Assault Prevention and Response
  - The Services to train personnel on policy changes
  - Training to be provided at all initial entry training, including officer training
  - Services to conduct annual sexual assault awareness training updates

- Pre-deployment training to include information on sexual assault prevention and response
Training Standards (cont.)

- DoD will develop baseline training standards for first responder groups to ensure that any Service member who is assaulted receives the same level of response, regardless of service branch location.

- First Responder Groups
  - Health Care Providers
  - Victim Advocates
  - Law Enforcement/Criminal Investigators
  - Judge Advocate General Officers
  - Chaplains
New Policy Provides Increased Command Accountability

- Requires immediate referral of all unrestricted reported sexual assaults to investigative services
- Requires Services to designate senior Command level to handle sexual assault cases
- Provides guidelines for Commanders on the handling of collateral offenses that occur in conjunction with a sexual assault
- Provides Commanders a checklist to guide their handling of a sexual assault report
Next Steps for Joint Task Force

- Work with Services on implementation of the Department’s Sexual Assault Prevention and Response Programs
- Issue DoD Directive
- Provide on-going oversight of Sexual Assault Programs
- Evolve to Permanent Office by October 2005