Department of Defense – Released Today

• Report to the President of the United States on Sexual Assault Prevention and Response

• Secretary of Defense Directive Memo:
  – Provide Feedback to the Force
  – Engage Command to Prevent Retaliation
  – Enhance First Line Supervisor Skills and Knowledge
  – Installation Prevention Study

[Image: SafeHelpline.org]
Report Summary

• Unprecedented leadership engagement ignited more SAPR program progress in the past three years than in all prior years of the program combined
  – Evidence of progress in 10 of 12 White House approved metrics

• The Department SAPR program is prevention focused with an uncompromising commitment to victim assistance

• DoD’s response system demonstrates an unparalleled commitment to helping victims heal and have a voice in the justice process

• Prevalence of sexual assault is down across the DoD, but we have more work to do

• Reporting continues to rise: estimates indicate we now receive a report from 1 in 4 victims – up from 1 in 10 in 2012
Report Highlights by Line of Effort

• **Prevention:** *Climate assessment process*
  – A process to drive organizational change, employing Service member feedback to hold commanders accountable for a climate of dignity and respect

• **Investigation:** *Special Victim Investigation and Prosecution Capability*
  – Fact finders with the knowledge and skills to conduct investigations that minimize the risk of re-traumatization and support victims’ desire to stay engaged in the justice process

• **Accountability:** *Special Victims’ Counsel/Victims’ Legal Counsel*
  – Groundbreaking legal resource provided to victims to help them navigate through the sexual assault response, to include advocating for the victims’ rights in the military justice process when appropriate

• **Advocacy/Victim Assistance:** *Certification of Sexual Assault Response Coordinators and Victim Advocates*
  – National certification for SARCs and VAs signals professional, helpful victim advocacy

• **Assessment:** *Multiple, robust sources of data on the SAPR Program*
  – Defense Sexual Assault Incident Database, Survivor Experience Survey, Defense Organizational Climate Survey, Focus Groups on Sexual Assault Prevention and Response, SAPR Metrics and Non-metrics, RAND Military Workplace Study
Past Year Prevalence of Unwanted Sexual Contact (USC)  
*Workplace and Gender Relations (WGRA) Measure*

- Rates of Unwanted Sexual Contact decreased significantly for active duty women in FY14 (4.3%), compared to rates in FY12 (6.1%) and CY06 (6.8%).
- Rates of Unwanted Sexual Contact stayed statistically the same for men between FY14 (1.2%) and FY12 (0.9%), but the FY14 rate was significantly different from CY06 rate (1.8%).
• Overall reporting increased **8%** from FY13
  – Unrestricted Reporting increased by **7%**
  – Reports remaining Restricted increased by **15%**
• **Nine percent** (513) of reports were for an incident occurring prior to military service
The Department’s approach illustrates both the magnitude of the problem, and the extent to which it is reported to DoD: In FY14, the Department received a report of sexual assault for 1 in 4 estimated victims. As shown above, 4,608 Service member victims in Unrestricted and Restricted Reports of sexual assault accounted for approximately 24% of the estimated number of Service members who may have experienced unwanted sexual contact.
In FY14, DoD authorities considered 2,419 military subjects for possible action.

- Nearly **three-quarters received some form of disciplinary action** for a sexual assault charge or for any other offense for which there was evidence.
- The other quarter of military subjects could not be disciplined because the evidence did not support action (25%) or because a review by legal and command authorities determined the allegations were unfounded (2%).
When the subject is under the legal authority of the Department and there is sufficient evidence to take action, commanders continue to address most allegations of sexual assault by preferring court-martial charges.

*Percentages may not add to 100% due to rounding*
Additional Data Gathering Efforts

Defense Manpower Data Center (DMDC)

• **Survivor Experience Survey** – *New for 2014*
  - Anonymous, non-probability sample of victims making a restricted or unrestricted report of sexual assault; responses from June to September; n=151
  - Most respondents aware of and satisfied with SAPR responders and service providers
  - Respondents highly rated Commanders’ support, treatment, and response
  - For respondents making unrestricted reports:
    - 59% perceived some social* retaliation and 40% perceived some professional** retaliation

• **Focus Groups on Sexual Assault Prevention and Response** – *New for 2014*
  - 57 focus groups involving 650 participants at 10 installations, conducted July to August; qualitative analysis of themes heard in groups; not generalized to full force
  - Overwhelmingly trained on SAPR resources/policy, with most effective training featuring guest speakers, small groups, videos, skits
  - Most knew how to contact SARC, VA and would trust them to handle a report properly
  - Indicated positive shift in DoD’s handling of sexual assault and harassment, as well as leadership encouraging environment of dignity and respect
  - Still potential for reporters to perceive social and professional retaliation

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* Social retaliation includes being ignored by coworkers, blamed for the situation, made to feel responsible for changes in the unit
** Professional retaliation includes loss of privileges, denied promotion/training, transferred to less favorable job, unwanted increased supervision
Military Justice Reform

- The military justice system has been substantially reformed since April 2012
  - Victims’ rights have been expanded
  - Commanders’ discretion over sexual assault cases has been limited, and decision making authority has been pushed to higher levels of command

- The Services have enhanced their capacity to investigate and try sexual assault cases

- Further reform initiatives are under way:
  - DoD is considering the Response Systems Panel’s 132 recommendations
  - The Judicial Proceedings Panel is studying, among other things, the reforms that have been implemented
  - At the Secretary of Defense's direction, the Military Justice Review Group is conducting a comprehensive review of the military justice system. Although this initiative is not specifically focused on sexual assault, it will result in proposed UCMJ amendments
Directives Released Today

• Engage Command to Prevent Retaliation

• Enhance First Line Supervisor Skills and Knowledge

• Launch Installation Prevention Study

• Provide Feedback to the Force
Summary

• Over the past three years, senior leadership engagement has driven significant progress in preventing and responding to sexual assaults, as demonstrated in this report.

• We have more to do: Critical reforms continue to be implemented throughout the military as a way to reinforce a culture of honor, dignity, and respect.

• We envision DoD as a national leader in combatting the crime of sexual assault, which begins with unprecedented senior leadership, transparency in reporting, and collaboration with experts.
Back Up Slides
FY14 Annual Report Disciplinary Action Summary (Provisional)

- 3,818 Investigations of Sexual Assault Allegations Completed in FY14
  - Involving 4,353 Subjects (Alleged Offenders)
    - 833 Subjects with case disposition yet to be completed or reported to DoD

3,520 Subjects with Disposition Information to Report in FY14
- 551 Subjects with Allegations Unfounded based on Legal Review*
- 487 Civilian, Foreign, Unknown Subjects or Subject Died/Deserted
- 63 Service Member Subjects Over Whom Civilians Exercised Jurisdiction

2,419 Service Member Subjects – Command Action Considered

Action Taken: 73% (1764/2419)
- 910 Court-Martial Charge Preferred for Sexual Assault
- 283 Nonjudicial Punishments
- 187 Adverse Administrative Actions or Discharges
- 384 Action on Non-Sexual Assault Offenses

- 655 Subjects - Command Action Not Possible or Declined
  - 345 Subjects - Insufficient evidence of a crime to prosecute
  - 244 Subjects - Victims declined to participate in justice system
  - 11 Subjects - Statute of limitations exceeded for crime alleged
  - 55 Subjects - Allegations Unfounded by Command/Legal Review

*Of the 551 unfounded allegations, 54% were determined to be baseless, 30% constituted a non-sexual assault offense based upon evidence developed by the investigation, 11% were allegations misinterpreted by a third party, and 5% were determined to be false allegations.
Summary of Provisional Metrics

**Metric 1 – Past Year Prevalence of Unwanted Sexual Contact**
- Status: The prevalence rate decreased for women from FY12 to FY14; no change for men.
  - In FY14, an estimated 4.3% of female Service members, and 0.9% of male Service members experienced unwanted sexual contact (compared to 6.1% of women and 1.2% of men in FY12 WGRA).
  - Prevalence rates estimated by the WGRA methodology (described above) were similar to prevalence rates estimated by the new RMWS sexual assault measure (4.9% women; 1% men)

**Metric 2 – Sexual Assault Reports vs. Prevalence**
- Status: The gap between prevalence and reporting decreased.
  - In FY14, 4,608 Service members reported sexual assault to DoD authorities, which accounted for approximately 24% percent of the estimated ~19,000 of Service members who may have experienced unwanted sexual contact in the year preceding the survey.

**Metric 3 – Bystander Intervention Experience in Past 12 Months**
- Status: Encouraging trend – Most Service members report they would intervene if they see a risky situation.
  - Bystander intervention is high (87%) among Service members who observed a situation at risk for sexual assault.
  - Note: About 4% of monthly respondents indicated they witnessed a situation at risk for sexual assault.

**Metric 4 – Command Climate Index – Addressing Continuum of Harm**
- Status: Consistent data: Unit leadership efforts to promote respect and trust are rated highly.
  - Overall, Service members perceived a favorable command climate with regard to SAPR.
    - Women perceived a slightly less favorable climate than men.
    - Junior enlisted and NCOs perceived a less favorable climate than all other ranks.

N/A **Metric 5 – Investigation Length**
- Status: Slight increase in investigation length from FY13.
  - A criminal investigation for a sexual assault case took an average of 4.7 months, up from an average of 4.0 months in FY13.

**Clear Evidence of Progress**  ➔ **Indications of Progress**  ✗ **Progress Not Evident**
Metric 6 – All Certified Fulltime SARC and VA Personnel Currently Able to Provide Victim Support
- Status: Across the DoD, there are currently a total of 568 full-time sexual assault response coordinators and 471 full-time victim advocates.
  - Services have additional capability with 17,000+ collateral and volunteer VAs.

Metric 7 – SARC/VA and SVC/VLC Support
- Status: Survivor Experience Survey.
  - The vast majority of survivors expressed satisfaction with their SARCs, VAs/UVAs and SVCs/VLCs.

Metric 8 – Victims declining to participate in the military justice process
- Status: Downward trend since 2010, but year to year changes are small.
  - In FY14, the percentage of subjects with victims declining to participate in the military justice system is 10%; the percentages were nearly the same in FY13 (9%) and FY12 (11%).

Metric 9 – Victim Retaliation: Command Climate and Victim Perspective
- Status: New data sources.
  - Monthly DEOCS Reports (February-September)
    - Overall, surveyed Service members rated their climates as quite favorable (3.4 out of 4), meaning they did not observe indications that victims would experience retaliation for reporting.
  - RAND Military Workplace Survey
    - Of the women who experienced USC and made a report to a DoD authority, 62% perceived some kind of: professional retaliation (32%), social retaliation (53%), adverse administrative action (35%), and/or punishment (11%). (Data not reportable for men)
    - No change since FY12: 62% of women perceived some kind of retaliation
  - Survivor Experience Survey
    - 40% of respondents indicate perceiving “professional retaliation”* for reporting.
    - 59% of respondents indicate perceived “social retaliation”** for reporting.

*Professional retaliation: Includes loss of privileges, denied promotion/training, transferred to less favorable job, unwanted increased supervision.
**Social retaliation: Includes being ignored by coworkers, blamed for the situation, made to feel responsible for changes in the unit.
Summary of Provisional Metrics (continued)

- **Metric 10 – Victim Kept Informed Regularly of the Military Justice Process**
  - Status: **Survivor Experience Survey**.
    - The vast majority of survivors indicated they were kept regularly informed of the military justice process.

- **Metric 11 – Service Members’ perceptions of leadership support for SAPR**
  - Status: **Consistent data: Unit leadership efforts to advance SAPR program are rated highly**.
    - Overall, Service members rated their command and leadership favorably (3.4 out of 4) in their support of the SAPR program, encouragement of victims to report, and support of victims.
    - Women perceived less support for SAPR than men, and Jr. Enlisted/NCOs perceived less support than all other ranks.

- **Metric 12 – Sexual Assault Reports**
  - Status: **FY14 reporting exceeded FY13 record levels of reporting**.
    - Comparing FY14 to FY13:
      - Total number of sexual assault reports has increased by 8%.
      - Restricted reporting has increased by 15%, Unrestricted reporting has increased by 7%.
Summary of Provisional Non-Metrics

• Non-Metric 1 – Command Action for Alleged Military Offenders Under DoD Legal Authority, for Penetrating and Sexual Contact Crimes
  – Status: No change in FY14 – 73% of subjects under DoD authority received some kind of action
    ▪ Between FY09 and FY14, commanders preferred court-martial charges on an increasing portion of alleged offenders, while there was a decrease in cases where command action was not possible.

• Non-Metric 2 – Sexual Assault Court Martial Outcomes for Penetrating and Sexual Contact Crimes
  – Status: The majority of court-martial preferrals proceeded to and completed trial.
    ▪ 66% of penetrating crimes and 71% of sexual contact crimes proceeded to and completed trial.

• Non-Metric 3 – Time Interval from Report to Court Outcome
  – Status: FY14 baseline year: 9 months
    ▪ In FY14, it took an average of 9.1 months from the time a sexual assault was reported to the time the court outcome was completed.

• Non-Metric 4 – Time Interval from Report to Nonjudicial Punishment Outcome
  – Status: FY14 baseline year: 4 months
    ▪ In FY14, it took an average of 4 months from the time a sexual assault was reported to the time the nonjudicial punishment outcome was completed.

• Non-Metric 5 – Time Interval from Report to Judge Advocate Recommendation
  – Status: FY14 baseline year: 12 days
    ▪ In FY14, it took an average of 12 days from report of investigation to Judge Advocate recommendation for prosecution/non-prosecution decision.

• Non-Metric 6 – DoD Action in Sexual Assault Cases Declined by Civilians or Foreign Governments
  – Status: Services reported 87 cases in FY14 where the military justice system more fully addressed the alleged misconduct
    ▪ The Services provided 27 anecdotal case summaries to illustrate their actions in these matters.