

DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE



TOPIC: SAPR UPDATES – ETP APPROVAL, OVC TRAINING, AND SAPRTEC

Topics from Deputy Secretary of Defense Memo, "Updates to Department of Defense Policies to Enhance Support for Adult Sexual Assault Victims," signed May 2024. Available at www.sapr.mil/latest-policy-updates.

Paragraph 4, Policy, in DoDI 6495.02, Volume 1, as follows:

Disallows approval of exceptions to DoD policy by Secretaries of the Military Departments or Chief, NGB; and requires the Military Services' and NGB's support to the Department of Justice (DOJ)'s Office for Victims of Crime (OVC) and SAPRO training.

Approvals of Requests for Exceptions to Policy (ETP)

c. Requests for exceptions to policy in any volume of this SAPR instruction may be approved by USD(P&R) and <u>cannot</u> be approved by the Secretaries of the Military Departments or the Chief, National Guard Bureau.

DOJ's Office for Victims of Crime (OVC) Training

al. The Department supports the Department of Justice Office for Victims of Crime and DoD SAPRO's training program, "Strengthening Military-Civilian Community Partnerships to Respond to Sexual Assault" because it increases access to and visibility of civilian community-based care. As such, when this training is scheduled by DoD SAPRO, the Military Services and National Guard leadership <u>will direct</u> installation commanders to facilitate the training at the installation level.

Enclosures 2, 3, and 10, DoDI 6495.02, Volume 1, as follows:

<u>Sexual Assault Prevention and Response Training and Education Center of Excellence (SAPRTEC)</u>

Responsibilities of USD(P&R):

f. Oversee DoD SAPRO in developing DoD requirements for SAPR education *and* training for DoD personnel consistent with DoDI 6495.02, vol. 1, *to include establishing DoD SAPRO's Sexual Assault Prevention and Response Training & Education Center of Excellence (SAPRTEC*).

Responsibilities of the SAPRO Director in Enclosure 3 and Restated in Enclosure 10: The SAPRO Director shall:

- c. Establish and maintain DoD SAPRO's SAPRTEC in accordance with Enclosure 10 of this volume 1 of DoDI 6495.02 and <u>volume 2 of DoDI 6495.02</u>, "SAPR Education and Training". Develop, administer, and oversee:
- (1) Standardized DoD requirements for SAPR education and training for DoD personnel.
- (2) Core curriculum of required trainings for SARC and SAPR VAs and, if requested, for certain other responders as appropriate.

As a commander, do I need to develop the "DOJ's Office for Victims of Crime (OVC) Training" or conduct it?

The DOJ's Office for Victims of Crime Training, "Strengthening Military-Civilian Community Partnerships to Respond to Sexual Assault," refers to a partnership between Department of Justice's Office of Victims of Crime (OVC) and DoD SAPRO to deliver training to encourage successful collaboration between community-based advocacy programs and local military installation responders, and to provide continuing education credits to maintain D-SAACP certification.

The Military Services, Service SAPR Program Mangers, Service Training Commands, or commanders (in installations selected to receive the training) do <u>not</u> have a requirement to develop, conduct, or fund this training. This requirement is for OVC Training and Technical Assistance (OVC TTAC) to fund, develop, and deliver these trainings to enhance the skills of advocates in the military and civilian communities. DoD SAPRO will facilitate the trainings by working with the local military installations. <u>OVC TTAC</u> is a technical assistance arm of OVC.

Are all of these changes effective immediately, or should we wait for Service-specific updates to policy prior to implementing these changes?

The DSD Memo, "Updates to Department of Defense Policies to Enhance Support for Adult Sexual Assault Victims," was published July 19, 2024, and is effective immediately. The updates to DoDI 6495.02 volumes 1 and 3, IG DoDI 5505.18, and DD Form 2910-8 were published on July 26, 2024.

Are SARCs and SAPR VAs required to tell commanders about every retaliation report, or just those that have a safety issue involved?

Yes. The SARC is required to report to the commander all retaliation reports, regardless of the existence of safety issues. Then commanders have their own ensuing reporting duties. DoDI 6495.02 Volume 3, "Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases," requires that both the Military Criminal Investigative Organization (MCIO) and the Office of Special Trial Counsel (OSTC) be notified of every report of retaliation.

Now that DoD Civilian employees can report, are they required to take SAPR training in person or will they continue to take training online?

DoD Civilian employee SAPR training is the purview of the Military Services and the DoD components.

Is there a requirement for civilian defense agencies and field activities to have a SAPR program for civilian employees?

There is no requirement at this time for defense agencies and DoD components who do not have a SAPR Program currently to develop one. The authorization for the eligibility for Restricted Reporting for DoD Civilian employees is only for the components that already have a SAPR Program. However, the SAPR DoDI 6495.02, vol. 1, does state that "organizations that do not have a SAPR Program may enter into a written support agreement with another DoD component to enable their own civilian employees to make a Restricted or Unrestricted Report of adult sexual assault, and receive limited SAPR services from the supporting organization, subject to the availability of resources and funds."

The new policy gives the impression that based off a victim's input, the commanding officer may transfer the suspect via permanent change of station (PCS) or Expedited

Transfer. Would this create possible disposition challenges by permanently moving the suspect under the purview of a different commanding officer?

When consistent with applicable policy, commanders have discretion to temporarily reassign or removed from a position of authority or from an assignment a Service member accused of sexual assault. This reassignment or removal must be taken not as a punitive measure, but solely for the purpose of maintaining good order and discipline within the member's unit.

What is the process to update DSAID in regard to being a case management and data collection tool?

SAPRO facilitates changes to DSAID. To make suggestions for improvements or enhancements to DSAID, please contact your Service DSAID program manager.

If the case involves DoD Civilian employee victim and a civilian suspect on post and the victim elects a Restricted Report, who holds the Restricted SAFE Kit?

The SAFE Kit, if one is conducted, as well as any other evidence, would be held by the law enforcement agency who has jurisdiction and is conducting the investigation.

If DoD Civilian employees are now eligible to complete a DD Form 2910-8, are veterans now also eligible?

Former or retired Service members are not eligible to file a DD Form 2910-8 with the SAPR Program. However, they can report through a Military Sexual Trauma Coordinator at the Department of Veterans Affairs and may receive information about available healthcare and disability claims processes.