

# Appendix J: Domestic Abuse Related Sexual Assault



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Within the Department of Defense, the Family Advocacy Program (FAP) is the congressionally mandated program responsible for clinical assessment, supportive services, and treatment in response to domestic abuse and child abuse and neglect in military families. Sexual assault occurring within the context of a marriage or intimate partner relationship (sexual abuse) is a subset of domestic abuse.

## Oversight Responsibilities

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Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the DoD FAP has broad responsibility for promoting public awareness and prevention of domestic abuse and child abuse and neglect, providing victims of domestic abuse with the option for making a restricted report, and coordinating comprehensive intervention, assessment, and support to victims.

## Definition of Domestic Abuse

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Department of Defense Instruction 6400.06 (Domestic Abuse Involving DoD Military and Certain Affiliated Personnel) defines “domestic abuse” as domestic violence or a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person who is:

- A current or former spouse;
- A person with whom the abuser shares a child in common; or
- A current or former intimate partner with whom the abuser shares or has shared a common domicile.

Sexual assault occurring within the context of the above definition of domestic abuse is referred to FAP for comprehensive

safety planning, victim advocacy and support, and treatment when appropriate.

## Data

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Comprehensive data and analysis of all domestic abuse will be included in the Annual Report of Child Abuse and Neglect and Domestic Abuse scheduled for release on April 30, 2017, as required by Section 574 of the National Defense Authorization Act for Fiscal Year 2017.

## Data Collection

FAP incident data are tracked by the Military Services and reported to the Department through the FAP Central Registry maintained by Defense Manpower and Data Center. The Family Advocacy Program Central Registry contains information pertaining to incidents that met criteria for abuse. In this context, “met criteria” means that the incident met the threshold set forth by a standardized algorithm that indicates the need for more rigorous treatment, intervention, support, safety planning, and protection.

## Victim Characteristics

Central Registry data indicate that in FY16 there were 284 unique victims of sexual abuse who received Family Advocacy Program services. Victims were 96.1% female (273 of 284), and 3.9% male (11 of 284). Of the 284 victims, 171 (60.2%) were family members, 105 (37%) were military Service members, 6 (2%) were non-beneficiaries, 1 (0.4%) was a DoD civilian, and 1 (0.4%) was a non-DoD civilian beneficiary (retired Service member or government contractor).

## Offender Characteristics

Of the 282 alleged offenders, 271 (96.1%) were male and 11 (3.9%) were female. Military service members represent 78% (220 of 282) of alleged offenders, family members represent 18.8% (53 of 282), non-beneficiaries represent 2.5% (7 of 282), and 0.7% (2 of 282) were non-DoD civilian beneficiaries (retired Service members or government contractors).

Of the 220 alleged offenders who were military Service members, 216 (98.2%) were Active Duty, 2 (0.9%) were Reserve, and the status of 2 (0.9%) is unknown. Of the military Service members, 205 (93.2%) were enlisted members, 12 (5.5%) were officers, 1 (0.4%) was a warrant officer, and the status of 2 (0.9%) is unknown.

## Accountability

The mission and scope of FAP is to provide comprehensive clinical assessment and support services to individuals and families impacted by domestic abuse and child abuse and neglect. The primary focus is to assess the risk and safety of victims, and to provide treatment and rehabilitation for the victim or alleged offender when appropriate. By responsibility set forth in Department of Defense Manual 6400.01, Volume 1, Enclosure 3 (Family Advocacy Program Standards), FAP reports all unrestricted

reports of domestic abuse to law enforcement within 24 hours. As part of the coordinated community response model employed by DoD, law enforcement (military or civilian depending on jurisdiction) and military criminal investigative personnel have the responsibility for investigating reports of domestic abuse. Investigation, command action, and legal adjudication are addressed by other organizations outside of FAP.

FAP social workers, prevention specialists, victim advocates, and nurses provide critical clinical and support services to families impacted by these often complex incidents, and are bound ethically to promote the well-being of clients and support their self-determination foremost. Responsibility for holding alleged offenders criminally accountable and tracking associated outcomes falls entirely to law enforcement and the legal system.

## Way Forward

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### Synchronized Data Reporting

The reporting cycle for FAP data has been changed to match the SAPR reporting cycle. FAP is working closely with SAPRO, and a FAP Appendix will continue to be included in the Annual Report on Sexual Assault in the Military Services.