

SEXUAL ASSAULT PREVENTION & RESPONSE



TOGETHER WE CAN PREVENT SEXUAL ASSAULTS

COMMANDER'S GUIDE

Sexual Assault

Sexual assaults encompass a broad range of intentional sexual contacts that are unwelcome and without consent. The most serious sexual assaults include rape, sodomy, and forced oral sex. No form of sexual assault is ever acceptable in the Department of the Navy, and all are crimes under the UCMJ. Several sexual assault terms have specific courtroom definitions that may differ from their common usage here.

Incidence

Anonymous surveys suggest almost 25% of female Sailors and Marines experience some form of sexual assault during their careers, including 8-9% in just the past year. Those surveys also suggest 6-8% of female Sailors/Marines have endured the most serious forms of sexual assault during their careers, including roughly 2% in just the past year.

Reporting

Even for the most serious forms of sexual assault, only 1 in 6 Sailor and Marine victims report the crime to authorities. Roughly 40% don't tell anyone, including their friends. The most common reasons for not reporting include fear of stigmatization (along with ostracism, ridicule, and harassment) by commands and peers, and doubts that anything will happen.

Most Vulnerable

The youngest enlisted Sailors and Marines face the highest risk of sexual assault—almost 5% of females aged 17-19 endure the most serious forms of sexual assault each year. Sailors and Marines seem most vulnerable at their first duty stations after recruit training, when they are still new to the military and just out of the very-structured recruit environment.

Offenders

Most Sailor and Marine victims of sexual assault are assaulted by another person in uniform—usually someone they know.

Alleged offenders are usually of similar enlisted rank or 1-2 grades senior.

Most assaults begin in social settings, both on- and off-base, and both in CONUS and OCONUS.

Alcohol is a pervasive co-factor. In some cases, offenders use alcohol as a weapon to incapacitate potential victims.

Experts tell us many offenders are skilled predators who carefully select the most vulnerable targets—often those least likely to be believed if they report. They know what they are doing and have gotten away with it before.

Male Victims

Male Sailors and Marines can also be victims of sexual assault. They are less likely to report. Their risk of sexual assault appears lower than for females, but the predominance of males in the Navy and Marine Corps means the projected number of individual male victims may be quite large—similar to or perhaps even greater than the number of female victims.

False Reports

Experts say that consciously false reports are rare—around 3% of cases. Unfortunately, a much larger proportion of cases are impossible to prove.

Investigation

Sexual assault cases are difficult to investigate. Close coordination with law enforcement and legal is essential for successful prosecutions. In many cases, the key challenge is to provide evidence supporting the victim's non-consent to an undisputed sexual contact.

Bystander Intervention

Bystander intervention is one key element of sexual assault prevention. It emphasizes the responsibility of all Sailors and Marines to protect each other and to actively intervene in circumstances that may lead up to sexual assault.

Note: New UCMJ language, as of June 2012, groups sexual offenses under separate labels of rape, sexual assault, and other sexual misconduct (including abusive sexual contact and aggravated sexual contact). Specific usage of these terms in military justice does not change their broader definition elsewhere and in this Guide.



Set the tone. You are responsible for your command climate. Sexual assault and sexual harassment are unacceptable—period.

Lead by positive example. Sexual innuendo and jokes may get a few laughs, but they send absolutely the wrong message about your expectations. The same is true of irresponsible alcohol consumption and improper personal relationships.

Address factors that contribute to sexual assault situations. Liberty policies and strategies to address alcohol abuse have been used as tools in various places. One CO worked with NCIS and local authorities to break up alcohol-fueled hotel-room parties. Senior enlisted have been effective in programs to mentor younger Sailors and Marines.

Take sexual assault reports seriously. Use your Sexual Assault Response Coordinator (SARC) as a key asset. Remember that a primary concern for many victims is to preserve their privacy as much as possible. Don't accidentally wound them in well-intended group comments.

Insist on thorough investigations of all reported sexual assaults. You may not be able to achieve convictions in every case, but your approach sends a powerful message in itself.

Make sure that victims have access to local support services, and follow-up on how they are doing. Once again, your SARC is an invaluable resource in this regard.

Make your own conscious plan to protect victims from retaliation and re-victimization. Few things will have worse impacts on your command.

Promote “bystander intervention”—the responsibility of all Sailors and Marines to actively protect each other from sexual assault and risky behaviors. Encourage and support those individuals who do stand up to intervene.

Visibly support your SAPR team. Select appropriate victim advocates and ensure they are trained. Attend monthly SAPR Case Management Group (SA CMG) meetings.

STEP UP. STEP IN.



I'm going to continue to hold our COs responsible for their command sexual assault prevention and response programs, demand that they properly train their personnel, and hold them accountable if that doesn't occur. But we've got to have the same accountability in every leader—particularly our first-line leaders, the ones our junior Sailors and Marines really listen to. It's these leaders who will influence the success or failure of our program.

~ Honorable Ray Mabus
Secretary of the Navy
DON SAPR Summit

Sexual assault is a crime... It hurts a Shipmate and affects the readiness of the entire unit. Ultimately, our challenge to eliminate sexual assaults will be resolved by leadership—at the unit level.

~ Admiral Jonathan W. Greenert
Chief of Navy Operations
DON SAPR Summit

Prevention of sexual assault is a leadership responsibility. Effective implementation of a “zero tolerance” policy begins with education of our leaders to ensure their full attention to the initiatives in place to reduce the incidence of this crime in the Marine Corps.

~ General James F. Amos,
Commandant of the Marine Corps
Statement to Senate Armed Services Committee



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Sexual Assault in the Department of the Navy

...involves nonconsensual criminal acts ranging from sexual touching to rape.

Sexual Assault **IS**...

- Intentional sexual contact characterized by use of force, threats, intimidation or abuse of authority or when the victim does not or cannot consent.

Sexual Assault **INCLUDES**...

- Rape
- Forcible sodomy (oral or anal sex)
- Other unwanted sexual contact that is aggravated, abusive, or wrongful
- Attempts to commit these acts

Consent **IS**...

- Freely given words or overt acts indicating agreement to sexual activity by a competent person.

Consent **IS NOT**...

- Submission due to force or fear.
- Implied due to dress or previous sexual relationship.
- Possible if someone is substantially impaired due to drugs, alcohol, or unconsciousness.

Sexual assault is **OUR** problem.

- The following are estimated projections of Sailors and Marines who have experienced rape, sodomy, and/or non-consensual oral sex during the last 12 months²:
 - 2,485 Navy victims
 - 1,453 Marine Corps victims

Being perpetrated by **OUR** members².

- 71% of perpetrators against Navy men
- 89% against Navy women
- 59% of perpetrators against USMC men
- 88% against USMC women

Being perpetrated on **OUR** installations¹.

- 55% of assaults against Navy men
- 57% against Navy women
- 58% of assaults against Marine Corps men
- 83% against Marine Corps women

Sexual assault is a **NATIONAL** problem⁴.

- 1 in 5 women will be sexually assaulted in their lifetime
- It is the most under-reported crime in America
- Over 10% of all victims of sexual assault, sexual abuse, and rape are male



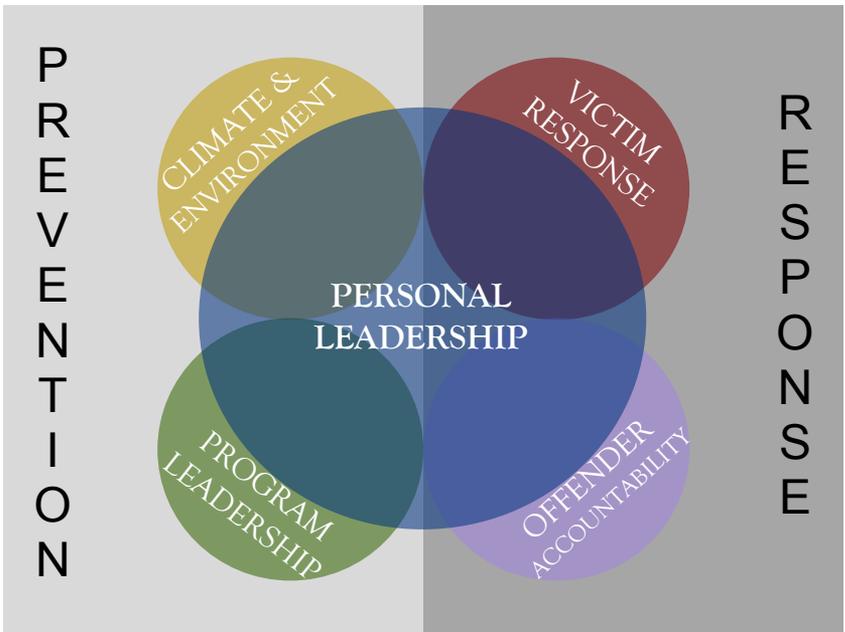
THE MOST POWERFUL IMPACT

You, as a leader, can make it unequivocally known that this issue is a priority to you. If in both formal and informal contexts, those under your command understand they will be held accountable by you for their response to this issue—the rest will follow.

Core Elements of a Command Environment

What am I responsible for?

The diagram below depicts the five key elements of a Commander's responsibility for Sexual Assault Risk Management. The elements encompass both Prevention and Response strategies. Attention paid to these elements has a positive effect on individuals and overall mission readiness. The remainder of this guide is organized according to these elements.



Personal Leadership

Ask yourself: When you hear about a sexual assault case, how often do you doubt the veracity of the victim's report and instead focus on characteristics of the victim? For example: what the victim was wearing, if the victim had been drinking, if the victim voluntarily invited the alleged offender to his or her room.

Then consider: The tendency to assume the report is false or that the victim is lying is not supported by the data. Victims of sexual assault are far more likely to have been assaulted and never tell anyone of the incident (60% Navy male victims, 42% Navy female victims, 54% Marine Corps male victims, and 41% Marine Corps female victims indicated they told no one of their assault²) than they are to have never been assaulted and made a false report (false allegations of sexual assault are 3% per NCIS data).

Ask yourself: How often are you skeptical of an assault because you feel like you can identify with the alleged perpetrator? “I know this man. He’s a good guy. He’s a lot like me when I was younger. He’s a great Sailor/Marine.”

Then consider: In the Navy, only 7% of the sexual assaults committed against women and 9% committed against men were by strangers. In the Marine Corps, only 12% of the sexual assaults committed against women and men were by strangers.² The majority are known to the victim and are often described as “nice guys,” difficult to distinguish from those you may like and respect.



Ask yourself: How often do you assume that an alleged sexual assault is more likely to be a sexual encounter between well intentioned individuals who simply had too much to drink or had a misunderstanding of consent?

Then consider: Every case stands alone. Studies indicate that many of the sexual assaults committed by someone the victim knew are committed by repeat offenders⁵. Common tactics used to commit the assault include: ignoring victims' efforts to communicate, incapacitating them with alcohol or drugs, physical force, or threats. Every case must be thoroughly investigated by law enforcement so that the facts relevant to that case can be determined. Then, and only then, after you thoroughly review the case, can you reach a disposition decision that is fair to both the victim and subject in that individual case.

Ask yourself: Based on your responses to the above questions, how might your biases be impacting prevention and response efforts under your command?

Then consider: What messages can you communicate, formally or informally, that could decrease victim blaming, increase scrutiny of repeat offenders, and increase the reporting and help-seeking behaviors of victims? Eliminating sexual violence is everyone's responsibility, but ultimately your words and actions as a leader, or lack thereof, set the deciding tone. Identifying potential liabilities in terms of misinformation or biases is a crucial first step.

“If we are going to remain the greatest expeditionary fighting force the world has ever known, we cannot allow this to continue. If we are going to protect our shipmates, we cannot allow this to continue. If we are going to remain the Navy and Marine Corps people look up to, and should look up to, this cannot continue.”

- Hon. Ray Mabus, Secretary of the Navy



Strategies:

1. Inform yourself and your command team about key aspects of sexual assault.
2. Hold those under your command accountable by directly and personally addressing questionable behaviors.
3. Visibly support your SAPR team.
 - Ensure adequate resources
 - Meet with your SAPR team regularly
 - Communicate to others about the SAPR team's capabilities
 - Make introductions at SAPR programs
 - Ensure subordinate commanders establish a working relationship with the SAPR team
 - Support collaboration and cross-communication with first responders
4. Actively involve your senior leadership team.
5. Go to conferences. Don't send substitutes.
6. Visibly and consistently express your support for victims and commitment to prevention.
7. Make it personal. Be "real" when discussing this issue.
8. Make sure awareness of the issue extends beyond Sexual Assault Awareness Month (Apr). Prompt your leadership with reminders to ensure ongoing attention.
9. Be proactive. Get the message out via multiple venues.
 - Webcast, radio show, or TV Show
 - Facebook
 - Website
 - Newcomer briefings
 - Magnets
 - Commander's Access Channel broadcasts
 - Weekly newspaper
 - Mass and targeted e-mail
 - Commander's calls
 - Daily face-to-face communication
 - Integrate message into existing vehicles
10. Share your best practices with fellow Commanders.



Climate & Environment

Ask yourself:

What is the real impact of a few off-color jokes, a couple of sexual advances, or over consumption of alcohol to my command climate and ultimately my mission readiness?

Then consider:

Environmental factors in the military associated with an increased likelihood of sexual assault include:

- Sexual harassment allowed by superiors
- Unwanted sexual advances or remarks
- Environments where superiors engaged in quid pro quo behaviors, such as when a superior makes inappropriate demands to a subordinate
- Environments where irresponsible consumption of alcohol is glamorized

“As leaders, we impact command climate and can collectively create an environment that does not condone sexual violence.”

- BGen Robert F. Hedelund,
Director,
Marine and
Family
Programs
Division

A hostile climate decreases the likelihood victims will report, thus diminishing your opportunities to hold offenders accountable.

Additional barriers to reporting include:

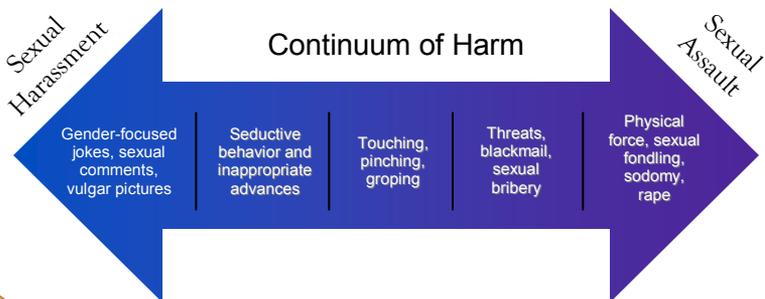
- 24% of Navy female victims, 25% Marine Corps female victims, and 17% of Navy and Marine Corps male victims stated the reasons they did not report were fear of ostracism, harassment or ridicule by peers.²
- 20% of Navy female victims, 24% of Marine Corps female victims, and 17% of Navy and Marine Corps male victims stated a reason they did not report was they thought nothing would be done.²
- 20% of Navy female victims, 22% of Marine Corps female victims, 11% of Navy male victims, and 12% of Marine Corps male victims stated they did not report for fear of public disclosure of the assault.²



Ask yourself: What might a potential offender be thinking if she/he notices leadership is silent in the face of a vulgar e-mail or sexist comments?

Then consider: Officer and enlisted leadership is essential.

- The occurrence of the ranking officer initiating or allowing others in the unit to make sexually demeaning comments or gestures in a service woman’s presence has been associated with a three- to four-fold increase in the likelihood of rape.⁶
- A study by Sadler (2003) shows “Women reporting hostile work environments had approximately six-fold greater odds of rape...When officers engaged in quid pro quo behaviors, women reported a five-fold increase in rape. Officers allowing or initiating sexually demeaning comments or gestures towards female soldiers was associated with a three to four-fold increase in likelihood of rape.”⁶
- While most who laugh at an off-color joke or forward an inappropriate email do not commit sexual assault - those who do commit this violence often mask and justify their behavior within climates where such behavior is condoned or ignored. Just as peers may provide inadvertent cover for offenders, they are also a very effective tool in both the prevention and response arenas. Emphasize the important role Sailors and Marines can play as active bystanders. Armed with basic education and training on resources and intervention strategies, they are a force multiplier.



Strategies:

“Why are some units effective and others not? They have the same basic characteristics, equipment, etc. It’s the intangible aspects that make all the difference; like commitment, loyalty, self-sacrifice, trust. Trust in our leaders, trust in the Marines and Sailors to our left and right. (As leaders) we need to focus on the intangibles and anything that would undermine these, needs to be stamped out... Sexual assault undermines our combat effectiveness.”

- Gen. Joseph F. Dunford Jr., Assistant Commandant of the Marine Corps

1. In formal and informal settings, set the standard for behavior and communication that you want emulated. Challenge your Sailors/Marines to act in the following areas:
 - Address behaviors, conduct and attitudes across the Continuum of Harm (see previous page).
 - Ensure respect for victims and respect for the investigation and disposition process.
 - Prohibit intimidation or retribution of any kind after a report has been made.
2. Increase oversight and accountability for behaviors in the day-to-day workplace and living/community areas.
3. Conduct periodic surveys to assess elements of your climate. Work with your leadership team to address the elements of greatest concern.
 - Meet with your SAPR team to discuss climate and environment issues.
 - Solicit information on climate concerns from groups in unique positions to observe, including Command Climate Surveys.
 - Conduct informal “walk around” assessments within the command.

- Talk to people in work areas informally about the climate and environment	- Ensure all maintain standards of good order and discipline
- Integrate practical safety tips into orientation (locking doors)	- Conduct no-notice inspections of barracks/ships
- Listen for concerns with personnel in family and youth areas	- Be clear about your “boundaries” of behavior
- Walk the grounds at night	- Talk to your leaders about expectations



4. Encourage all leaders to make active efforts to stay current and responsive to climate concerns.
5. Do not tolerate sexually demeaning conduct.
6. Develop a climate within which bystanders feel empowered to act.
 - Support the Bystander Intervention Training programs (e.g.: Bystander Intervention course at Navy A-schools and the USMC Take A Stand course for NCOs).
 - Encourage Sailors and Marines to take action in the face of a potential sexual assault.
 - Have leadership introduce key trainings and events pertaining to sexual assault prevention and response.
 - Acknowledge Sailors and Marines who intervene or speak up in potentially high-risk situations.
7. Communicate clearly and often that there is a direct link between achieving your organizational goals and ensuring each Sailor/Marine feels safe and productive in his or her office.
8. Emphasize the importance of professional military culture and responsibilities including bystander intervention strategies.

“The ultimate goal: A Navy culture of mutual respect where sexual assault is completely eliminated and never tolerated. Anything else is unacceptable.”

- RADM Anthony M. Kurta

Director, Military Personnel Plans and Policy



PROGRAM LEADERSHIP

Ask yourself:

Does your command know your policy on sexual assault?

Then consider:

Sexual assault is completely unacceptable in the Navy/Marine Corps. Your ultimate goal as a leader is a command climate of gender respect where sexual assault is never tolerated and completely eliminated.

There is no single easy method to prevent sexual assault. It will require our sustained commitment to multiple approaches—mentoring young Sailors/Marines; confronting alcohol issues; educating all Sailors/Marines about our shared responsibility as bystanders; and actively eradicating sexism and sexual harassment whenever encountered.

Studies show that a coordinated response by a multi-disciplinary approach improves a victim's experience as well as offender accountability.

“In order to remove sexual assault from our Navy we need to ensure commands have a strong partnership with Sexual Assault Response Coordinators (SARC) and a robust Sexual Assault Prevention and Response (SAPR) program which fosters an environment where ‘shipmates help shipmates’ by not allowing destructive behavior to occur.”

- MCPON Rick D. West



- Strategies :**
1. Carefully select those who will fill SAPR program roles in your command. Consider the sensitivity and maturity required in dealing with these issues.
 2. Maximize each opportunity to interface with first responders.
 - Build relationships with law enforcement, legal, FAP, chaplains, and health care providers.
 - Be visible in your support and promotion of the SAPR program.
 - Host joint programs with command partners, and have command representation at local events.
 3. Create opportunities for collaboration (e.g., training for first responders, host/participate in symposiums, awareness events, etc.) to showcase Command policy and address the issue of eliminating sexual assault.
 4. Support your SARC when there are events. Let it be known you expect leaders in all echelons, both officer and enlisted, to be present and follow up if they are not.
 5. Be a role model and lead by example. Be consistent behind closed doors as well as “out front.”
 6. Know the resources that surround your base. This is particularly critical for non co-located Reserve units who rely on community-based resources (e.g., rape crisis centers, shelters).



Victim Response

Ask yourself:

What does a real victim look like?

Then consider:

Victims of sexual assault are trauma victims. Trauma affects everyone differently. There are preconceived notions of how a “real” victim of sexual assault should look and act, as well as respond. When a victim does not conform to these expectations, often the veracity of his or her experience is doubted.

Ask yourself:

Why is reporting often delayed?

Then consider:

A victim may not report right away for a range of reasons, including fear of the perpetrator; public humiliation; a hostile environment for victims; fear of being disbelieved or blamed due to collateral misconduct (drinking, substance use); and blaming themselves for the assault.

Ask yourself:

Why don't victims fight back?

Then consider:

Victims may submit out of fear, to avoid further harm or heightened violence, and/or because of perpetrator threats.

Ask yourself:

Are most victims hysterical or emotional?

Then consider:

There is not one “typical” response for victims of sexual assault.



Ask yourself: Are most victims expected to be able to provide accurate recollections of their trauma?

Then consider: It is well established that memory processing is disrupted during traumatic events. Commonly occurring psychological reactions to trauma may impair a victim's ability to accurately recollect and talk about their sexual assault.

Ask yourself: What do you do when you don't really believe the victim?

Then consider: As a leader, it is essential that you follow the process and maintain objectivity. Each allegation of sexual assault should be considered independent of victim's character, behavior, or other allegations of past or present victim misconduct.

Ask yourself: When I think about sexual assault, how often do I think only of female victims?

Then consider: There are additional stereotypes and myths that impact men's ability to face their sexual assault and seek support or services, including:

- Men are immune to victimization.
- Men should be able to fight off attacks.
- Men shouldn't express emotion.
- Men enjoy all sex, so they must have enjoyed the assault.

These are NOT true!



Ask yourself:

Why won't victims just report so we can hold the offenders accountable?

Then consider:

This is a question often asked by leadership out of well-intended frustration at feeling helpless to act in the face of an assault. The reality is that reasons victims gave for not reporting include things within a Commander's reach to address. These include:

- Did not want superiors to know
- Fear of being treated badly if they report
- Concern for protecting their identity
- Did not trust the reporting process
- Afraid of retaliation
- Thought nothing would be done
- Perception they could handle it on their own

The responsibility for an increase in reporting is yours, not the victim's. Note what is being communicated within your command that is contributing to barriers to reporting, and address them. An increase in reporting will be unlikely to happen until after the response is strengthened and improved.

“If we prove to our young men and women who have been assaulted that we are serious about changing this culture, perhaps we'll get the reporting.”

- Honorable Robert O. Work
Under Secretary of the Navy



Strategies:

1. Take every case seriously and make sure your concern is apparent.
2. Protect victims from re-victimization and retaliation.
3. Ensure victims receive needed support—best done in coordination with the SARC.
4. Insist on a thorough investigation of every unrestricted report of sexual assault.
5. Respect victims' choices about reporting. If a victim chooses restricted reporting, respect that choice and trust your team to work the process.
6. Recommend deferring action on issues of collateral misconduct while sexual assaults are being investigated and decided upon.
7. Ensure that transfer requests are expeditiously processed. (72 hours)
8. Ensure adequate attention is paid to the selection, training and oversight of the SAPR team (SARC, VA/UVA, POC, DCC, SAPR Command Liaison).
9. Make sure the SAPR team has command access and support.
 - Attend the monthly SAPR Case Management Group (SA CMG) meeting held by the SARC.
 - Speak at VA/UVA training. (e.g.: welcome participants)
10. Ensure training for first responders is available and effective (medical, NCIS, VA/UVA, SARC, chaplains, JAG).
11. Ensure first responders are collaborating and doing their work effectively.
12. Make certain that your Victim Witness Assistance Program (VWAP) is fully supportive of victims.
13. For Reserve units without full-time response resources, partner with community-based counterparts.



**Reporting
Options:**

There are two reporting options available: Unrestricted and Restricted, defined below.

**Unrestricted
Reporting:**

A process used by an eligible individual to disclose, without requesting restricted reporting, that he or she is the victim of a sexual assault. Under these circumstances, the victim’s report to the SARC, Healthcare Personnel, a VA/UVA, command authorities, or other persons are reportable to law enforcement and may be used to initiate the official investigation process.

**Restricted
Reporting:**

A process used by an eligible individual to report or disclose that he or she is the victim of a sexual assault to specified officials on a requested confidential basis. Under these circumstances, the victim’s report and any details provided to the SARC, Healthcare Personnel, or a VA will not be reported to law enforcement to initiate an official investigation unless the victim consents or an established exception is exercised under DoD Directive 6495.01.

Restricted/Unrestricted Reports		
RESTRICTED		UNRESTRICTED
Yes	CONFIDENTIALITY	No Sensitive/need to know
Active Duty and Reservists on Active Status, and their dependents 18 years or older	ELIGIBILITY	All personnel
No	LAW ENFORCEMENT INVESTIGATION	Yes
No	COMMAND INVOLVEMENT	Yes
Available	SEXUAL ASSAULT KIT	Available
Available	MEDICAL SERVICES	Available
Available	COUNSELING SERVICES	Available
Available	VICTIM ADVOCATE SERVICES	Available



Why the Restricted Reporting Option Is Critical

The concept of a restricted reporting option has been difficult for many commanders to fully appreciate. The restricted reporting option is a critical tool in the organizational response to sexual assault. It is the option developed specifically to increase mission readiness and increase reporting by addressing the initial needs of a victim ~ for more control over their environment including time, privacy, and medical and emotional support. It is best described as a window into information previously unknown. Prior to this reporting option, most victims of sexual assault simply attempted to deal with the trauma on their own and hoped they could still function in their personal and professional lives. As this is a very difficult trauma to successfully self-treat, some struggled on and many others departed the Navy/Marine Corps, often for reasons related to their trauma.

While the goal is to have every restricted report go unrestricted, some victims will never be able to go beyond the restricted reporting step, so a final adjudication of the case will never occur. Others will find themselves able to move their case into the unrestricted realm in due time, and not only get help for themselves but also participate in holding their offender accountable.

Honoring a victim's choice for restricted reporting is critical, in spite of the fact that it delays an investigation into the allegation and your ability as leaders to "take care of your Sailors/Marines."

"Commanders need to stop looking at the UVA position as just another billet that anyone can fill. It needs to be a motivated person who WANTS the billet. Anyone can fill the billet but not just anyone can understand it's importance. If others do not feel their UVA wants to help or even cares, then the billet is useless."

~ USMC female, O2
Anonymous comment²



Respecting a victim's choice for this option demonstrates that you and the Navy/Marine Corps care about him or her first, and the desire to investigate the crime, at least immediately, second. This is very important as victims strive to adjust to the shock of their circumstances, regain their bearings, and prepare to move forward.

Rest assured that your SAPR team is working with victims to help them understand the importance of an immediate Sexual Assault Forensic Exam (SAFE) kit to preserve evidence for future use. The SARC is also working to help them understand the importance of moving to an unrestricted reporting process when and if they want.

Initial medical care, both physical and mental, coupled with quality time to work with a SARC and VA creates a safe zone for victims. This tends to translate into a victim being much more willing to work toward successful offender accountability.

Bottom Line: A Restricted Reporting option puts the victim's voice first, ensures they get immediate help, and may eventually give Commanders the ability to pursue an alleged perpetrator on a case converted to unrestricted that may have been otherwise unknown, while helping a victim more quickly return to mission ready status.

“(The sexual assault) took place very early on a Sunday. The next day my CO held an all hands call and asked ‘How many of you know that one of your shipmates was sexually assaulted over the weekend?’ I was out of work that week and had to go onboard here and there with a black eye. It became really obvious to everyone that I was the shipmate in question. I was shocked that after so many years of training, my CO went against the advice of my Chaplain and my SAPR POC and put my VERY personal information out there for the entire command.”

~ Navy female, E5

Anonymous comment²



Offender Accountability

Ask yourself:

What are my assumptions about sexual assault offenders and accountability?

Then consider:

“Our men and women in uniform put their lives on the line every day to try to keep America safe. We have a moral duty to keep them safe from those who would attack their dignity and their honor.”

- Honorable
Leon Panetta,
Secretary of
Defense

- When the victim was a Navy female, the perpetrator was a friend/acquaintance 30% of the time, a coworker 40% of the time. For Marine Corp female victims, the perpetrator was a friend/acquaintance 41% of the time, a coworker 30% of the time. When the victim was a Navy male, the perpetrator was a friend/acquaintance 17% of the time, a coworker 43% of the time. When the victim was a Marine Corps male, the perpetrator was a friend/acquaintance 21% of the time, a coworker 30% of the time.²
- Most perpetrators of sexual violence will do it repeatedly, debunking the myth that most assaults are “an honest misunderstanding between two people who drank too much” or “miscommunication.” As previously noted, 90% of all assaults are committed by repeat offenders.⁵ This finding has strong implications for your investigations and prevention efforts.
 - Researchers suggest that a prevention strategy focused on persuading persons not to commit sexual assault is not effective as a stand-alone strategy. Bystander intervention is viewed as a stronger alternative.
- An unreported allegation is never investigated. Factoring in unreported sexual assaults, only about 6% of perpetrators ever serve a day in jail. This means 15 of 16 perpetrators can never be held accountable.⁷
- Alcohol is frequently used as a weapon by offenders in order to control their victim and render them helpless. As part of their plan, a perpetrator will encourage the victim to use alcohol, or identify an individual who is already drunk. Alcohol is not a cause of sexual assault; it is only one of the many tools used by people who sexually assault.



Strategies:

“Sexual assault has no place in our Corps. It shatters the trust that must exist between Marines. All of us have a moral obligation to our fellow Marines in preventing sexual assault and to support any Marine or Sailor who falls victim to this crime.

~Sergeant Major of the Marine Corps,
Michael P. Barrett

1. Express clear expectations about the urgency and priority of case processing.
2. Ensure proper investigation of allegations while also communicating that the accused is “innocent until proven guilty.”
3. Do not put pressure on SARCs or VA/UVAs to disclose restricted reports.
4. Ensure a strong Victim Witness Assistance Program (VWAP).
5. Ensure your SJA and NCIS are working closely together. This will help avoid unnecessary delays.
6. Remember that complications and delays occur in military and civilian courts. These cases are rarely resolved quickly.
7. Ensure case outcomes are thoroughly reviewed and communicated to each victim by the JA, SARC, and Commander.

“It is incomprehensible that a shipmate would commit such a horrible crime on another shipmate. Sexual assault in our Navy undermines teamwork, morale, unit cohesion, and operational readiness. Also, the long-term effects of sexual assault dramatically impact the victim for years to come.

For these reasons, sexual assault does not belong in our Navy. We have a ‘zero tolerance’ policy for this criminal offense and it is each and every Sailor’s responsibility to adhere to this policy and do your part to alleviate this crime within our ranks.”

- MCPON Rick D. West



Acknowledgments

We would like to thank the Department of the Air Force for the use of their Air Force Wing Commander's Guide.

Our core values demand that we find new ways to do better. This will not be easy or quick, and there is no tried-and-true formula for success. We are trying to come up with the right message in the right context at the right time with the right frequency.

- Jill Vines Loftus
Director, DON SAPRO



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For More Information

For additional information, including the additional resource documents listed below, please visit the following websites:

<http://www.donsapro.navy.mil>

http://www.cnic.navy.mil/cnic_hq_site/WhatWeDo/FleetandFamilyReadiness/FamilyReadiness/FleetandFamilySupportProgram/SexualAssaultPreventionandResponse/index.htm

<http://www.usmc-mccs.org/sapro>

<http://www.sapr.mil>

<http://www.myduty.mil>

References

¹U.S. Department of Defense. (2011). Department of Defense Annual Report on Sexual Assault in the Military: Fiscal Year 2010.

²Department of the Navy. (2011). Sexual Assault Survey.

³Lisak, D., Gardinier, L., Nicksa, S.C., Cote, & Ashley, M. (2010). False Allegations of Sexual Assault: An Analysis of Ten Years of Reported Cases. *Violence Against Women*, 16, 1318. DOI: 10.1177/1077801210387747.

⁴U.S. Department of Justice. (2005). National Crime Victimization Survey.

⁵Lisak, D., & Miller, P.M., (2002). Repeat Rape and Multiple Offending Among Undetected Rapists. *Violence and Victims*, 17(1), 73-84.

⁶Sadler, Anne G., Booth, Brenda M., Cook, Brian L., & Doebbeling, Bradley N. (2003). Factors Associated With Women's Risk of Rape in the Military Environment. *American Journal of Industrial Medicine*, 43, 262-273.

⁷Bureau of Justice Statistics. (1992-2000) Rape and Sexual Assault: Reporting to Police and Medical Attention



NOT ON MY WATCH...

- Reporting is easier said than done. I still live with the fears of being sexually assaulted repeatedly. I'm still afraid to report my offender even 2 years later. (USMC female)
- I didn't report my situation because it would hurt quite a few people if it got out. My main concern is that nobody believes males can be raped. (Navy male)
- ... If you really want victims to report, send the message that you do NOT tolerate such actions... I can speak from experience that victims fear that the justice system will not hold the offender accountable. This poses silent yet devastating rippling effects to not only the victim but also to the morale & work environment of the unit and sets the tone for all future incidents... -Edmund Burke Paraphrase: "All it takes for evil to prevail is for good people to do nothing." My Question: "What will YOU do?" (USMC female)
- I did not report the incident of sexual assault because I was deploying to Afghanistan within the week. I did not trust my command to provide me with services and still maintain my billet as a platoon commander in a fwd deployed status. I had prepared for this deployment for over 6 months and did not want my command to leave me behind due to this incident. (USMC female)
- Because I am a male, being sexually assaulted embarrassed and humiliated me. I felt ashamed but was afraid to report the incident because this type of thing is not supposed to happen to a male ever. (Navy male)
- The less arrogance SNCOs have, the more willing they will be to help their subordinates; these are the leaders we need in our society ~ and they are dwindling significantly. Discipline is necessary, but so is being approachable... (USMC male)
- Most Military personnel do not take sexual assault as serious as they should. Higher ranking enlisted members included. Several times I have seen SNCO's intentionally flirt with E3 and below service members and "make moves" without consent. The junior service member is then in a difficult position because of fear of either punishment for jumping the chain of command or discrimination and harassment for being a weak Marine... I can tell you honestly that the command and medical doesn't know half of the unacceptable, intentional, unwanted sexual things said and acts performed, both at work and at the barracks. (USMC male)
- As a young female it's difficult to work with males who have done something in the past to you. It ruins working relationships, the chain of command, trust, and respect towards the offender. I feel the need to dodge fire when I see this person. I told my boyfriend at the time who told me not to say anything it would "ruin" the offenders naval career, well you know what he ruined my life. I would like to tell my chain command the events that took place but I feel like they would disregard it because it happened 6 months ago. I am concerned with the high cases of sexual assault/harassment in the Navy, I have met too many women that have gone through this horrible experiences. v/r a very worried sailor (Navy female)
- Honestly I didn't think I would ever be sexually assaulted, since I am a male. But I've changed that view, anybody, no matter what gender, age, or sexual preference, can be sexually assaulted. (Navy male)

Comments from DON SAPRO 2011 Sexual Assault Survey

Step Up. Step In.
Prevention is everyone's responsibility!