

Department of Defense Annual Report on Sexual Assault in the Military

Fiscal Year 2016

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

PERSONNEL AND
READINESS

MAY 1 2017

The Honorable John McCain
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Section 1631 of the Ike Skelton National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2011(Public Law 111-383), requires the Secretary of Defense to submit to the Committees on Armed Services of the Senate and House of Representatives an annual report on the sexual assaults involving members of the Armed Forces during the preceding year, including reports from each of the Military Departments.

The enclosed "Department of Defense Fiscal Year 2016 Annual Report on Sexual Assault in the Military" presents statistics and analysis of reports of sexual assault during FY 2016 and discusses policy and program improvements to the Sexual Assault Prevention and Response program of the Department of Defense (DoD). The numerical data and statistics contained in this report are drawn from metrics identified in the Department's evaluation plan, which fulfills additional reporting requirements outlined in the NDAAs for FYs 2011, 2012, 2013, and 2015.

This report documents considerable progress to address sexual assault in the military. Results from the "2016 Workplace and Gender Relations Survey" indicate that estimated instances of sexual assault for active duty Service members decreased in FY 2016, while the proportion of Service members choosing to report a sexual assault increased. With sexual assault being a significantly underreported crime, we consider this higher proportion of reporting as an indicator that victims are continuing to gain confidence in their leaders and response personnel to provide them with the care they need and hold alleged perpetrators appropriately accountable.

While this report documents progress to address sexual assault, the Department must continue to emphasize a climate of dignity and respect where male and female victims alike are empowered to report this crime. The DoD will continue in FY 2017 to implement enduring culture change so that this country's most important fighting resource – our men and women in uniform – can operate in a command climate without sexual assault.

I am sending a similar letter, with the Department's report, to the Chairman of the House Committee on Armed Services.

Sincerely,

A. M. Kurta
Performing the Duties of the Under Secretary of Defense for Personnel and Readiness

Enclosures:
As stated

cc:
The Honorable Jack Reed
Ranking Member

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

PERSONNEL AND
READINESS

MAY 1 2017

The Honorable William M. "Mac" Thornberry
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

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Performing the Duties of the Under Secretary of Defense for Personnel and Readiness

Enclosures:
As stated

cc:
The Honorable Adam Smith
Ranking Member



Department of Defense
Annual Report on Sexual Assault in the Military
Fiscal Year 2016

The estimated cost of report or study for the Department of Defense is approximately $4,479,000 in Fiscal Years 2016-2017. This includes $3,336,000 in expenses and $1,143,000 in DoD labor.

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Table of Contents

List of Appendices 4
List of Enclosures 5
Executive Summary 6
Fiscal Year 2016 Program Efforts 6
Advancing Sexual Assault Prevention 6
Assuring a Quality Response to Service Members Who Report Sexual Assault 7
Improving Response to Male Service Members Who Report Sexual Assault 7
Combatting Retaliation Associated with Sexual Assault Reporting 8
Fiscal Year 2016 Top Line Results 8
Reporting Behaviors 8
Prevalence 9
Introduction 10
Spotlight: FY16 Data 12
Advancing Sexual Assault Prevention 13
FY16 Assessment of Progress 13
Sexual Assault Rates for Men and Women Decreased Significantly Since 2014 13
2016 Sexual Assault Estimated Prevalence Rate is at a Ten Year Low 13
Risk of Sexual Assault on Military Installations Decreased Since 2006 14
Proportion of Sexual Assaults Committed by Civilians Increased Since 2006 14
Multiple Alleged Offenders Risk About the Same for Men and Women 14
Alcohol Involvement Increased 15
LGBT Active Duty Members at Greater Risk for Sexual Assault and Sexual Harassment 15
Sexual Assault Risk Remains Highly Correlated with Sexual Harassment Experience 16
FY16 Actions to Advance Sexual Assault Prevention 16
Conducted First Phase of the Installation Prevention Project 16
Launched the DoD Prevention Collaboration Forum 17
Initiated Development of the 2017-2021 Sexual Assault Prevention Plan of Action 17
Continued Bystander Intervention Training 17
Way Forward on Prevention in FY17 18
Continue Development of the 2017-2021 Sexual Assault PPoA 18
Assuring a Quality Response to Service Members Who Report Sexual Assault 19
FY16 Assessment of Progress 19
Sexual Assault Reporting Continues to Increase 19
Recent Rates of Restricted Report Conversions Remain Relatively High 19

Restricted Reports Converting More Quickly 20
The Restricted Reporting Option Promotes Overall Reporting by Service Members 20
About Ten Percent of Those Reporting Seek Assistance with a Pre-Service History of Sexual Assault 20
Most Response Services Rated Higher by Women Than Men 21
Reasons for Not Reporting a Sexual Assault Stayed Fairly Stable: Denial, Stigma, and Shame 21
FY16 Actions to Promote a Quality Response 22
Continued Professional Development for SARCs and SAPR VAs through D-SAACP 22
Expanded the Outreach of the DoD Safe Helpline 23
Worked to Streamline Access from the DoD to the Department of Veterans Affairs 23
Assured Confidentiality for Service Members Making a Restricted Report in States with Mandatory Crime Reporting Laws 24
Consulted with Other Government Agencies to Promote Improved Sexual Assault and Harassment Prevention and Response 24
Military Services Improved Response and Victim Treatment 24
Captured Survivor Feedback 25
Way Forward on Assuring a Quality Response in FY17 25
Develop an Evaluation Tool to Assess D-SAACP Initial Training Participants 25
Enhance DoD Safe Helpline Services by Launching a Self-Guided Education Tool 25
Improving Response to Male Service Members Who Report Sexual Assault 26
FY16 Assessment of Progress 26
The Number of Men Experiencing Sexual Assault Decreased Significantly This Year 26
Decreases in Estimated Prevalence for Men Came from Fewer Sexual Contact Crimes 26
Reports from Women Still Outnumber Men, but More Men Reported the Crime in 2016 than Ever Before 26
Male Victims Tend to Be a Little Older Than Female Victims 27
Certain Demographic Differences Among Men Increase Risk of Sexual Assault 27
More Men Characterize Their Sexual Assault as Hazing or Bullying, and Experience More Multiple Incidents than Women 27
Men and Women Report Sexual Assault for Mostly the Same Reasons 28
Men and Women Experience Sexual Assault Differently 28
Men Indicated Less Satisfaction with Services and Support from Individuals 29
FY16 Actions to Improve Response for Male Service Members 29
Developed the *DoD Men's SAPR Plan* 29
Conducted DoD Safe HelpRoom Webinar on Support for Men who Experience Sexual Assault 30
Implemented Methods to Improve Response and Outreach to Male Service Members 30

Way Forward on Improving Response for Male Service Members in FY17 31
Implement the *DoD Plan to Prevent and Respond to Sexual Assault of Military Men* 31
Launch the Male Peer-to-Peer Safe HelpRoom Series.....31
Combatting Retaliation Associated with Sexual Assault Reporting.....32
FY16 Assessment of Progress.....32
A Quarter of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Professional Reprisal 32
About 14 Percent of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Ostracism 33
About 18 Percent of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Maltreatment.....33
Social Media Plays a Role in About a Third of Perceived Ostracism and/or Maltreatment Experiences 33
About 32 Percent of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Any Kind of Retaliation (Professional Reprisal, Ostracism, and/or Maltreatment) 33
FY16 Retaliation Reporting Data.....35
FY16 Retaliation Prevention and Response Actions 36
Published the *DoD Retaliation Prevention and Response Strategy* 36
Established DoD IG Whistleblower Reprisal Directorate.....36
Messaged Ways to Report Allegations of Retaliation 37
Way Forward on Retaliation Prevention and Response in FY17 37
Implement the *DoD Retaliation Prevention and Response Strategy* 37
Summary 38

List of Appendices

Appendix A: FY16 Line of Effort Highlights
Appendix B: Statistical Data on Sexual Assault
Appendix C: Metrics and Non-Metrics on Sexual Assault
Appendix D: FY16 Aggregate Data Matrices
Appendix E: Implementation Status of Sections of NDAA for FY16 Pertaining to SAPR
Appendix F: Status of Secretary of Defense Initiatives
Appendix G: Safe Helpline Data
Appendix H: Sexual Harassment Data
Appendix I: Special Analysis on Social Media
Appendix J: Domestic Abuse Related Sexual Assault

Appendix K: Acronym List

List of Enclosures

Enclosure 1: Department of the Army

Enclosure 2: Department of the Navy

Enclosure 3: Department of the Air Force

Enclosure 4: National Guard Bureau

List of Annexes

Annex 1: 2016 Workplace and Gender Relations Survey of Active Duty Members Report

Annex 2: 2016 Military Investigation and Justice Experience Survey Report

Executive Summary

The Department's Sexual Assault Prevention and Response Program is prevention-focused with an uncompromising commitment to victim assistance. Sexual assault prevention and response policies and actions are evidence-based and data driven. The Department strives to continuously improve the Sexual Assault Prevention and Response Program through Service member feedback, collaboration with external program stakeholders, and inter-Service collaboration.

The Department initially created the Sexual Assault Prevention and Response Program in 2005. However, many of the legal reforms and improvements to the program occurred in years since 2012. These improvements have come from the application of research findings to program tenets, initiatives directed by the Secretary of Defense, and Congressional legislation, to include the most comprehensive reform of the military justice system in 50 years. This year's report shows evidence of significant progress in the Department's efforts to prevent and respond to sexual assault. Nonetheless, there is still much more work to do to continue these trends into the future.

Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) requires the Department to provide Congress with an annual report on sexual assaults involving members of the Armed Forces. This report satisfies that requirement. In this report, DoD uses the term "sexual assault" to refer to a range of crimes, including rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit these offenses, as defined by the Uniform Code of Military Justice (UCMJ).

Fiscal Year 2016 Program Efforts

The Department of Defense worked aggressively during fiscal year 2016 to address four key program efforts:

- Advancing Sexual Assault Prevention,
- Assuring a Quality Response to Service Members Who Report Sexual Assault,
- Improving Response to Male Service Members Who Report Sexual Assault, and
- Combatting Retaliation Associated with Sexual Assault Reporting.

These efforts align toward a common end, which is to reduce, with the goal to eliminate, sexual assault from the military. The report also outlines the many actions advanced by the Department, Military Services, and National Guard Bureau during fiscal year 2016.

Advancing Sexual Assault Prevention

Sexual assault prevention stops violence before it begins. The Department designs its prevention efforts to decrease the occurrence of sexual assault, empower safe intervention in risky situations, detect risk and protective factors within unit climates, and emphasize leadership's central role in advancing workplaces that promote dignity and respect. The Department completed the following major efforts to advance sexual assault prevention in fiscal year 2016:

- **Conducted the first phase of the Installation Prevention Project,** a study intended to identify installation and community risk factors for sexual assault and develop associated actions leadership can take to mitigate sexual violence.

- **Launched the DoD Prevention Collaboration Forum** to serve as a venue to facilitate the development, sharing, and implementation of prevention-related practices which could have an impact across the Department.
- **Initiated development of the 2017-2021 Sexual Assault Prevention Plan of Action** that places primary prevention as a core focus in developing tasks and initiatives that seek to stop the crime of sexual assault before it occurs. The plan aims to achieve unity of effort and purpose across the Department of Defense.

Assuring a Quality Response to Service Members Who Report Sexual Assault

The Department's response system aims to empower victims, facilitate recovery, and encourage crime reporting.[1] The Department completed the following major efforts to ensure a quality response to Service members who report sexual assault in fiscal year 2016:

- **Continued professional development for sexual assault response coordinators and victim advocates through the Department of Defense Sexual Assault Advocate Certification Program**, which ensures that appropriate personnel are appointed, appropriately trained, and in possession of the requisite level of knowledge and expertise to provide assistance throughout the reporting and recovery process.
- **Expanded the outreach of the Department of Defense Safe Helpline** through an increase in efforts and available services. The Safe Helpline provides anonymous crisis intervention support and connects Service members to resources that may ultimately lead to a victim making a report of sexual assault. As such, the Safe Helpline can help to build confidence in the reporting process for those reluctant to use military resources.
- **Worked to streamline access from the Department of Defense to the Department of Veterans Affairs** to simplify access to treatment resources when moving from Service member to Veteran status and to close the communications gap between the departments.
- **Assured confidentiality for Service members making a Restricted Report in states with mandatory crime reporting laws.** Federal law now allows Service members to file a Restricted Report in state jurisdictions that have mandatory reporting laws. These reports are kept confidential unless reporting is necessary to prevent or mitigate serious and imminent threat to someone. This removes a potential barrier to reporting, and Department policy now enables Service members who make a Restricted Report at military treatment facilities to receive the necessary care without notifying state officials unless a serious and imminent threat to someone exists.

Improving Response to Male Service Members Who Report Sexual Assault

Sexual assault is a crime that affects both men and women in the military and male Service members who experience sexual assault are less likely to report the incident. The Department completed the following major efforts in fiscal year 2016 to improve response to male Service members who reported sexual assault:

- **Developed the *Department of Defense Plan to Prevent and Respond to Sexual Assault of Military Men*** that articulates the Department's unified commitment to developing a data-driven prevention and response system that is tailored to military

[1] As used in this report, the term "victim" includes alleged victims and the use of the terms "subject," "offender," or "perpetrator" does not convey any presumption about the guilt or innocence of any individual, nor does the term "incident" or "report" substantiate an occurrence of a sexual assault.

men and supported by leaders at all levels.
- **Conducted the Department of Defense Safe HelpRoom Webinar to support men who experienced sexual assault** to enhance responders' knowledge about male survivors and highlight the capabilities of the Department of Defense Safe HelpRoom.

Combatting Retaliation Associated with Sexual Assault Reporting

Retaliation associated with reporting a crime or other misconduct not only harms the lives and careers of victims, bystanders/witnesses, and first responders, but also undermines military readiness and weakens the culture of dignity and respect. The Department completed the following major efforts to combat retaliation associated with sexual assault reporting in fiscal year 2016:

- **Published the *Department of Defense Retaliation Prevention and Response Strategy*** that aligns Departmental efforts in combatting retaliation related to reports of sexual assault and complaints of sexual harassment.
- **Established the Department of Defense Inspector General Whistleblower Reprisal Directorate** to investigate all complaints of reprisal related to a report of sexual assault.

These program efforts are not inclusive of every aspect of the crime of sexual assault, nor does this report detail every action that the Department, Military Services, and the National Guard Bureau are taking to prevent and respond to this crime. Additional program highlights can be found in Appendix A of this report. The Department continues to assess its programs and policies to ensure that it is effectively addressing the needs of Service members.

The Department employed several assessment efforts to learn more about the impact of programs to prevent and respond to sexual assault. The *2016 Workplace and Gender Relations Survey of Active Duty Members,* the *2016 Military Investigation and Justice Experience Survey,* and other research drives the identification of potential major issues facing the Department's Sexual Assault Prevention and Response Program. The Department uses findings from surveys, focus groups, reports of sexual assault, and other sources to shape its strategic approach and drive future program efforts.

Fiscal Year 2016 Top Line Results

The Department measures progress in this area by a number of metrics, understanding that no one metric is fully reflective of progress. Primarily, the Department strives to decrease the number of Service members who experience a sexual assault (i.e., prevalence), while increasing the proportion of these Service members who choose to come forward to report this crime and receive restorative care (i.e., reporting behaviors).

Reporting Behaviors

The Military Services received 6,172 reports of sexual assault involving Service members as either victims or subjects of criminal investigations throughout fiscal year 2016, which represents a 1.5 percent increase from the reports made in fiscal year 2015. Of the 6,172 reports of sexual assault, 5,350 involved Service member victims. Of those 5,350 Service member victims, 556 Service members (about 10 percent) made a report for incidents that occurred before entering military service. The remaining reports involved 778 victims who were U.S. civilians or foreign nationals and 44 victims for whom status data were not available.

The Department of Defense offers Service members the opportunity to make either an Unrestricted or Restricted Report of sexual assault. The Military Services received

4,591[2] Unrestricted Reports involving Service members as either victims or subjects in 2016. In addition, the Military Services initially received 1,995 Restricted Reports involving Service members as either victims or subjects. Four hundred fourteen (21 percent) of the initial Restricted Reports later converted to Unrestricted Reports. These 414 converted Restricted Reports are now counted in the 4,591 Unrestricted Reports. Of the initial Restricted Reports, 1,581 reports remained Restricted.

The Department takes appropriate action in every case where it has jurisdiction and the evidence to do so. This year, the Department had sufficient evidence to take some kind of disciplinary action in 64 percent of cases within DoD's legal authority. Disciplinary action was not possible for the remaining 36 percent of cases due to evidentiary or other legal factors, such as the victim declining to participate, insufficient evidence of an offense to prosecute, or other reasons. Appendices B and C of this report detail sexual assault data from fiscal year 2016.

Prevalence

The *Workplace and Gender Relations Survey for Active Duty Members* was conducted in fiscal year 2016 to capture estimates of past-year sexual assault and sexual harassment prevalence (occurrence). In fiscal year 2016, 4.3 percent of active duty women and 0.6 percent of active duty men indicated experiencing sexual assault in the year prior to being surveyed. These rates represent a statistically significant decrease from the rates of sexual assault measured in the *2014 RAND Military Workplace Survey*. Using these rates, the Department estimates that about 14,900[i] Service members experienced some kind of sexual assault in 2016, down from about 20,300 in 2014. Additional results can be found in Annex 1 of this report.

Overall, this year's statistical data indicate that the Department is making progress toward its dual goals of reducing the occurrence of sexual assault and encouraging greater reporting of the crime. In fact, this year's data suggest that about one in three Service members are choosing to report their sexual assault, up from the one in four estimated for 2014 and the one in fourteen estimated ten years ago in 2006.

The Department of Defense remains committed to advancing a military culture where sexist behaviors, sexual harassment, and sexual assault are not tolerated, condoned, or ignored. Military commanders understand that prevention of sexual assault is synonymous with military readiness, and empower their people to take appropriate action to protect each other. The Department's ultimate success relies on every member of the military community understanding his/her role and acting to create a safer and healthier climate within the United States Armed Forces.

[2] The Department pulls and analyzes data from DSAID six weeks after the end of the FY to allow sufficient time for data validation. During this six-week period, 21 additional Restricted Reports converted to Unrestricted. These 21 reports are included with the 414 reports that converted from Restricted to Unrestricted that DoD counts with FY16 numbers.

Introduction

The Department of Defense (DoD) Fiscal Year (FY) 2016 Annual Report on Sexual Assault in the Military satisfies the following statutory reporting requirements:

- Section 542 of Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act (NDAA) for FY 2015 (Public Law (P.L.) 113-291);
- Section 575 of NDAA for FY 2013 (P.L. 112-239); and
- Section 1631 of Ike Skelton NDAA for FY11 (P.L. 111-383).

Section 481 of Title 10 of the United States Code (U.S.C.) also requires the Department to conduct the *Workplace and Gender Relations Survey of Active Duty Members (WGRA)* every 2 years. The Office of People Analytics (OPA) conducts the survey using measures created for the *2014 RAND Military Workplace Study (RMWS)* to estimate past-year sexual assault and sexual harassment prevalence in the active force. Active duty members of the Military Services could complete the survey online or on paper. Survey questions asked respondents about their experience of sexual assault, outcomes associated with reporting an incident of sexual assault, and gender-related Military Equal Opportunity violations. Results of the *2016 WGRA* can be found in Annex 1 to this report.

OPA also conducted an additional survey in FY16, the *2016 Military Investigation and Justice Experience Survey (MIJES),* to assess Service members' experiences with the investigative and military justice processes. The survey assessed opinions and self-reported experiences associated with making an Unrestricted report of sexual assault. The *2016 MIJES* was a voluntary and anonymous survey. Participants included Service members who filed an Unrestricted Report of an alleged sexual assault by an alleged military perpetrator whose case reached final disposition at the time the sample was drawn in 2016. Results of the *2016 MIJES* show that Service members continue to value the support provided by Special Victims' Counsel (SVC)/Victims' Legal Counsel (VLC) attorneys, Sexual Assault Response Coordinators (SARC), and Sexual Assault Prevention and Response (SAPR) Victim Advocates (VA). Respondents noted continued challenges with support from immediate supervisors and with perceptions of retaliation associated with their report. However, the *2016 MIJES* was not weighted; therefore, results of the study are not generalizable to all Service member victims whose case reached final disposition. Results of the *2016 MIJES* can be found in Annex 2 to this report.

This is the Department's 13th Annual Report on sexual assault, and it covers sexual assault allegations made during FY16 (October 1, 2015 through September 30, 2016). Enclosed with this report are supplementary reports from the Secretaries of the Military Departments, the Chief of the National Guard Bureau (NGB), and OPA.

The SAPR program addresses sexual assault reports by adults against adults, including sex offenses, as defined in Articles 120 and 125 of the Uniform Code of Military Justice (UCMJ), and Article 80, attempts to commit these offenses. Sexual assaults between spouses or intimate partners fall under the purview of the Family Advocacy Program (FAP). Appendix J of this year's report contains preliminary data on sexual assaults between spouses and intimate partners that were reported to FAP in FY16.

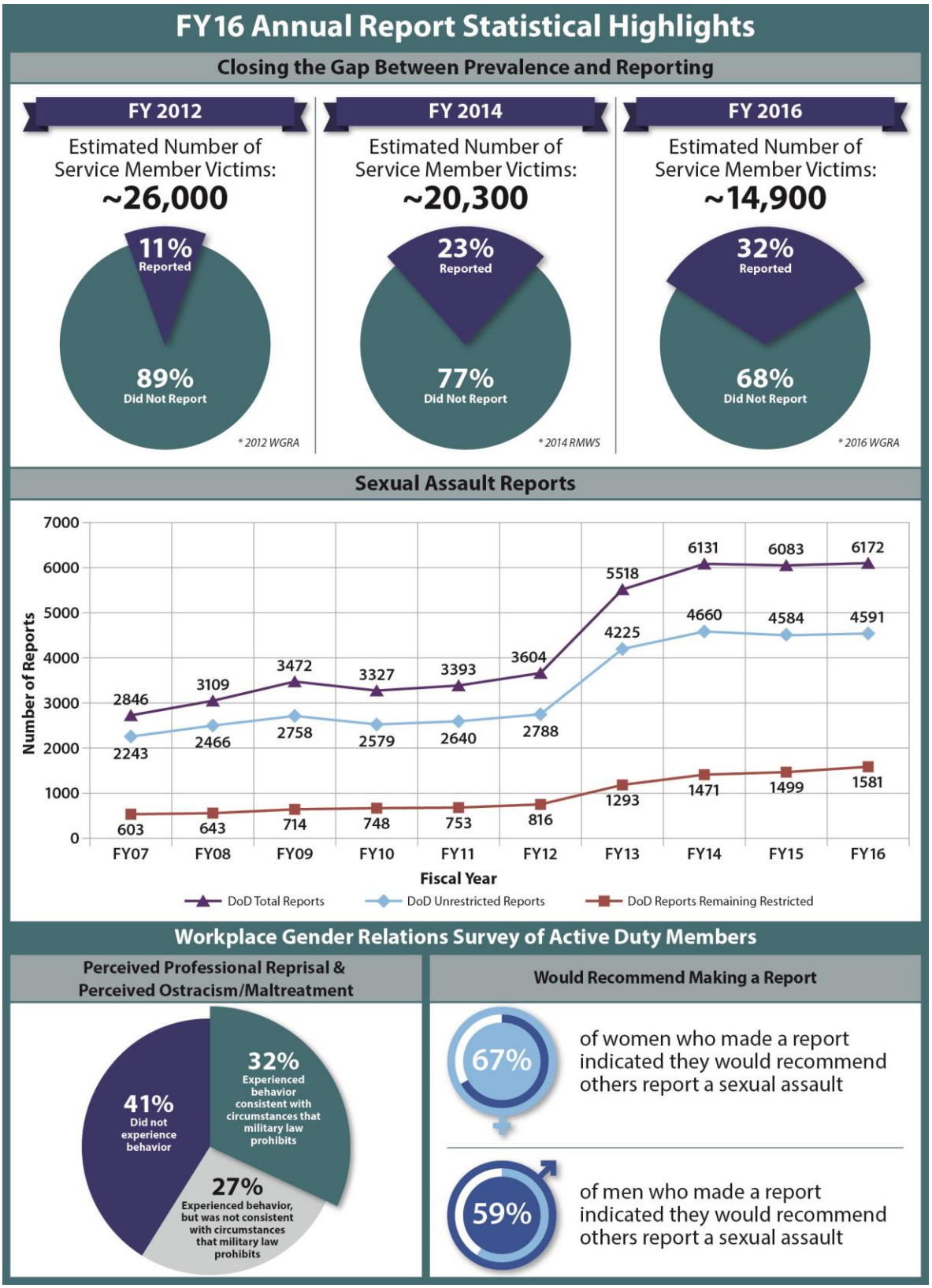
Military research suggests that sexual assault and sexual harassment are interrelated problems. The *2016 WGRA* demonstrated a clear relationship between sexual harassment and sexual assault. However, the behaviors that constitute sexual

harassment do not always rise to the level of criminal misconduct. Such behavior is nonetheless disruptive to those Service members targeted by the harassment and undermines good order and discipline. Sexual harassment requires a different response than the crime of sexual assault. Sexual harassment falls under the purview of the Office of Diversity Management and Equal Opportunity (ODMEO). Appendix H of this year's report contains data on formal and informal sexual harassment complaints that were made to ODMEO in FY16.

This year's report outlines four key FY16 program efforts where the Department took action to accomplish its mission to reduce, with the goal to eliminate, sexual assault from the military. These program efforts are advancing sexual assault prevention, assuring a quality response to Service members who report sexual assault, improving response to male Service members who report sexual assault, and combatting retaliation associated with sexual assault reporting. The following pages summarize key efforts and do not detail every action the Department, Military Services, and NGB are taking.

The program efforts described in this report highlight actions to sustain and enhance the DoD prevention and response systems, through both programmatic initiatives, and policy changes to combat sexual assault.

Spotlight: FY16 Data



Advancing Sexual Assault Prevention

Sexual assault prevention stops sexual violence before it begins. The Department takes a public health approach to preventing sexual assault by emphasizing the health, safety; and well-being of the entire military population. DoD strives to provide the maximum benefit for the largest number of people. Prevention also requires understanding the factors that influence sexual violence. The Department uses a modified version of the Centers for Disease Control's social-ecological model (SEM) to better understand the impact of violence across the entire organization and the effect of potential prevention strategies. The SEM model considers the complex interplay between individual, relationship, community, and societal factors. The DoD model uses the same approach, and adds the influence of leadership to drive change within each of these factors. This modification allows for a better understanding of the range of factors that put people at risk for violence, or protect them from experiencing or perpetrating violence. The Department designs its prevention efforts to decrease the occurrence of sexual assault, empower safe intervention in risky situations, detect risk and protective factors within unit climates, and emphasize leadership's central role in advancing workplaces that promote dignity and respect.

FY16 Assessment of Progress

Sexual Assault Rates for Men and Women Decreased Significantly Since 2014

The Department's primary measure of prevention progress is the estimated past-year prevalence of sexual assault. This measures the number of Service members that experienced behaviors consistent with the sexual assault offenses defined in military law. The *2016 WGRA* found an estimated 4.3 percent of military women and an estimated 0.6 percent of military men indicated experiencing some form of sexual assault in the year prior to being surveyed.[ii]

These rates represent a statistically significant decrease from the estimated rates of sexual assault measured in the *2014 RMWS*. Two years ago, RAND found an estimated 4.9 percent of military women and 0.9 percent of military men experienced some kind of sexual assault in the past year.

The decreases in estimated rates of sexual assault between 2016 and 2014 are statistically significant, meaning the decrease that occurred in the population was not due to random fluctuations in the data.

The Department conducts the *WGRA* surveys so that the results are representative of the entire active duty force. This approach allows DoD to estimate the number of active duty Service members who experience sexual assault. The Department estimates that about 14,900 Service members experienced some kind of sexual assault in 2016. This figure is down from an estimated 20,300 active duty members experiencing a sexual assault in 2014.[iii]

2016 Sexual Assault Estimated Prevalence Rate is at a Ten Year Low

It has been ten years since the Department conducted the first *WGRA* survey in 2006 to estimate the extent of sexual assault in the military. Direct statistical comparisons cannot be made between rates of sexual assault obtained in the *2006 WGRA* and the rates obtained in the *2016 WGRA* due to changes during the intervening years to its measures and survey content. However, for a non-scientific frame of reference, estimated rates of unwanted sexual contact[iv] in 2006 were 6.8 percent for women and 1.8

percent for men. In 2006, the Department estimated that roughly 34,200 active duty members experienced some kind of unwanted sexual contact in the year prior to being surveyed. No direct, scientific comparisons can be made between the older survey findings and this year's survey findings described in the following sections. However, the Department can reasonably say this year's estimates are the lowest on record. Nonetheless, more must be done to eradicate this crime from the military.

Risk of Sexual Assault on Military Installations Decreased Since 2006

The circumstances that make up sexual assault in the military have varied over time. In both the 2006 and 2016 *WGRA*, members were asked to think about the one situation of unwanted sexual contact or sexual assault that had the biggest effect on them during the year. Thinking about this situation, they were asked to provide details about when and where the situation occurred.

For instance, the *2006 WGRA* found that of those who indicated experiencing unwanted sexual contact, 75 percent of women and 74 percent of men indicated the situation occurred at a military installation and 45 percent of women and 68 percent of men indicated the situation occurred during duty hours. DoD has placed greater emphasis on improving workplace climate and installation safety in the intervening years. These efforts appear to have had an effect on making military units and installations somewhat safer. The *2016 WGRA* found that of those active duty members who indicated experiencing sexual assault, 64 percent of women and men indicated the situation occurred at a military installation, and 27 percent of women and 45 percent of men indicated the situation occurred at work during duty hours. In sum, fewer of the most serious incidents of sexual assault are occurring on military installations and in military workplaces.

Fewer incidents of sexual assault are occurring on military installations and in military workplaces

Proportion of Sexual Assaults Committed by Civilians Increased Since 2006

The 2006 and 2016 surveys also found that the vast majority of active duty members indicated the alleged offender in the one situation with greatest impact on them was a military member. For both men and women, the proportion of active duty members who indicated that there were only civilians involved in the most serious incident appear to have doubled from 2006 to 2016 – from 4 percent to 8 percent of women, and from 8 percent to 16 percent of men. Civilians are found both on and off base. However, given the finding that installations and military workplaces pose lesser risk, it follows that some of these civilians are likely being encountered in non-military environments. This important pattern deserves emphasis in prevention programming.

Multiple Alleged Offenders Risk About the Same for Men and Women

Similarly, members in both the 2006 and 2016 surveys were asked how many alleged offenders were involved in the one situation that had the greatest effect on them. A higher percentage of women indicated multiple alleged offenders in 2016 compared to 2006 (21 percent in 2006 and 31 percent in 2016). In contrast, a lower percentage of men indicated multiple alleged offenders in 2016 compared to 2006 (42 percent in 2006 and 33 percent in 2016). This essentially means that in 2016 similar proportions of men and women identify the situation with the greatest effect involved multiple alleged offenders.

Neither survey asked respondents to characterize the situation with multiple alleged offenders. However, the Department expects that additional emphasis on preventing incidents of hazing and bullying may reduce risk of multiple alleged offender incidents.

Alcohol Involvement Increased

Effective prevention requires an understanding of the role alcohol plays in sexual assault. The role of alcohol and/or drugs in the one situation appeared to become more prominent between 2006 and 2016.[v] However, relatively few Service members indicated use of drugs by them or the alleged offender. For the vast majority of incidents involving alcohol and/or drugs, Service members identified alcohol as being the more common substance involved. Nonetheless, drug and alcohol use were combined into a single category for the following analyses. In the 2006 survey, 32 percent of women and 38 percent of men indicated the one situation involved alcohol and/or drug use by them or the alleged offender. In the 2016 survey, 60 percent of women and 42 percent of men indicated alcohol and/or drugs were involved before the one situation of sexual assault. In sum, drug and alcohol facilitated crime accounts for a larger proportion of those incidents that had the greatest impact on Service members.

Drug and alcohol facilitated crime accounts for a large proportion of the incidents of sexual assault.

LGBT Active Duty Members at Greater Risk for Sexual Assault and Sexual Harassment

The Department works to refine its statistical measures in order to obtain more depth and insight into the extent of sexual assault and its impact on the total force. The Department subsequently uses these data points to establish policies and programs. Since 2006, the Department has broken down *WGRA* survey results by certain demographic variables, such as sex, rank, and age. This year, these demographic breakdowns also include sexual orientation identifiers – lesbian, gay, bisexual, and transgender (LGBT). The Department took this action based on findings from a systematic review of 75 civilian studies, which indicates that lesbian, gay, and bisexual individuals may be at increased risk for sexual assault victimization.[vi]

Five percent of active duty Service members indicated in the *2016 WGRA* that they identify as either lesbian, gay, bisexual, and/or transgender. Survey findings show that Service members identifying as LGBT are statistically *more likely* to indicate experiencing sexual assault than members who do not identify as LGBT. The overall sexual assault estimated prevalence rate for active duty members identifying as LGBT is 4.5 percent, compared to 0.8 percent for those who do not identify as LGBT. An estimated 6.3 percent of women who identify as LGBT and 3.5 percent of men who identify as LGBT indicated experiencing sexual assault in 2016, compared to 3.5 percent and 0.3 percent of those who do not identify as LGBT, respectively.

Additionally, Service members identifying as LGBT are statistically *more likely* to indicate experiencing sexual harassment than members who do not identify as LGBT. Overall, the estimated sexual harassment rate for active duty members identifying as LGBT is 22.8 percent, compared to 6.2 percent for those who do not identify as LGBT. An estimated 27.5 percent of women who identify as LGBT and 19.9 percent of men who identify as LGBT indicated experiencing sexual harassment in 2016, compared to 18.3 percent and 4.3 percent who do not identify as LGBT, respectively.

The Department will continue to follow this small segment of the military community in future survey efforts. In addition, DoD will include targeted interventions, communications, and means to empower this population as part of its overall larger efforts to eliminate sexual assault from the military. Further detailed information regarding sexual assault and LGBT Service members can be found in Annex 1 of this report.

Sexual Assault Risk Remains Highly Correlated with Sexual Harassment Experience

Estimated past-year rates of sexual harassment continue to be highly correlated with the experience of sexual assault. In 2016, 21.4 percent of active duty women and 5.7 percent of active duty men indicated experiencing sexual harassment in the year prior to being surveyed. Compared to 2014, this was a significant decrease for active duty men, whereas it remained the same for active duty women. The definition used in the *WGRA* requires the experience of sexual harassment to be both pervasive and severe, meaning that respondents indicated behaviors more serious than a single sexist joke or sexual comment. Respondents indicated experiencing these unwanted behaviors repeatedly and/or after asking the individual behaving inappropriately to stop.

The experience of sexual harassment remains highly correlated with the experience of sexual assault. The odds of being sexually assaulted are approximately 16 times higher for active duty women who indicated experiencing sexual harassment than for active duty women who have not and 50 times higher for active duty men who indicated experiencing sexual harassment than for active duty men who did not. These findings are comparable to observations from the *2014 RMWS*, wherein RAND found a similar relationship between the phenomena: active duty women who indicated experiencing sexual harassment in the past-year were 14 times more likely to experience sexual assault than women who did not experience sexual harassment. Active duty men who indicated experiencing past-year sexual harassment were 49 times more likely to indicate experiencing sexual assault than men who did not indicate experiencing sexual harassment in the past-year. In sum, the Department cannot conclude that sexual harassment causes sexual assault. However, these phenomena appear to occur together. It may be that sexual harassment and other misconduct, such as bullying and hazing, set the conditions for sexual assault to occur. Such misconduct, when used to exclude individuals from the group, may lead to subsequent sexual assault or serve to ensure the silence of victimized Service members.

The decrease in the past year estimated occurrence of sexual assault is welcomed news. However, continued progress towards further decrements in sexual assault rates requires continued resourcing in prevention efforts. The following section highlights some of the advancements DoD has made in prevention in FY16.

FY16 Actions to Advance Sexual Assault Prevention

Conducted First Phase of the Installation Prevention Project

The DoD Sexual Assault Prevention and Response Office (SAPRO) launched the Installation Prevention Project (IPP) in FY15 in response to a Secretary of Defense directive, requiring a multi-year project to customize prevention efforts at select military installations. This effort intends to identify installation and community risk factors for sexual assault and to develop associated actions leadership can take to mitigate sexual violence.

The IPP is DoD's first comprehensive effort to conduct a systematic review and assessment of the effectiveness of sexual assault prevention programs at the installation level. In FY16, DoD SAPRO engaged commanders and units stationed at five military installations and one joint base.

The first phase of the project found that the IPP installations' prevention efforts predominately emphasized sexual assault awareness, with most efforts focusing on stand-alone events intended to increase knowledge and improve attitudes. Fewer efforts at the installations focused on research-informed actions to build skills and capacity to prevent the crime. Nonetheless, the Department observed strong indications

of a shift in culture, in that old norms that tolerated hazing, sexist attitudes, and verbal/physical abuse appeared to be fading. Further, leaders at the installations understand the importance of the issue and their role in prevention.

Launched the DoD Prevention Collaboration Forum

The Department initiated greater coordination with other DoD and Military Service programs that address readiness-impacting problems, including the FAP, the Defense Suicide Prevention Office, and ODMEO. This collaborative forum intends to help DoD and Service agencies identify efficiencies and common areas of support that can be leveraged in a more unified approach to prevention. The Collaboration Forum serves as the venue to facilitate the development, sharing, and implementation of prevention-related practices that could have impact across the Department.

Initiated Development of the 2017-2021 Sexual Assault Prevention Plan of Action

The Department has accomplished a great deal with the *2014-2016 DoD Prevention Strategy;* however, an updated Prevention Plan of Action (PPoA) is required to expand further prevention efforts so effective practices become institutionalized at every level of the Department. To move the Department forward, DoD SAPRO began development of the 2017-2021 Sexual Assault PPoA in FY16.

Prevention efforts should ultimately decrease the number of individuals who perpetrate sexual assault and the number of individuals who experience the crime. Many prevention approaches aim to reduce the factors that make the crime more likely while increasing the factors that protect people from harm. Comprehensive prevention strategies address factors at each level of the social environment, including individuals, relationships, the local community, and society as a whole.

Continued Bystander Intervention Training

DoD policy requires the Military Services and NGB to employ the active bystander intervention approach as part of required annual SAPR training, professional military education, and other prevention initiatives. This requirement is based on the premise that many sexual assaults begin in social settings where others may detect a potential offender's attempts to groom and isolate a potential victim. The Military Services are designing these education and training efforts as frameworks to teach intervention, acceptable behavior, and healthy relationships – all of which are important parts of a prevention program. The following are examples of efforts that the Military Services and NGB are taking to implement bystander intervention training:

- Army – An Army installation supported a grassroots movement called the "Guardians." The Guardians is a junior leader volunteer community outreach program whose mission is to eliminate sexual harassment and sexual assault through a collective effort involving senior leader mentoring, peer-to-peer accountability, and bystander intervention. The program models positive behaviors and empowers junior leaders to act. Three Guardians received Commanding General Volunteer Awards as recognition for their efforts.
- Navy – The Navy's "Chart the Course" force-wide training initiative emphasizes positive professional behavior and decision-making. The training uses scenario-based videos and facilitator-led discussions to help Sailors determine how to make the right decisions, understand consequences, and behave professionally when facing difficult situations. Facilitated discussions among peer groups covered a spectrum of behaviors and emphasized the importance of leaders at every level to "step up, and step in."
- Marine Corps – The Marine Corps created a Public Service Announcement

entitled "Dear Drill Instructor," that focused on prevention messaging, highlighting how bystander intervention can help protect any Marine who may find himself or herself in a high-risk situation. The PSA featured a Non-Commissioned Officer (NCO) writing an email to his former Drill Instructor (DI), thanking the DI for teaching him what it means to be a Marine, both on and off the battlefield. Because of the DI's influence, the NCO writes that he stepped up to protect a fellow Marine in a high-risk situation. The Marine Corps posted this PSA to the official Marine Corps social media page and reached more than 123,000 people. Additionally, the Marine Corps completed an assessment of its "Step Up" Bystander Intervention Training for junior Marines. Originally developed in FY14, the program teaches Marines practical peer-to-peer bystander intervention strategies. The assessment, conducted through pre- and post-tests, found that identification of bystander intervention techniques increased 12.4 percent for training participants.

- Air Force – The Air Force implemented Green Dot, an evidence-based bystander intervention approach. Green Dot is a three-pronged community mobilization approach that was adapted for use in the Air Force and has separate modules for leaders, peer influencers, and the general Air Force population. In addition, a version of Green Dot was adapted for and used by Air National Guard and Air Force Reserve members to address their unique requirements and time limitations.
- NGB – Teaching bystander intervention techniques and empowering members to act are primary techniques used throughout the NGB to help prevent the crime.

Way Forward on Prevention in FY17

Continue Development of the 2017-2021 Sexual Assault PPoA

The Department aims to achieve unity of effort and purpose across all of DoD in the execution of sexual assault prevention initiatives and activities. To develop the PPoA, the Department will continue to look to incorporate insights from the Military Services and prevention subject matter experts who have experience in developing evidence-based prevention methods.

Assuring a Quality Response to Service Members Who Report Sexual Assault

The Department's response system aims to empower victims, facilitate recovery, and encourage crime reporting. Victims who report the crime are more likely to engage medical care and support services that can help them restore their lives.[vii] In addition, reports of sexual assault provide the Department a means with which to hold alleged offenders appropriately accountable. This section describes highlights from the Department's sexual assault data sources, major actions, and planned activities for FY17.

FY16 Assessment of Progress

The Department's approach to victim assistance follows empowerment methods[viii] by providing choices and quality services that Service members will see as beneficial to their recovery and participation in the military justice process, as desired. The following section summarizes the strengths and challenges observed through the many sources DoD uses to assess the progress of the SAPR program.

Sexual Assault Reporting Continues to Increase

The decision to report a sexual assault remains an intensely personal choice for anyone who has experienced it. The Department recognizes that some Service members will never consider reporting the crime given the stigma and scrutiny sexual assault victims encounter in U.S. society. Nonetheless, efforts to increase reporting are important because doing so connects a greater number of Service members with restorative care and support. This year, more Service members chose to report a sexual assault than ever before.

Of the 6,172 sexual assault reports received in FY16, 5,350 involved a Service member victim. This represents a 2 percent increase from the 5,240 Service members reporting sexual assault in FY15. The remaining 822 of the total 6,172 reports come from civilian victims or others who were not on active duty status with the U.S. Armed Forces.

The Department's scientific survey of the active duty in 2016 estimates that about 4.3 percent of active duty women and 0.6 percent of active duty men experienced some kind of sexual assault in the year prior to being surveyed. The methods used to conduct the survey allow the results to be generalized to the full population of the active duty force. Consequently, an estimated 14,900 active duty members experienced a sexual assault in FY16. Based on this result, the Department estimates that 32 percent – or about 1 in 3 – Service members who indicated experiencing a sexual assault on the *2016 WGRA* made a Restricted or Unrestricted Report for an incident that occurred during Military Service in FY16. This is an increase from the estimated 1 in 4 reporting Service members in 2014, and the 1 in 14 estimated in 2006.

About 1 in 3 Service members who indicated experiencing a sexual assault during military service made a Restricted or Unrestricted Report in FY16

Recent Rates of Restricted Report Conversions Remain Relatively High

Restricted Reporting gives a victim time to access services and pursue healing before a criminal investigation occurs, while providing victims with the opportunity to

convert his or her report at any time to an Unrestricted Report and participate in the military justice process. This year, 414 (about 21 percent) of the 1,995 victims initially making Restricted Reports converted their report.[3] This is about the same share of victims who converted their report to Unrestricted by the end of FY15. Nonetheless, conversion rates in recent years are greater than the 14 to 17 percent conversion rates observed from FY07 through FY13.

Restricted Reports Converting More Quickly

The Service members who converted their reports from Restricted to Unrestricted before the end of FY16 did so after an average of about 27 days. This average is fewer than the 30 days observed in FY15 and the 36 days observed in FY14. The median number of days - or the midpoint in the frequency distribution of the number of days it took to convert a report - has also decreased. In FY16, the median number of days to convert was 9 days, compared to 10 days in FY15 and 12 days in FY14. The Department does not require Service members to identify their specific reasoning for converting from a Restricted to an Unrestricted Report, nor does it pressure them to do so within a given time period. Nonetheless, a generally accepted belief in both criminal investigations and justice circles is that evidence is less likely to be lost in cases that proceed to the justice process more quickly.

[3] The Department pulls and analyzes data from DSAID six weeks after the end of the FY to allow sufficient time for data validation. During this six-week period, 21 additional Restricted Reports converted to Unrestricted. These 21 reports are included with the 414 reports that converted from Restricted to Unrestricted that DoD counts with FY16 numbers.

The Restricted Reporting Option Promotes Overall Reporting by Service Members

The Department developed the Restricted Reporting option in 2005, based on a recommendation from civilian and military experts that some victims will never report sexual assault if they must also engage the justice process. The number of reports remaining Restricted at the end of the year now accounts for about a quarter of total annual reporting. The data gathered this year in the *2016 WGRA* indicate that having both options likely brings more Service members forward to report than having the single, Unrestricted means of reporting. The survey asked Service members who indicated experiencing a sexual assault in the past year what they would have done had Restricted Reporting not been an option. Of the DoD women who indicated experiencing sexual assault and making a Restricted report, more than half (58%) indicated they would not have reported without the option, while fewer than one-fifth (19%) would have made an Unrestricted Report, and about one-quarter (24%) were unsure about what they would have done. Results for DoD men are not reportable due to the small number of respondents in this category.

About Ten Percent of Those Reporting Seek Assistance with a Pre-Service History of Sexual Assault

Most reported incidents in FY16 occurred within the fiscal year; however, some incidents occurred in prior years and/or prior to military service. Of the 5,350 Service members making a report in FY16, 556 reports involved incidents that occurred before the member entered military service. Prior-to-service incident reporting has remained steady over the past few years; roughly, 10 percent of Service member reports each year involve pre-service incidents. However, this reporting pattern varies by military service. About 20 percent of reports received by the Marine Corps this year involved a pre-service sexual assault.

The other three services were at or below the DoD average of 10 percent. Restorative care, counseling, and other support exist for all Service members, regardless of when or where the sexual assault occurred.

Most Response Services Rated Higher by Women Than Men

The *2016 WGRA* asked active duty members who indicated experiencing sexual assault in the past year to indicate if they had received services or responses from individuals or providers. If they had interacted with the specified individual or provider, they were asked to provide their level of satisfaction with the services or responses they received from each. Respondents could indicate if they were satisfied, dissatisfied, or neither satisfied or dissatisfied.

Nearly two-thirds of women indicated satisfaction with the support they received from a SARC, a SAPR VA, a chaplain, an SVC/VLC, and a mental health provider. Over half of women were satisfied with the support received from medical providers. About one-third of women indicated satisfaction with support from the DoD Safe Helpline, and likewise, the support they received from civilian law enforcement personnel. Satisfaction with the response from the unit commander, senior enlisted advisor, and one's immediate supervisor scored 46 percent, 42 percent, and 42 percent, respectively. However, women also had the greatest levels of dissatisfaction with their unit commander, senior enlisted advisor, and immediate supervisor, with about one-third of women reporting dissatisfaction.

Satisfaction with support services varied between men and women. Men rated their satisfaction highest with mental health providers (50 percent), SAPR VAs (49 percent), SARCs (43 percent), and chaplains (43 percent). Men had lowest satisfaction with the response from their unit commander (25 percent satisfied), civilian law enforcement (26 percent satisfied), their senior enlisted advisor (30 percent satisfied), and military law enforcement (31 percent satisfied). Men had the greatest rates of dissatisfaction for their immediate supervisor (53 percent dissatisfied), their senior enlisted advisor (51 percent dissatisfied), and their unit commander (50 percent dissatisfied).

Results from the smaller, non-generalizable *2016 MIJES* echoed the findings from the *2016 WGRA*. Of the roughly 200, mostly female respondents to the *2016 MIJES*, SAPR resources such as SVCs/VLCs, SAPR VAs, and SARCs received the highest satisfaction ratings. *MIJES* respondents also indicated that their SVCs/VLCs were the most beneficial in preparing them for the military justice process, provided them with the most information regarding the progress of their case, and used discretion in sharing details of their case.

Reasons for Not Reporting a Sexual Assault Stayed Fairly Stable: Denial, Stigma, and Shame

The Department estimates suggest that roughly two-thirds of Service members did not report their sexual assault.[ix] Some victims may never consider reporting a sexual assault, as they may minimize the incident or cope in other private ways. Active duty women who indicated a sexual assault in the past year on the *2016 WGRA* endorsed the following reasons for not reporting the most:

- Wanted to forget about it and move on (68 percent)
- Did not want more people to know (58 percent)
- Felt shamed or embarassed (52 percent)

Comparatively, active duty men who indicated a sexual assault in the past-year endorsed the following as the main reasons for not reporting the incident:

- Wanted to forget about it and move on (47 percent)
- Did not want more people to know (39 percent)

- Thought it was not serious enough to report (37 percent)
- Felt shamed or embarassed (37 percent)

Reasons for not reporting showed a few changes this year, compared to 2014. Women who indicated experiencing a sexual assault in the past year on the *2014 RMWS* endorsed *Wanted to forget about it and move on* (73 percent), *Did not want more people to know* (63 percent), and *Thought it was not serious enough to report* (46 percent) as the three primary reasons for not reporting. Men who indicated experiencing a sexual assault on the *2014 RMWS* most often indicated the following as reasons for not reporting: *Wanted to forget about it and move on* (64 percent), *Did not want more people to know* (51 percent), and *Not serious enough to report* (49 percent).

This year, the percentage of women and men indicating *Wanted to forget about it and move* on decreased by 5 percentage points and 17 percentage points, respectively. Compared to 2014, the percentage of women who indicated they did not report because they thought it was not serious enough showed a statistically significant decrease of 7 percentage points. However, the percentage of women who indicated they did not report because they were worried about potential negative consequences from their coworkers or peers showed a statistically significant increase compared to 2014 (10 percentage point increase), as did the percentage of women who did not think they would be believed (7 percentage point increase).

In sum, this year's results suggest a growing proportion of Service members who see a benefit in reporting the crime. Continued increases in reporting will only come by ensuring all Service members, responders, and resources provide an environment that encourages and supports everyone who comes forward to report this crime, while victims weigh the benefits and risks associated with reporting. The Department employed this perspective and other scientific research, victim feedback, and survey results to inform its response improvement efforts in FY16.

FY16 Actions to Promote a Quality Response

Continued Professional Development for SARCs and SAPR VAs through D-SAACP

All SARCs and SAPR VAs must be credentialed through the DoD Sexual Assault Advocate Certification Program (D-SAACP). In order to meet the unique needs of the military, the Department adapted the certification program from the standards established by the National Advocacy Credentialing Program.

SARCs assist and advocate for men and women who report sexual assault, coordinate with installation leadership, and manage relationships with military and civilian agencies that support victims. SARCs and SAPR VAs must maintain a specialized skillset that is built on competence, character, and commitment. They are encouraged to grow in their abilities through verification of experience and continuing education as demonstrated by renewing their certification at higher levels. Over 400 SARCs and over 8,000 SAPR VAs earned new certifications in FY16. Many SARCs and SAPR VAs renewed their certification at higher levels of proficiency within the D-SAACP. In FY16, 382 SARCs renewed their certification, with 53 (or 14 percent) earning a higher certification level. Additionally, 3,072 SAPR VAs renewed their certification, with 100 applicants earning a higher certification.

The D-SAACP ensures that suitable personnel are appointed, appropriately trained, and possess the essential level of knowledge and expertise to provide a professional, high-quality response throughout the reporting and recovery process.

Expanded the Outreach of the DoD Safe Helpline

The Safe Helpline supports the Military Department's SAPR programs by providing the DoD community with an anonymous and confidential resource apart from local bases and installations. Victims may connect one-on-one with specially trained staff and receive crisis support and information about military resources and reporting options. The availability of both anonymous and confidential resources through the DoD Safe Helpline provides Service members with important information and support. DoD Safe Helpline educates all users about the greater level of care and resources available through the official reporting of sexual assault.

The DoD Safe Helpline expanded its visibility in FY16 by increasing the number of SARC requested outreach materials by 19 percent compared to FY15, with over 300,000 outreach material requests. The DoD Safe Helpline also increased its online advertising efforts and participated in 50 outreach events and installation visits. This included its first presentation outside the continental United States to South Korea where 450 individuals from across three bases participated.

The increased outreach likely helped more individuals in the military community understand that the DoD Safe Helpline is an important and unique resource for everyone. These marketing efforts also likely contributed to 633,796 unique users accessing the website in FY16, which is an all-time high.

In FY16, 16,913 users (10,579 phone users and 6,334 online session users) contacted the DoD Safe Helpline. Overall usage increased by 67 percent (specifically, 54 percent for online sessions and 76 percent for phone sessions) in FY16, compared to FY15. It is important to note that not all users of the DoD Safe Helpline are survivors of sexual assault. Some users are family members and friends wanting to help a friend or loved one. The DoD Safe Helpline targets its marketing efforts and resources to the military community.

The Department also expanded the Safe HelpRoom by allowing 24/7 access. The Safe HelpRoom is an anonymous, moderated online group chat service that allows individuals who have experienced sexual assault in the military to connect with and support one another.

Users frequently contact the DoD Safe Helpline to discuss reporting-related concerns and connect to resources that might ultimately lead to an official report. The helpline fulfills victims' needs to disclose in a safe context, receive validation, and air their concerns safely and securely. As such, the DoD Safe Helpline can help to build confidence in the reporting process for victims who are reluctant to use military resources. See Appendix G for more information on DoD Safe Helpline usage.

Worked to Streamline Access from the DoD to the Department of Veterans Affairs

The Department participated in the Joint Executive Committee (JEC) in support of the Department of Veterans Affairs (DVA) and DoD efforts to ensure continuity of care for military sexual assault victims and other at risk Service members. The committee addressed the need to streamline accessibility to the VA for Service members without a DoD referral for care and expand beyond DVA healthcare facilities, in accordance with Section 402 of the Veterans Access, Choice, and Accountability Act of 2014. The JEC also worked to create outreach materials for sexual assault victims visiting DVA and DoD healthcare facilities in order to bridge the communication gap between agencies.

Assured Confidentiality for Service Members Making a Restricted Report in States with Mandatory Crime Reporting Laws

Prior to the enactment of the NDAA for FY16, Service members making a Restricted Report often risked losing their requested confidentiality because of the required mandatory reporting regulations in certain states. The law now states, "that in the case of a Restricted Report, any State law or regulation that would require an individual…to disclose the personally identifiable information of the adult [Service member] victim or alleged perpetrator of the sexual assault to a State or local law enforcement agency shall not apply, except when reporting is necessary to prevent or mitigate a serious and imminent threat to the health or safety of an individual." As such, a Restricted Report may be made and remain confidential if the report is made on a DoD installation, and there is no serious or imminent threat to someone.

Consulted with Other Government Agencies to Promote Improved Sexual Assault and Harassment Prevention and Response

Leadership from DoD SAPRO, and others within the Department, met with representatives from the U.S. Department of Interior, the National Park Service, the Bureau of Land Management, the U.S. Department of Transportation, the U.S. Merchant Marine Academy, the Canadian Armed Forces, the British Armed Forces, the French Armed Forces, and Armed Forces of the Argentine Republic to provide advice and insights on organizational approaches to addressing sexual assault and sexual harassment. DoD SAPRO explained its data-driven approach to preventing and responding to sexual assault and discussed ways to assess the scope of the problems, promote a healthier culture, prevent the crime, and hold offenders appropriately accountable. Additionally, DoD SAPRO emphasized the importance of leadership in bringing about organizational change and provided advice on how senior leaders can better speak to their organizations about the issues of sexual assault and sexual harassment.

Military Services Improved Response and Victim Treatment

The Military Services and NGB continued efforts to improve overall victim care and trust in the chain of command in FY16:

- Army – The Army piloted the Sexual Harassment/Assault Response and Prevention (SHARP) Program Resource Center (RC) concept at twelve Army posts. The SHARP-RC model enables SHARP assets currently serving on the installation to enhance case coordination and response agency collaboration. A SHARP-RC Sexual Assault Response Team consists of four primary responders, including SHARP VAs, medical providers from the Military Treatment Facility, criminal investigators, SVCs and military prosecutors from the supporting Staff Judge Advocate. SHARP-RCs provide a central location for services to victims, support to the chain of command, and coordination of all SHARP education and training expertise at an installation. SHARP-RCs will remain at installations where the commands deem them effective. Army leadership will continue to assess the feasibility of implementing the SHARP-RC concept throughout the rest of the force.
- Navy – Measures taken by Navy VLCs to improve overall victim care include engaging directly with a victim's chain of command to assert the client's rights and interests across a range of issues. These may include Military Protective Orders, expedited transfers, assistance on matters of career impact, and action to address social ostracism, reprisal, and other concerns. VLCs base their interactions with commands on the client's consent, input, and desire. Legal advice, support, and advocacy provided

by VLCs foster their client's trust, faith, and confidence in the Navy and the military justice process.

- Marine Corps – Marine Corps SAPR hosted two NCO Summits in FY16: one at Marine Corps Base (MCB) Camp Pendleton and one at MCB Camp Lejeune. The Summits addressed five functional areas: myths and misconceptions, barriers to reporting, retaliation for reporting, suicide, and alcohol.
- Air Force – Major Command SAPR program managers conducted site visits in FY16 to assess the clarity of guidance being followed in the field and provide coaching and mentoring to program personnel. Air Force SAPR's focus is on ensuring that all SAPR Program Managers have the appropriate skills to meet the demands of the SAPR mission. Air Force SAPR also regularly monitors the credentials and qualifications of all full-time and volunteer personnel.
- NGB – NGB SARCs and SAPR VAs focus on being approachable, accessible, and active to earn the trust of Guard members who may require their services. SARCs and SAPR VAs are certified through D-SAACP and are knowledgeable about their state's reporting laws. NGB leadership continues to emphasize confidentiality and supporting the privacy of victims so they can feel comfortable making a report.

Captured Survivor Feedback

DoD SAPRO and the Military Service SAPR Offices all hosted survivor meetings throughout FY16. The offices hold meetings to learn from survivors' experiences about command environment, training, and the reporting and response process. Feedback from these Service members illustrated the emotional toll sexual assault takes on its victims and the long-lasting negative impact it has on their lives and relationships. The human stories reflected in these first-person accounts help the Department identify best practices and areas for improvement in the DoD's ever-evolving response system.

Way Forward on Assuring a Quality Response in FY17

Develop an Evaluation Tool to Assess D-SAACP Initial Training Participants

The Department implemented the D-SAACP certification program subsequent to a requirement in the FY12 NDAA. DoD SAPRO, in conjunction with the Military Services and NGB, continue to explore ways to enhance the program.

Enhance DoD Safe Helpline Services by Launching a Self-Guided Education Tool

In February 2015, the Secretary of Defense directed DoD SAPRO to develop and deploy an anonymous, self-guided education program designed to support military members who have been victims of pre-service sexual assault. DoD SAPRO and the Military Services developed a self-guided education program entitled, "Building Hope and Resiliency: Addressing the Effects of Sexual Assault." The program will be available to Service members in FY17.

Improving Response to Male Service Members Who Report Sexual Assault

The Department's 2012 Annual Report identified that more active duty men likely experience sexual assault each year than active duty women. This conclusion was drawn from point estimates derived from the *2012 WGRA* survey, indicating that well over half of the 26,000 estimated number of victims that year were men. The *2014 RMWS* reached a similar conclusion: estimated rates of sexual assault are higher for active duty women than for men – but because the active duty population is approximately 85 percent male – point estimates yield higher numbers of men. Of the 20,300 estimated victims of sexual assault in 2014, 10,600 were men and 9,600 were women. The *2014 RMWS* also identified important differences between the sexual assault experiences of male and female Service members. In FY16, the Department worked to further understand these differences and apply them to policies and programs throughout the military.

FY16 Assessment of Progress

The Number of Men Experiencing Sexual Assault Decreased Significantly This Year

Sexual assault is a crime that affects both men and women in the military, undermining military readiness and contradicting a healthy culture of dignity and respect. While women are at higher risk for sexual assault, male Service members traditionally account for the majority of the survey-estimated victims of sexual assault because the Department is mostly comprised of men. This year's *WGRA* survey found that the estimated past-year prevalence of sexual assault for men decreased significantly, from 0.9 percent in 2014 to 0.6 percent in 2016. These estimates suggest that the number of men experiencing sexual assault decreased from about 10,600 in FY14 to about 6,300 in FY16. Furthermore, the estimated past-year prevalence of sexual assault for men decreased so much that for the first time the number of men estimated to have experienced the crime in 2016 (about 6,300)[x] is less than the number of women estimated to experience the crime (about 8,600).[xi]

Decreases in Estimated Prevalence for Men Came from Fewer Sexual Contact Crimes

The *2016 WGRA* asks respondents about the types of sexual assault they experienced in the past year. Respondents are asked if the type of misconduct they indicated experiencing penetrated their body (oral, anal or vaginal penetration), attempted to penetrate these areas, or involved sexual contact with the buttocks, genitalia, inner thighs or breasts. Men in this year's survey indicated they experienced statistically lower rates of sexual contact – or non-penetrating crimes – than in 2014. Past-year rates of non-penetrating crimes decreased from 0.6 percent in 2014 to 0.4 percent in 2016. There were no statistically significant changes in the rates of penetration and attempted penetration between 2014 and 2016.

Reports from Women Still Outnumber Men, but More Men Reported the Crime in 2016 than Ever Before

A greater proportion of female victims report their assault to military authorities than men. Specifically, about 43 percent of survey-estimated female victims could be accounted for in FY16 reporting data, as compared to about 17 percent of survey-estimated male victims that could be accounted for in FY16 reporting data. This reporting disparity between men and women is also seen in the civilian sector.[xii] However, both reporting estimates are up from FY14, when about 40 percent of estimated female victims and 10 percent of estimated male victims made a

Fewer men experienced sexual assault in FY16, but more men reported sexual assault than ever before

report to a DoD authority. In addition, FY16 data indicate that women are out-reporting men by a factor of 2.5, as compared to the factor of 4.0 seen in FY14. In sum, fewer men experienced sexual assault in FY16, but a greater number of men reported sexual assault than ever before.

Nonetheless, male victims are less likely than female victims to tell *anyone* about their sexual assault. Of those Service members who did not report the situation to the military, men (78 percent) were more likely than women (70 percent) to indicate they *never considered reporting and/or do not plan to report*. In addition, men are less likely than women to indicate they considered reporting but decided against it (17 percent of men versus 25 percent of women).

Male Victims Tend to Be a Little Older Than Female Victims

Results from the *2016 WGRA* showed a significant interaction between gender and age on experiencing sexual assault, with women who indicated experiencing sexual assault tending to be slightly younger and men tending to be slightly older. Twenty-four percent of women who indicated experiencing sexual assault in FY16 were under the age of 21, compared to only 12 percent of men who indicated experiencing sexual assault. In contrast, 29 percent of men who indicated experiencing sexual assault were above the age of 30, compared to only 15 percent of women who indicated experiencing sexual assault. Age was the only factor that explained some of the differences between men and women who indicated experiencing sexual assault in 2016. The Department found no relationship between male and female victims and the Armed Forces Qualification Test (AFQT) scores, level of education, race/ethnicity, pay grade, or having deployed in the last 12 months.

Certain Demographic Differences Among Men Increase Risk of Sexual Assault

In a comparison among men who did not experience sexual assault and those that alleged a sexual assault, victimized men were: younger, had fewer years of service, had less education, were in lower enlisted pay grades, had higher AFQT scores, and were more likely to have been deployed in the last 12 months. This information may help to identify men who are at higher risk of sexual assault. These results indicate it may be helpful to target general sexual assault prevention efforts toward men who are within their first five years of service, who are younger than 25 years of age, who are enlisted, and who have deployed within the last 12 months as these appear to be the most defining characteristics of men who indicate experiencing sexual assault on the *2016 WGRA*.

More Men Characterize Their Sexual Assault as Hazing or Bullying, and Experience More Multiple Incidents than Women

Men are far more likely to characterize the one sexual assault situation that had the largest effect on them, henceforth referred to as the "one situation," as hazing or bullying than are women. More specifically, 27 percent of men who indicated experiencing sexual assault characterized the one situation as hazing compared to only 9 percent of women, and 39 percent of men who indicated experiencing sexual assault characterized the one situation as bullying compared to 24 percent of women. Male respondents perceived the incident as serving to humiliate or abuse them, as opposed to having some kind of sexual intent. Some male victims who experience such incidents may not consider making a report because they do not perceive the sexual nature of the incident. An experience of past-year sexual assault was also highly correlated with an experience of past-year sexual harassment, with 52 percent of men and 56 percent of women indicating experiencing sexual harassment or stalking

before or after the one situation occurred. Men (35 percent) were also more likely than women (25 percent) to indicate they experienced five or more unwanted sexual events in the past year.

Men and Women Report Sexual Assault for Mostly the Same Reasons

The top three survey-indicated responses from men on why they reported sexual assault were:

- To stop the alleged offender(s) from hurting them again (47 percent),
- To stop the alleged offender(s) from hurting others (45 percent), and
- It was their civic or military duty to report it (41 percent).

When scientifically compared to responses from women, the only differentiation was that men were less likely to indicate they reported because someone they told encouraged them to report (22 percent of men versus 44 percent of women). When asked if they would recommend others report sexual assault based on their experience with reporting, 59 percent of men said they would recommend others report sexual assault (34 percent would recommend others make an Unrestricted Report and 25 percent would recommend a Restricted Report). These results showed no statistically significant differences from the data reported by female Service members.

Men and Women Experience Sexual Assault Differently

The use of alcohol in conjunction with an incident of sexual assault varied between men and women. Results from the *2016 WGRA* indicated men were less likely (39 percent) than women (59 percent) to indicate they and/or the alleged offender(s) had used alcohol before the one situation.

A greater share of surveyed male victims, when compared to female victims, indicated that their most impactful incident of sexual assault in the prior year was a non-penetrative sexual assault (59 percent of men versus 43 percent of women), and less likely to indicate the one most serious situation was penetrative sexual assault (35 percent of men versus 48 percent of women). Fewer men (6 percent) than women (8 percent) indicated the one situation involved a non-penetrative sexual assault.

When describing the alleged offender(s) in the one situation, men were less likely to say there was only one person involved (58 percent of men versus 67 percent of women). Men were also more likely than women to indicate their alleged offenders were of multiple genders. Women indicated that 94 percent of their alleged offenders were male. Men indicated that 57 percent of their alleged offender(s) were male, 25 percent were female, and 12 percent of men indicated their alleged offenders were a mix of men and women. Fewer men indicated their alleged offender(s) were all military members (66 percent of men versus 83 percent of women). Men were also more likely than women to indicate the alleged offender(s) were not in the military (16 percent of men versus 8 percent of women). When a military member was identified as the alleged offender(s), 53 percent of men indicated the alleged offender(s) were of a higher rank and 40 percent were the same rank as them. When compared to women, men were more likely to indicate the alleged offender(s) were of a lower military rank than they were (29 percent of men versus 19 percent of women).

When asked about when the one situation occurred, men were almost twice as likely to indicate it occurred while at work during duty hours (45 percent of men versus 27 percent of women). Men were less likely than women to indicate the one situation occurred while out with friends or at a party that was not an official military function (31 percent of men versus 40 percent of women) or while in their or someone else's home or quarters (25 percent of men versus 45 percent of women).

Men Indicated Less Satisfaction with Services and Support from Individuals

It is the Department's goal to provide gender responsive, culturally sensitive support and care to Service members reporting sexual assault. However, survey results show that men were generally more likely than women to be dissatisfied with a majority of the response and/or services they received. About half of male respondents indicated they were dissatisfied with the support they received from their leadership, including unit commanders, senior enlisted advisors, and immediate supervisors. Additionally, about a third of male Service members who experienced sexual assault indicated they were dissatisfied with the response they received from their SARCs, SAPR VAs, and SVC/VLCs. These survey results suggest that improvements could be made in providing support and services to men who report a sexual assault.

The Department will use these data to inform the implementation of the plan it developed in FY16 to improve prevention and response efforts for male Service members who report a sexual assault.

FY16 Actions to Improve Response for Male Service Members

Developed the *DoD Men's SAPR Plan*

The Department merged analysis conducted in FY15 with other research, focus group results, and expert advice to develop the *DoD Plan to Prevent and Respond to Sexual Assault of Military Men (Men's SAPR Plan)*. The *Men's SAPR Plan* outlines four objectives to address military sexual assault against men:

- **Objective 1:** Develop a unified communications plan tailored to men across DoD
- **Objective 2:** Improve Service member understanding of sexual assault against men
- **Objective 3:** Ensure support services meet the needs of military men who experience sexual assault
- **Objective 4:** Develop metrics to assess prevention and response efforts pertaining to males who experience sexual assault

The *Men's SAPR Plan* instructs the Department to convene a group of research specialists from DoD, the Military Services, and military medical/behavioral care communities in order to identify ways to achieve the objectives outlined in the plan.

For objectives 1 through 3, the Department will draw on formative research and assess existing research and data to develop a better understanding of the experiences and needs of men who experience sexual assault. Additionally, the Department will evaluate Service-specific programmatic efforts and determine how to address associated gaps among current outreach, response, and prevention efforts. The Department will also collaborate with relevant stakeholders to develop and evaluate research-informed practices in support of each objective. Throughout the process, the Department will develop metrics (objective 4) to assess progress annually on objectives 1 through 3. Three years after the completion of objectives 1 through 4, the Department will perform a comprehensive evaluation of its outreach, response, and prevention efforts regarding males who report sexual assault.

To achieve objectives 1 through 4, the *DoD Men's SAPR Plan* directs the Department to develop the following research-informed products/guidelines:

- Gender-inclusive communication plan and materials to encourage male reporting (objective 1)
- SAPR training core competencies and learning objectives to improve Service members' understanding of male victimization and crime prevention (objective 2)

- Core competencies and learning objectives for commander/supervisor training to engage leaders in preventing male victimization and reduce associated stigma (objective 2)
- Gender-responsive treatment guidelines and core competencies/learning objectives for provider training (objective 3)
- Core competencies and learning objectives for first responder training to improve response services for males who report sexual assault (objective 3)
- Report to summarize the research reviewed by the working group (objectives 1-3)
- Metrics to assess progress on objectives 1 through 3 (objective 4)
- Comprehensive evaluation of the Department's outreach, response, and prevention efforts regarding male survivors of sexual assault (three years after the implementation of objectives 1-4)

The *DoD Men's SAPR Plan* articulates the Department's unified commitment to developing a data-driven prevention and response system that is tailored to military men and supported by leaders at all levels.

Conducted DoD Safe HelpRoom Webinar on Support for Men who Experience Sexual Assault

DoD SAPRO sponsored a webinar for approximately 100 SARCs and SAPR VAs in the DoD Safe HelpRoom on how to support men who experienced sexual assault. The information not only enhanced these responders' knowledge about male survivors, but it also showcased the capabilities of the DoD Safe HelpRoom - a Safe Helpline service that allows sexual assault survivors in the military to connect with and support one another in a moderated and secure online group chat environment.

Implemented Methods to Improve Response and Outreach to Male Service Members

The Military Services and NGB also worked to improve their response to male Service members who experience sexual assault:

- Army – The Army SHARP Program Office hosted male survivor panels during SAAPM. These events introduced the idea of the "Silent Survivor," a man who experienced sexual assault, but for varying reasons did not report or share the experience with others. Additionally, the Army updated its Emergent Leader Immersive Training Environment (ELITE) SHARP on-line training program to address unique aspects of male sexual assault survivors. The ELITE program is an interactive video game aimed at improving the knowledge of young Service members.
- Navy – Navy SAPR incorporates relevant research, survey results, and feedback into SAPRO policy and training to emphasize that both men and women can be victims of sexual assault. SARCs facilitate critical element training for SAPR VAs on specific male barriers to reporting, male physiology, myths and facts, societal influences, and specific resources for male victims of sexual assault to promote SAPR VA proficiency in responding to male victims.
- Marine Corps – In FY16, the HQMC SAPR Research Section began planning and conducting interviews with SARCs and SAPR VAs at five Marine Corps installations, as part of its *Evaluating Best Practices for Interacting with Male Marines Who Experienced a Sexual Assault* study. Data gathering and analysis for the study will be completed in FY17.
- Air Force – A new block of instruction, *Male Victimization*, was added to the 2016 Air Force SARC course. The new course addresses myths surrounding male victims of sexual assault, as well as

issues such as hyper-masculinity, rituals, hazing, and traditions. The course provides specific guidance for SARCs on advocacy and outreach for male victims.

- NGB – NGB continued to stress the importance of increasing awareness of male victimization, identifying and addressing the unique concerns of the male victim, and improving the environment to encourage more men to feel safe enough to come forward. Many states have made concerted efforts to increase the number of male SAPR VAs they have available. Additionally, New York also increased training efforts for commanders and key leaders on ways to improve support and communication with male National Guard members who report sexual assault.

Way Forward on Improving Response for Male Service Members in FY17

Implement the *DoD Plan to Prevent and Respond to Sexual Assault of Military Men*

The Department has already started work to implement the *DoD Men's SAPR Plan*. A working group comprised of research and program specialists from the Department, the Military Services, and the military medical/behavioral care communities has been established.

Launch the Male Peer-to-Peer Safe HelpRoom Series

The Department will host a series of male survivor peer-to-peer group-chat sessions to provide a safe, anonymous space for military men who experienced sexual assault. The series will allow men to ask questions, air concerns, and receive peer-to-peer support through the confidential and anonymous DoD Safe Helpline.

Combatting Retaliation Associated with Sexual Assault Reporting

A number of military members reporting sexual assault have indicated they perceived abusive behavior by their co-workers, exclusion by their peers, and/or disruption of their military career. Retaliation[xiii] associated with reporting a crime not only harms the lives and careers of victims, bystanders/witnesses, and first responders, but also undermines military readiness and weakens the culture of dignity and respect.

The *2016 WGRA* included the new measure of retaliation originally piloted with uniformed military survivors in the *2015 MIJES* and the *2015 Workplace and Gender Relations of Reserve Component Members.* The retaliation measures used in the *2012 WGRA* and the *2014 RMWS* imprecisely assessed Service members' experiences by using the terms "professional" and "social" retaliation – terms that are not defined in policy and law. These measures stood in as proxies for the experience of retaliation. Both the 2012 and the 2014 surveys found that about 60 percent of female Service members, who indicated experiencing a sexual assault in the past year and reported to a DoD authority, perceived professional and/or social retaliation. Most of these respondents indicated that "social" retaliation was more common than "professional" retaliation. Data were not reportable for men due to the small numbers of respondents in these categories.

The new measure included in the *2016 WGRA* uses language and circumstances in policy and law to gain a better understanding of the broad range of negative experiences perceived by members to be associated with reporting. The measure also helps the Department better understand what portion of such experiences can be addressed with current investigative and/or legal approaches. The *2016 WGRA* asked respondents to identify specific negative outcomes they associated with the reporting of a sexual assault. Follow-up questions then assessed the apparent intent of the alleged retaliator as gleaned by the survey participant. Retaliation affecting Service members' professional opportunities typically constitutes reprisal.[xiv] Ostracism involves improper exclusion from social acceptance.[xv] Maltreatment, as well as acts of cruelty or oppression for the purposes of this report, includes actions committed against a reporter of sexual assault by someone that may include physical or psychological force or threat of force.[xvi]

FY16 Assessment of Progress

A Quarter of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Professional Reprisal

As previously indicated, the *2016 WGRA* employed the new retaliation measure that relies on the terms and circumstances in policy and law to better differentiate the kinds of retaliation perceived by respondents indicating they experienced and reported a sexual assault. In FY16, 40 percent of active duty Service members (36 percent of women and 50 percent of men) indicated experiencing a negative outcome they perceived to be professional reprisal as a result of reporting a sexual assault. However, only 23 percent (19 percent of women and 36 percent of men) of active duty Service members' circumstances met the survey criteria described in policy and law for professional reprisal.

Over half (52 percent) of DoD women perceiving professional reprisal indicated the person who took these actions was their senior enlisted leader, while 54 percent indicated it was another member in their chain of command, but not their unit

commander, who took the actions, and 37 percent indicated their unit commander took the actions. Respondents could pick one or more of these individuals. The majority of DoD women who experienced sexual assault and perceived reprisal indicated that the behaviors taken by their leadership yielded some level of harm to their career (90 percent). Fewer than half of DoD women who experienced sexual assault indicated they decided to participate and/or move forward with their report of sexual assault, even after indicating they perceived professional reprisal associated with their report (44 percent). Data were not reportable for men due to the small numbers of respondents in these categories.

About 14 Percent of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Ostracism

In FY16, 50 percent of active duty Service members (51 percent of women and 47 percent of men) endorsed experiencing a negative outcome they perceived to be ostracism because of reporting their sexual assault. However, only 14 percent (12 percent of women and 17 percent of men) of these members' circumstances met the survey criteria described in policy and law for ostracism. Three-quarters of DoD women indicated the person who ostracized them was a Service member in a higher rank in their chain of command.

About 18 Percent of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Maltreatment

In FY16, 38 percent of active duty Service members (38 percent of women and 38 percent of men) endorsed experiencing a negative outcome they perceived to be maltreatment as a result of reporting sexual assault. However, 18 percent (18 percent of women and 19 percent of men) of these members' circumstances met the survey criteria described in policy and law for maltreatment. Again, a little more than three-quarters (68 percent) of DoD women indicated the person who took these actions was a Service member in a higher rank in their chain of command. Further, 82 percent of DoD women indicated the person they perceived to have maltreated them was in a position of authority or leadership over them.

Social Media Plays a Role in About a Third of Perceived Ostracism and/or Maltreatment Experiences

Members who indicated experiencing behavior in line with perceived ostracism and/or maltreatment were also asked if any of the actions they marked involved social media. The survey question provided examples of social media, such as Facebook, Twitter, Yik Yak, and Snapchat. Twenty-nine percent of these respondents indicated the ostracism and/or maltreatment behaviors they perceived involved some form of social media.

About 32 Percent of Service Members Who Indicated Experiencing a Sexual Assault and Reported It to DoD Met Survey Criteria for Any Kind of Retaliation (Professional Reprisal, Ostracism, and/or Maltreatment)

This section combines all three forms of retaliation previously described into a single statistic. In FY16, 58 percent of active duty Service members (58 percent of women and 60 percent of men) indicated experiencing a negative outcome they perceived as professional reprisal, ostracism, and/or maltreatment after reporting sexual assault. This measure differs from those employed in 2012 and 2014 survey. However, using a non-scientific comparison, the proportion of Service members perceiving a negative outcome as some kind of retaliation in 2016 is roughly the same as measured by surveys in 2012 and 2014.

The *2016 WGRA* also asked a series of questions to measure whether members indicated perceiving negative experiences met the legal criteria for an investigation to

occur. Of those Service members who indicated experiencing a negative outcome after reporting a sexual assault, 32 percent met the survey criteria described in policy and law for professional reprisal, ostracism, and/or maltreatment.

The 58 percent of DoD women who met the criteria for inclusion in the rate of perceived professional reprisal, ostracism, and/or maltreatment were subsequently asked about the actions they took. After experiencing perceived professional reprisal, ostracism, and/or maltreatment: Eighty-three percent of DoD women indicated that they discussed the behaviors with their friends, family, coworkers, or a professional. Meanwhile, 58 percent of DoD women indicated they discussed it with a work supervisor or anyone up their chain of command to get guidance on what to do and 64 percent expected some corrective action would be taken. About one-quarter (26 percent) of DoD women indicated filing a complaint of perceived professional reprisal, ostracism, and/or maltreatment. Data were not reportable for men due to the small numbers of respondents in these categories.

Uniformed military survivors who participated in the *2016 MIJES*[xvii] had similar perceptions of professional reprisal, ostracism and/or maltreatment associated with their report of sexual assault. Twenty-eight percent of eligible survey respondents indicated experiencing perceived professional reprisal and met the criteria described in policy and law. Of the 28 percent who met the legal criteria for inclusion in the rate of perceived professional reprisal, 66 percent indicated the person who took these actions was another member in their chain of command but not their unit commander, while 56 percent indicated their senior enlisted leader took these actions. Additionally, 50 percent indicated their unit commander took these actions, 40 percent indicated a higher ranking member in their chain of command, 6 percent indicated their deputy commander, and 5 percent indicated they were not sure who took the actions.

Of the 28 percent who indicated perceiving professional reprisal, nearly all eligible survey respondents (95 percent) indicated the behaviors taken by their leadership yielded some harm to their career. After indicating they experienced perceived professional reprisal as a result of reporting sexual assault, 79 percent of respondents indicated they decided to participate and/or move forward with their report of sexual assault.

Findings from uniformed sexual assault survivors in the *2016 MIJES* show that 17 percent of eligible survey respondents indicated experiencing perceived ostracism as a result of reporting sexual assault and met the legal criteria. Seventy-eight percent of eligible survey respondents who indicated experiencing perceived ostracism said that the person who they perceived as ostracizing them was a Service member in a similar rank as they were. Other respondents indicated it was a Service member in a higher rank within their chain of command (73 percent), a Service member in a higher rank not in their chain of command (65 percent), a Service member in a lower rank than themselves (51 percent), or a DoD civilian (14 percent) who took these actions.

Additionally, 24 percent of eligible *2016 MIJES* respondents indicated perceiving maltreatment that met the legal criteria described in policy and law. Of these 24 percent, about three-quarters (74 percent) indicated the person who they perceived maltreatment from was a Service member in a higher rank within their chain of command. Other respondents indicated it was a Service member in a similar rank as them (68 percent), a Service member in a higher rank not in their chain of command (49 percent), a Service member in a lower rank than they were (42 percent), a DoD civilian (13 percent), or they were not sure who they were (4 percent) who took these actions. Further, 75 percent of those who indicated experiencing perceived maltreatment also said the person who took the perceived maltreatment actions was in a position of

authority/leadership over them. Of the 24 percent who indicated they experienced perceived maltreatment as a result of reporting sexual assault, 83 percent of eligible survey respondents indicated that they decided to participate and/or move forward with their report of sexual assault.

FY16 Retaliation Reporting Data

The Military Services and NGB provided data on allegations of retaliation received in FY16, associated with reports of sexual assault and/or complaints of sexual harassment. Information submitted by the Military Services and NGB varies depending on Service/NGB approach (e.g., Department of the Navy only submits data on cases with completed investigations, whereas the Army, Air Force, and NGB provide information on completed and ongoing investigations).

In FY16, the Department requested the Military Services provide two types of data:

- **Case Management Group (CMG) Retaliation Allegations:** The Military Services and NGB provided data on all retaliation allegations discussed at CMG meetings in FY16, involving victims, witnesses/bystanders, and first responders associated with reports of sexual assault. These data do not likely represent all retaliation allegations because victims, witnesses/bystanders, and first responders who believe they have experienced retaliation have the option of requesting their experience be discussed at a CMG. This year, 67 individuals requested their allegation of retaliation be discussed at the CMG at their installation. Victims of sexual assault made the vast majority of retaliation allegations (61). In addition, one witness/bystander and five first responders submitted their retaliation allegations to the CMG. Of the 67 retaliation allegations, 35 alleged ostracism and/or cruelty/oppression /maltreatment, 20 alleged reprisal, 2 alleged another criminal offense in relation to the report of sexual assault, and 10 alleged a combination of reprisal, cruelty/oppression/maltreatment, and other misconduct. Women made the majority of retaliation allegations: 47 women and 20 men had allegations discussed at CMGs.

- **Investigations of Alleged Retaliation:** The Military Services and NGB provided data on all FY16 allegations of retaliation investigated and/or handled by Service/NGB or DoD Inspectors General (IG), Military Criminal Investigative Organizations (MCIO), Law Enforcement, and Commander-Directed Inquiries. These data pertain to allegations of retaliation associated with Unrestricted Reports of sexual assault or formal/informal complaints of sexual harassment. The Military Services and NGB received 84 retaliation reports against 169 alleged retaliators in FY16 associated with sexual assault or sexual harassment reports. Additionally there were 11 reports, involving 12 alleged retaliators from prior years that had a completed investigation in FY16, for a total of 95 reports. Of the 95 reports, 81 percent involved female reporters and 74 percent were related to an Unrestricted Report of sexual assault, with the remainder related to formal complaints of sexual harassment (22 percent), a situation where the reporter was suspected of making a sexual assault report, i.e., Restricted report or other, (3 percent), or informal complaints of sexual harassment (1 percent). The following entities investigated these reports: DoD or Service IGs (61 percent), MCIOs (35 percent), chain of command (3 percent), chain of command and DoD IG (1 percent).

Each data source offers a different perspective on the retaliation allegations. The CMG data provide information on initial actions taken to refer allegations to the appropriate entity and provide support for the individual making the allegation. The data on

investigations provide greater detail on actions taken to officially assess the allegations, gather evidence, protect the parties involved, and hold offenders appropriately accountable. Additional information on FY16 retaliation allegations can be found in Appendix B.

The Department views retaliation associated with crime reporting as a significant concern and is committed to eliminating retaliatory behavior, improving resources for victims, and providing tools for commanders, supervisors, and peers to prevent and respond to retaliation.

FY16 Retaliation Prevention and Response Actions

Published the *DoD Retaliation Prevention and Response Strategy*

The Secretary of Defense signed the comprehensive strategy in April 2016 to prevent retaliation after a report of sexual assault or complaint of sexual harassment. DoD SAPRO collaborated with key Military Services' and Office of the Secretary of Defense (OSD) representatives to develop the *DoD Retaliation Prevention and Response Strategy (RPRS)*.

The *DoD RPRS* aligns efforts and details policy and procedures related to retaliation against victims who report a sexual assault, complainants of sexual harassment, bystanders or witnesses involved in the incident, and first responders, such as SARCs and SAPR VAs, Equal Opportunity Advisors, and the like who experience retaliation related to the execution of their duties and responsibilities.

The strategy targets five issue areas:

- Standardizing the definitions across the Department of various types of retaliation;
- Implementing a data-driven approach to inform retaliation prevention and response, including a centralized process to integrate data from retaliation cases;
- Creating a standardized retaliation reporting and resolution process to ensure strong and supportive systems of investigation and accountability;
- Creating a comprehensive system of support for those who report retaliation; and,
- Educating and preparing DoD personnel to prevent retaliation and create a culture intolerant of retaliation.

Established DoD IG Whistleblower Reprisal Directorate

The DoD OIG Whistleblower Reprisal Directorate created the Sexual Assault Protected Communications (SA PC) Team. The SA PC Team is responsible for objectively and thoroughly investigating whistleblower reprisal complaints filed by members of the armed forces, DoD appropriated and non-appropriated fund employees, and DoD contractors and subcontractors. The SA PC Team is also the unit responsible for investigating whistleblower reprisal complaints in which one or more protected communications involve allegations of sexual assault.

Investigators on the SA PC Team work with complainants to determine if a *prima facie*[xviii] allegation of whistleblower reprisal exists; investigate *prima facie* allegations of whistleblower reprisal; and report investigative findings and conclusions in a Report of Investigation.

Service members who believe they have experienced retaliation are able to report their experiences safely and securely to the DoD IG through the DoD Hotline[xix] and/or through the DoD Safe Helpline[xx]. DoD Safe Helpline staff members also undergo training on the FY14 NDAA's definition of retaliation, the DoD IG Whistleblower Protection Act, and the DoD IG Hotline so they can assist and direct accordingly any Service member who calls the hotline.

Messaged Ways to Report Allegations of Retaliation

The Military Services and NGB worked throughout FY16 to communicate the retaliation reporting process to Service members. Service and NGB efforts to communicate the retaliation reporting process to Service members included:

- Army – Messaging related to retaliation prevention and response is integrated into all aspects of the SHARP marketing, communications, and outreach efforts. This includes brochures, posters, infographics, senior leader talking points, and Army News Service articles.
- Navy – Fleet Workshops aimed at countering destructive behaviors cover retaliation as well. Each workshop includes a Fleet-wide roll up of retaliation data from Command Climate Surveys and a review of reporting protocols and procedures.
- Marine Corps – The Marine Corps published a formal message on methods to report retaliation and the resolution process on the Marine Corps homepage and as part of its social media campaign. The Inspector General of the Marine Corps (IGMC), Headquarters Marine Corps (HQMC) Judge Advocate Division, HQMC SAPR, and the Naval Criminal Investigative Service collaborated to produce the message, which defined retaliation and provided guidance on the various avenues available for reporting. The Marine Corps posted the message to its official social media website, where the post reached over 110,000 people and connected interested viewers to the IGMC website.
- Air Force – The Air Force required all uniformed Airmen and civilians supervising military members to receive initial first-line supervisor training on preventing retaliation in FY16. The training focused on enabling supervisors to recognize signs or possible acts of retaliation, take action to address retaliation incidents, and better understand which resources are available to military Airmen experiencing retaliation.
- NGB – Generally, each state distributes, posts, and disseminates sexual assault and retaliation information in a variety of ways. For example, the Kentucky National Guard (KYNG) included information on how to report and respond to allegations of retaliation in its SAPR/SHARP training. Additionally, the KYNG SAPR Office conducted a 90-minute workshop on "Allegations of Retaliation" in a November 2016 statewide conference.

Way Forward on Retaliation Prevention and Response in FY17

Implement the *DoD Retaliation Prevention and Response Strategy*

The next step in combatting retaliation is to operationalize and implement the *DoD RPRS*. The Department further defined actions to address the five issue areas through working groups co-led by OSD and Military Service representatives. These working groups led to the *DoD Retaliation Prevention and Response Implementation Plan* published in January 2017, and thereafter disseminated throughout the Department.

Summary

The actions taken in FY16 reflect DoD's ongoing commitment to preventing sexual assault and ensuring that victims receive comprehensive support services. The *FY 2016 Annual Report on Sexual Assault in the Military* outlined key program efforts – sexual assault prevention, ensuring a quality response, response to male Service members who report sexual assault, and retaliation prevention and response – where the Department took significant action to accomplish its mission of reducing, with the goal to eliminate, sexual assault from the military.

These program efforts are not inclusive of every aspect of the crime of sexual assault, nor does this report detail every action that the Department, Military Services, and NGB are taking to prevent and respond to this crime. Additional program highlights can be found in Appendix A of this report. The Department continues to assess its programs and policies to ensure that it is effectively addressing the needs of Service members. Feedback from surveys and focus groups of active and reserve Service members is instrumental to this effort. The Department is encouraged by the increase in the number of Service members who chose to report their sexual assault in conjunction with the decrease in estimated sexual assault prevalence. Every step closer to reducing this gap brings the Department closer to achieving its goal of eliminating sexual assault from the military.

While this year's data show promise that the Department's efforts are working the way they were intended, it does not mean that work will cease. The Department plans to continue with its forward momentum by implementing key program elements in FY17.

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[i] Based on a constructed 95 percent confidence interval ranging from 14,000 to 15,700, an estimated total of 14,900 DoD active duty members indicated experiencing a sexual assault in the past 12 months.

[ii] See Chapter 2 of the 2016 Workplace and Gender Relations Survey of Active Duty Members for a description of the methodology that developed the estimated past-year prevalence of sexual assault.

[iii] See Metric 1 in the Metrics Section, which is Appendix C to this report.

[iv] Unwanted Sexual Contact (USC) is the survey term that describes the crimes in the UCMJ that constitute sexual assault, which range from penetrating crimes, such as rape, to non-penetrating crimes, such as abusive sexual contact. USC involves intentional sexual contact that was against a person's will or occurred when the person did not or could not consent. The term describes completed and attempted oral, anal, and vaginal penetration with any body part or object, and the unwanted touching of genitalia and other sexually related areas of the body. When the RAND Corporation conducted the *RMWS* in 2014 and created a new sexual assault measure, the term USC became obsolete.

[v] In 2006, respondents were asked about whether their use of alcohol impaired their judgment or caused them to be intoxicated and unable to consent, whether the alleged offender(s) were intoxicated, and whether the alleged offender(s) used drugs to knock them out. In 2016, the questions were not as specific and asked if the member had been drinking alcohol before the unwanted event, whether the alleged offender bought the member alcohol, if the alleged offender(s) had been drinking before the unwanted

event, and if they think they may have been given a drug without their consent. Results for alcohol and drug use from this year's survey were collapsed into any alcohol and/or drug use.

[vi] Rothman, E.F., Exner, D., & Baughman, A.L. (2011). "The Prevalence of Sexual Assault against People Who Identify as Gay, Lesbian, or Bisexual in the United States: A Systematic Review." Trauma, Violence, & Abuse, 12(2): 55-66.

[vii] Rennison, C. M. (2002). Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000. Retrieved February 28, 2016 from Bureau of Justice Statistics: http://bjs.ojp.usdoj.gov/content/pub/pdf/rsarp00.pdf.

[viii] Adams, Robert. *Empowerment, participation and social work*. New York: Palgrave Macmillan, 2008, p.12.

[ix] A subset of total reports, this calculation includes only Service members who made a report of sexual assault during Military Service (4,794).

[x] 95% confidence interval ranges from 5,500 to 7,000

[xi] 95% confidence interval ranges from 7,900 to 9,300

[xii] Rennison, C. M. (2002). Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000. Retrieved February 28, 2016 from Bureau of Justice Statistics: http://bjs.ojp.usdoj.gov/content/pub/pdf/rsarp00.pdf.

[xiii] Retaliation for reporting a criminal offense can occur in one of three ways: reprisal (as legally defined in 10 U.S.C. § 1034), ostracism, or maltreatment. In January 2017, DoD issued standardized definitions for retaliation, reprisal, and ostracism. However, the standardized definitions were implemented beyond the time period covered in this report.

[xiv] Reprisal can involve a range of unjustified personnel actions, such as interfering with promotion, unreasonably downgrading someone's evaluation, or unfairly denying an award. Title 10 U.S.C. § 1034.

[xv] Examples of ostracism include improper exclusion from social acceptance, activities, or interactions due to reporting or planning to report a crime; victim blaming and bullying. Specific definitions of ostracism differ across the Department; Air Force Instruction 36-2909; Secretary of the Navy Instruction 5370.7D; Army Directive 2014-20. In 2017, DoD issued a standardized definition for ostracism.

[xvi] The retaliation questions on the *2016 WGRA* were not based on the definitions released by the DoD in January 2017 in the DoD RPRS Implementation Plan.

[xvii] To protect the anonymity of MIJES respondents, results are presented at the Total DoD level only.

[xviii] Based on first impression and accepted as correct until proven otherwise.

[xix] The DoD Hotline – Whistleblower Reprisal Complaint website https://www.dodig.mil/Hotline/reprisal_complaint1a.cfm.

[xx] Safe Helpline users can find information on how to report an alleged retaliation incident to DoD SAPRO or directly to the DoD IG via safehelpline.org.

Prepared by the Department of Defense Sexual Assault Prevention and Response Office (SAPRO)

Learn More:
www.sapr.mil

Get Help:
877-995-5247
www.safehelpline.org

DoD Safe Helpline
Sexual Assault Support for the DoD Community