



**DEPARTMENT OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE**

Annual Report on Sexual Harassment and Violence at the Military Service Academies

Academic Program Year 2009–2010

December 2010





UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON
WASHINGTON, DC 20301-4000

PERSONNEL AND
READINESS

DEC 10 2010

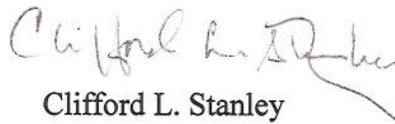
The Honorable Ike Skelton
Chairman, Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The enclosed "Academic Program Year 2009-2010 Report on Sexual Harassment and Violence at the Military Service Academies" responds to Section 532 of Public Law No. 109-364, the John Warner National Defense Authorization Act for Fiscal Year 2007. This law requires an annual report during each Academic Program Year (APY) on the effectiveness of the policies, training, and procedures of each Academy with respect to sexual harassment and violence involving Academy personnel.

The report for APY 2009-2010 provides data and analysis on reported cases of sexual harassment and violence involving Academy personnel occurring between June 1, 2009 and May 31, 2010. The report outlines the progress made by the Academies in the areas of prevention and response to sexual harassment and sexual assault. Enclosed with this year's report is the Defense Manpower Data Center's *2010 Service Academy Gender Relations Survey*.

The Department continues to be committed to implementing policies and executing practices in our on-going efforts to enable military readiness by establishing a culture free of sexual harassment and violence at the Military Service Academies. I am sending a similar letter and the Department's report to the Chairman and Ranking Member of the Senate Committee on Armed Services.


Clifford L. Stanley

Enclosures:
As stated

cc:
The Honorable Howard P. "Buck" McKeon
Ranking Member





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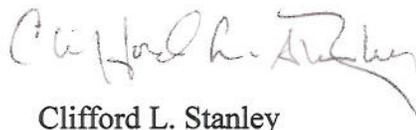
The Honorable Carl Levin
Chairman, Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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Clifford L. Stanley

Enclosures:
As stated

cc:
The Honorable John McCain
Ranking Member





**Department of Defense
Annual Report on Sexual Harassment and
Violence at the U.S. Military Service
Academies: Academic Program
Year 2009-2010**

**Report to the
Congressional Defense Committees of
the U.S. Senate and the U.S. House of Representatives**

***Section 532 of Public Law No. 109-364,
the National Defense Authorization Act (NDAA) for
Fiscal Year (FY) 2007***

INTRODUCTION

Section 532 of Public Law Number 109-364, the John Warner National Defense Authorization Act for Fiscal Year 2007 requires an assessment at the Military Service Academies (MSA) during each Academic Program Year (APY). This assessment is to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and violence involving Academy personnel.

In APYs beginning in odd-numbered years (e.g., APY 09-10), the annual assessment is comprised of an Academy self-assessment and an anonymous survey of cadets and midshipmen. This survey, the bi-annual Defense Manpower Data Center's (DMDC) *2010 Service Academy Gender Relations (SAGR) Survey* covers topics such as incidence of unwanted sexual contact and harassment, reporting and training, and characteristics of the unwanted sexual and gender-related behaviors.

The Department of Defense (DoD) consolidates and summarizes the reports from each Academy and the results from the *2010 SAGR Survey*. This summary serves as the Department's *Annual Report on Sexual Harassment and Violence at the Military Service Academies* covering APY June 1, 2009 through May 31, 2010. Appendix A is the aggregate sexual assault data and consolidated data matrices. TABs A through C of this report are the self-assessments from the United States Military Academy (USMA), the United States Naval Academy (USNA), and the United States Air Force Academy (USAFA), respectively. The *2010 SAGR Survey* is available at <http://www.sapr.mil/index.php/research>.

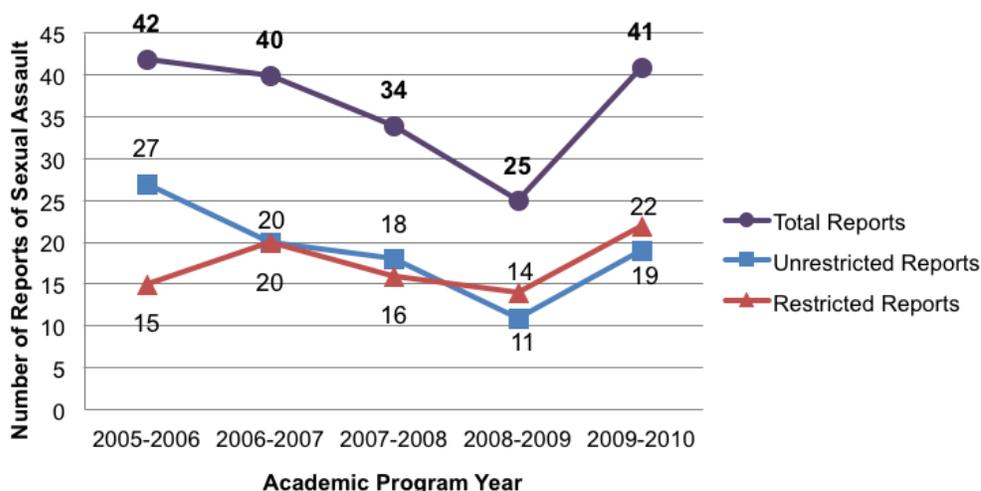
DoD policy defines the term "sexual harassment" as a form of sex discrimination that: involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career; or submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or such conduct interferes with an individual's performance or creates an intimidating, hostile or offense environment.

The term "sexual violence," herein referred to as "sexual assault," is defined as intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. The crime of sexual assault includes rape, forcible sodomy, and other unwanted sexual contact that is aggravated, abusive, or wrongful, or attempts to commit these acts. "Consent" means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force or placing another person in fear does not constitute consent.

EXECUTIVE SUMMARY

The MSA self-assessments describe institutionalized and evolving training programs for prevention and response to sexual harassment and assault. For cadets and midshipmen, this training begins at accession and continues throughout their four years at the Academy. Each MSA's effort to improve its policies and training demonstrates a commitment to prevention and support for a climate where victims may confidently report the crime and receive needed assistance. The programs addressing sexual harassment and assault at the MSAs are unique compared to civilian colleges and universities in that a great deal of prevention and response training has been written into academic curricula and leadership education. In addition, the MSAs employ leaders in the field of sexual violence prevention to guide their programming and educate cadets and midshipmen.

This year, there were a total of 41 reports of sexual assault, comprised of 19 Unrestricted Reports¹ and 22 Restricted Reports². Initially, the MSAs received a total of 27 Restricted Reports, but five converted



to Unrestricted Reports at the victims' request. The 41 reports represent a 64% increase from APY 08-09. In prior years' assessments, the Department recommended that the Academies take steps to bring more victims forward to report. The increased reporting of sexual assault is a strategic priority for the entire Department.

DMDC conducted the strictly voluntary *2010 SAGR Survey* in Spring 2010. Response rates to this year's survey ranged from 77% to 88%, an increase from previous years. According to the survey, more than 89% of cadets and midshipmen understood key training concepts on how to make a sexual harassment or assault report.

Overall, in the twelve months prior to the survey, 12.9% of women and 1.9% of men indicated experiencing unwanted sexual contact, and 56% of women and 12% of men

¹ An Unrestricted Report of sexual assault is a report that is provided to command and/or law enforcement for investigation.

² Restricted Reporting allows victims to confidentially access medical care and advocacy services without triggering an investigation.

indicated experiencing sexual harassment. These survey results suggest that the 41 reports of sexual assault at the MSAs accounted for fewer than 10% of the incidents of unwanted sexual contact that may have actually occurred. While it is unrealistic to expect that the number of reports of sexual assault will ever equal what is reported on anonymous surveys, the Department's goals are to use prevention tools to reduce the number of incidents of sexual assault, and at the same time, encourage reporting of the crime, so that the Restricted and Unrestricted Reports to DoD account for a greater proportion of the survey-estimated incidents.

The Office of the Secretary of Defense Sexual Assault Prevention and Response Office (SAPRO) and the Office of Diversity Management and Equal Opportunity (ODMEO) use this annual assessment as an oversight tool to monitor improvement of the Department's Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) programs. To that end, the assessment of SAPR and POSH will be organized by the priorities established in the *DoD-wide SAPR Strategic Plan* approved in December 2009. These priorities are:

1. Institutionalize Prevention Strategies in Military Community
2. Increase Climate of Victim Confidence Associated with Reporting
3. Improve Sexual Assault Response
4. Improve System Accountability
5. Improve Knowledge and Understanding of SAPR

1. PREVENTING SEXUAL HARASSMENT AND ASSAULT

The first DoD-wide strategic priority is to institutionalize prevention strategies in the military community. This priority focuses on the overall reduction of sexual assault in the DoD community. A key feature of sexual harassment and assault prevention is education and training.

Throughout APY 09-10, the MSAs conducted extensive training for all cadets and midshipmen. Ongoing prevention and education continue to be implemented throughout the MSAs at all levels to address the policies covering sexual harassment and sexual assault, consent, sexual assault reporting options, support resources, and bystander intervention.

USMA continued to promote a culture of prevention through the Respect Program, to foster cadets' development of and commitment to the fundamental principle that each individual has infinite dignity and worth. All cadets participate in the Respect Program as part of the 70-hour Professional Military Ethic Education program. At USMA, sexual harassment and assault prevention training begins at Cadet Basic Training and is reinforced annually. Also, the Second and First Class cadets are all trained to serve as instructors for junior classes.

To reinforce this program, USMA uses several distinguished guest speakers and facilitators to address cadets on prevention of sexual harassment and assault, cultural

awareness, and diversity training. During APY 09-10, Ms. Veraunda Jackson,³ a nationally recognized speaker and rape survivor, held two guest lectures for Fourth Class cadets, while Second Class cadets and USMA Staff and Faculty participated in Sex Signals, an education program on issues surrounding dating, sex, and consent. First and Third Class cadets received their sexual assault prevention training through small group, discussion-based classes, emphasizing their responsibility as leaders and as friends to prevent sexual assault.

Prevention of sexual harassment and assault remains a priority at USNA. During APY 09-10, USNA implemented the next phase (year three of a four year roll-out) of the Sexual Harassment and Assault Prevention Education (SHAPE) program for Second Class midshipmen using peer educators trained by subject matter experts. To improve the SHAPE program staffing, midshipmen who wish to become Peer Educators must now submit an application essay, obtain recommendations from Company Officers and Senior Enlisted Leaders, and complete a thorough interview process to be selected.

USNA continued to address policy, prevention and response efforts and progress related to sexual harassment and assault in a variety of forums, such as athletic coach meetings, individual sports team training, beginning of the semester “reform” training, Midshipman Sponsor training, and summer training for the faculty and staff. Also, Sexual Assault Victim Intervention (SAVI) GUIDES (Guidance, Understanding, Information, Direction, Education) and SHAPE Peer Educators attended the annual collegiate Sexual Assault Prevention Conference where they collaborated with other institutions of higher education to foster USNA program improvements.

At USAFA, POSH and SAPR prevention and training for cadets begins in Basic Cadet Training and continues throughout the cadet’s first year at the Academy. Each class year expands and builds on previous POSH and SAPR training. Third, Second, and First Class cadets all receive annual Air Force SAPR policy and services training. Additionally, in APY 09-10 guest speakers Mr. Mike Domitrz,⁴ “May I Kiss You?”, Mr. Brett Sokolow, JD⁵, “Drunk Sex or Date Rape: Can you Tell the Difference?” and Mr. Russell Strand,⁶ “Sex Offenders, Service Members and You: Leadership Beyond the Obvious,” presented to Third, Second, and First Class cadets respectively.

During APY 09-10, USAFA expanded its prevention training efforts by including Third and Fourth Class cadets in Sex Signals presentations, and initiated bystander

³ Veraunda Jackson is the founder and CEO of EHAP Inc., a professional and personal development company. She previously was a prosecutor in the specialized sex crimes and child abuse unit in Florida.

⁴ Mike Domitrz is the founder of The Date Safe Project, Inc., and a healthy relationships and sexual assault, expert, author and speaker.

⁵ Brett Sokolow, JD, is the founder, president and managing partner of the National Center for Higher Education Risk Management (NCHERM), a national multidisciplinary risk management consulting firm. He is an expert in preventive law and risk management.

⁶ Russell Strand is currently the Chief of the U.S. Army Military Police School Family Advocacy Law Enforcement Training Division with specialized expertise, experience and training in the area of domestic violence intervention, critical incident peer support, and sexual assault, trafficking in persons and child abuse investigations.

intervention during annual training for Third, Second, and First Class cadets. USAFA also initiated the “Target Hardening” self defense program that includes bystander intervention and uses mixed martial arts and verbal intervention strategies to train participants on how to safely avoid and intervene on the behalf of others.

The *2010 SAGR Survey*⁷ asked cadets and midshipmen if they received sexual harassment and assault program training in the last year. More than 92% indicated receiving sexual harassment training and more than 94% indicated receiving sexual assault training.

Since the *2008 SAGR Survey*, the past year incidence of sexual harassment increased for men and women at USNA and women at USAFA, also, the incidence of unwanted sexual contact increased for women at USNA and USAFA. Since the 2008 survey, there were no statistically significant decreases in the sexual harassment or unwanted sexual contact incident rates at any of the academies. Reducing the occurrence of sexual harassment and sexual assault are the ultimate goals of any prevention program. However, one unexpected result of prevention programming is that education about a problem may enable individuals to better recognize it when it occurs. As a result, increases in surveyed incidence rates may reflect better identification of problem behaviors. Nevertheless, the MSAs must focus attention on improving prevention outcomes.

Additionally, the Department notes some concerning survey trends involving unwanted sexual contacts experienced by women. The first is an increase in incidents involving multiple offenders since 2008. Both USMA and USNA saw rates more than double. Likewise, almost half of all women indicated on the survey that alcohol or drugs were involved in episodes of unwanted sexual contact, with increases in such episodes noted at both USMA and USNA. SAPRO will be working with the Academies to reverse deal with these trends as part of the APY 10-11 assessment visits.

2. INCREASING REPORTING

The second DoD-wide strategic priority is to increase the climate of victim confidence associated with reporting. This priority focuses on increasing the number and percentage of sexual assaults that are reported, with additional emphasis on increasing the proportion of unrestricted reporting.

While one incident of sexual harassment or assault is too many, the Department works to increase reporting to ensure that victims come forward to receive needed support and services. The Department offers two sexual assault reporting options: Restricted and Unrestricted Reporting. Restricted Reporting allows victims to confidentially access medical care and advocacy services without triggering an investigation. Cadets and midshipmen who experience sexual harassment can make a formal or informal complaint.

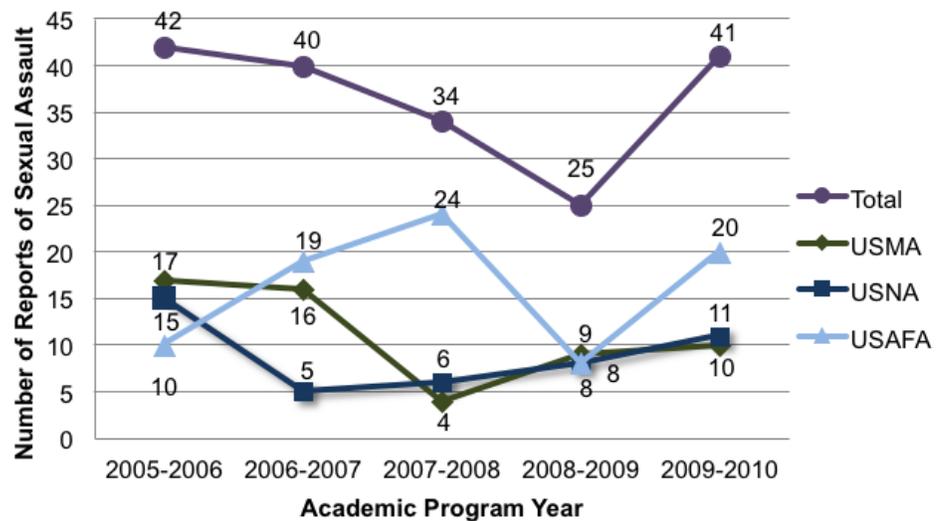
⁷ Reference TAB D for the complete *2010 SAGR Survey* results.

The total numbers of sexual assault⁸ reports for all MSAs during APY 09-10 are as follows:

TOTAL APY 2009-2010 REPORTS OF SEXUAL ASSAULT	
NUMBER OF UNRESTRICTED REPORTS OF SEXUAL ASSAULT	19
NUMBER OF REPORTS OF SEXUAL ASSAULT REMAINING RESTRICTED	22
NUMBER OF TOTAL REPORTS OF SEXUAL ASSAULT - UNRESTRICTED AND RESTRICTED	41

During APY 09-10, 27 Restricted Reports were received at the MSAs, five of which converted to an Unrestricted Report at the victims' request. The 22 remaining Restricted Reports represent a 57% increase over APY 08-09. Figure 1, page 2 of Appendix A depicts how this compares to previous APYs.

Overall sexual assault reporting increased 64% from APY 08-09 to APY 09-10. USMA and USNA experienced reporting increases of 1 and 3 reports respectively, while reports at USAFA more than doubled with an increase of 12 reports.



Initial Unrestricted Reporting varied among the MSAs between APY 08-09 and APY 09-10:

- USMA: Decreased from 8 to 4
- USNA: Increased from 3 to 6
- USAFA: Increased from 0 to 4

Initial Restricted Reporting varied among the MSAs between APY 08-09 and APY 09-10:

- USMA: Increased from 1 to 6
- USNA: Remained constant with 5
- USAFA: Increased from 8 to 16

Conversions from Restricted Report to Unrestricted Report increased at all three MSAs in APY 09-10. No one converted to an Unrestricted Report in APY 08-09:

⁸ Sexual Assault includes the crimes of rape, unlawful sexual contact, forcible sodomy, and attempts to commit these offenses.

- USMA: 1 Restricted Report converted
- USNA: 1 Restricted Report converted
- USAFA: 3 Restricted Reports converted

There were only one formal and two informal complaints of sexual harassment at USMA. Also, there were no formal or informal complaints at USNA and USAFA.⁹

One of the goals of the Respect Program at USMA is to increase victim propensity to report. Respect Representatives promoted the use of cadet chain of command open door policies to increase reporting as well. During APY 09-10, USMA removed the requirement from the United States Corps of Cadets (USCC) policy to report any knowledge of a sexual assault to their chain of command. This change allows cadet victims the option to speak with a fellow cadet, such as their roommate and/or a Respect Officer, and preserve a victim's Restricted Reporting option. Peer confidants can now assist cadet victims in making informed decisions subsequent to a sexual assault without violating the previous USCC mandatory reporting policy.

The SAVI GUIDES, who are volunteer midshipmen, developed all new presentation scripts to provide consistent in-company training on reporting options and the role of first responders. Contact information and photos of first responders were added to the revamped SAPR section of the USNA intranet website. Additionally, prominently placed links on the website provide immediate assistance for sexual assault victims and friends wishing to help sexual assault victims. Lastly, the website contains a direct link to the National Sexual Assault Online Hotline for confidential support.

USAFA SAPR, the Human Relations Office, the Center for Character and Leadership Development, and the 10th Air Base Wing Equal Opportunity (EO) offices work together to encourage reporting of sexual harassment and sexual assault. Improvement of reporting is accomplished through mandatory training, supplemented with Commissioning Education lessons, the new Character and Leadership Development Respect & Responsibility program, guest subject matter expert presenters and programs, and special events such as the Spring Break Campaign and Sexual Assault Awareness Month (SAAM).

Training on reporting procedures is key to increased reporting. Cadet and midshipman understanding of the definitions of, and the differences between sexual harassment and sexual assault, as well as the sexual assault reporting options are key indicators of effective training. Comprehension of these key training concepts is surveyed in the SAGR Surveys. An estimated 89% of cadets and midshipmen know how to make a sexual harassment or assault report. However, cadets and midshipmen at USMA and USNA showed a slight decline in all knowledge areas from 2008 to 2010, with the

⁹ Response to sexual harassment uses a different approach than that used in responding to sexual assault. While neither behavior is acceptable, sexual assault is a crime and may require a law enforcement response and victim assistance. Sexual harassment response encourages resolution of inappropriate gender-related behaviors at the lowest level. Those experiencing such behavior may report the matter formally or informally for command involvement and assistance.

greatest decline in the area of understanding the difference between Restricted and Unrestricted Reporting.

Drawn from the 2010 SAGR Survey, the following chart contains the top three reasons for not reporting unwanted sexual contact by Academy and the percentage of respondents. Women at all three MSAs selected the same two reasons for the top two with varying order of importance.

TOP THREE REASONS FOR NOT REPORTING UNWANTED SEXUAL CONTACT					
USMA		USNA		USAFA	
I took care of it myself	76%	I did not want people gossiping about me	71%	I took care of it myself	69%
I did not want people gossiping about me	71%	I took care of it myself	67%	I did not want people gossiping about me	67%
I felt uncomfortable making a report	70%	I thought it was not important enough to report	64%	I thought it was not important enough to report	67%

The two charts below provide the top three reasons for not reporting sexual harassment by Academy and the percentage of respondents for both men and women. For each gender group, cadets and midshipmen selected the same top three reasons in the same order of importance across all three Academies.

TOP THREE REASONS FOR NOT REPORTING SEXUAL HARASSMENT – WOMEN					
USMA		USNA		USAFA	
I thought it was not important enough to report	85%	I thought it was not important enough to report	79%	I thought it was not important enough to report	83%
I took care of it myself	68%	I took care of it myself	76%	I took care of it myself	73%
I did not want people gossiping about me	40%	I did not want people gossiping about me	48%	I did not want people gossiping about me	36%

TOP THREE REASONS FOR NOT REPORTING SEXUAL HARASSMENT – MEN					
USMA		USNA		USAFA	
I thought it was not important enough to report	79%	I thought it was not important enough to report	76%	I thought it was not important enough to report	78%
I took care of it myself	52%	I took care of it myself	58%	I took care of it myself	61%
I thought it would take too much time and effort	21%	I thought it would take too much time and effort	20%	I thought it would take too much time and effort	19%

3. IMPROVING RESPONSE

The Department's third goal is to improve sexual assault response. This priority focuses on availability, access, and quality of response for victims. At USMA, the Installation Sexual Assault Response Coordinator (SARC) and Victim Advocate (VA) maintain 24/7 contact capability with established hotline numbers for the USMA

community. The USCC SARC also maintains 24/7 contact capability. Contact information is posted in the cadet barracks and throughout the Academy in educational, athletic and support activity locations. Additionally, the sexual assault resource page on the USCC shared internet portal provides information for cadets to call 24 hours a day regarding a sexual assault or to reach a SARC or VA.

In APY 09-10, two female members of the Brigade Tactical Department (one commissioned officer and one non-commissioned officer) received training to serve as additional resources for cadets who wish to make a restricted report or who are in need of victim assistance. The Installation SARC and VA highlighted reporting options and response during presentations of the SAPR program to several local and regional ancillary agencies. These initiatives have increased the strength and width of the response network, thereby enabling a more comprehensive response to victims. Also, during APY 09-10, the Installation SARC completed a review and update to the Memorandum of Understanding with the Mental Health Association in Orange County, NY, covering rape crisis advocacy response and victim support services.

USNA trained 17 new VAs and 47 new Midshipmen SAVI GUIDES to be first responders. The Sexual Assault Case Management Group conducted monthly multi-disciplinary meetings to review and track progress on current open cases, facilitate program updates, discuss process improvements and ensure system accountability and victim access to services.

For faculty, staff and support personnel, USNA expanded the SAPR familiarity training for the Academic Dean's Newcomers Indoctrination Training, as well provided an in-depth SAPR refresher training for all key personnel. Additionally, USNA launched a new program for faculty and staff members called the Faculty and Staff GUIDE program. This program is similar to the Midshipman SAVI GUIDE program in that faculty and staff members receive the same Department of the Navy certified 30-hour VA course training. However, they are not expected to "stand watch" or respond to off campus emergencies. These faculty and staff volunteers use their training to provide information and encourage reporting. Three inaugural Faculty and Staff GUIDE members were trained during APY 09-10.

USAFA SAPR provides ongoing training to all first responders. Areas covered in first responder training include victimology (characteristics of victims), typical offender behavior, collateral victim misconduct, how to work with victims, reporting strategies, and how to deal with a victim who may be disclosing to an individual who is required to report a sexual assault. This training includes typical cases and scenarios using role plays and discussion. Guest lecturers are also part of first responder training. In APY 09-10, Mr. Russell Strand presented "Understanding Sex Offenders" and "How to Conduct a Better Victim Interview," Dr. Janine D'Anniballe¹⁰ presented "Biochemical and Psychological Victimology," and Ms. Veraunda Jackson presented "Victimology." USAFA held 17 training sessions with more than 400 attendees in APY 09-10.

¹⁰ Dr. Janine D'Anniballe is the executive director of Moving to End Sexual Assault a rape crisis center serving Boulder and Broomfield Counties.

The Cadet Helping Agency Team (CHAT), chaired by the USAFA Vice Commandant of Cadets for Culture and Climate, is comprised of medical, mental health and counseling, SAPR, and cadet leadership with the intent to monitor and have “eyes on” all cadets placed on the Cadets At Risk List. CHAT meets monthly or on an as needed basis.

4. IMPROVING SYSTEM ACCOUNTABILITY

The Department’s fourth DoD-wide strategic priority is to improve system accountability. This priority focuses on improving the reliability and sustainment of POSH and SAPR services, and ensuring those services function in the way they were designed. The *Annual Report on Sexual Harassment and Violence at the Military Service Academies*, the bi-annual *SAGR Survey* and the bi-annual *Gender Relations Focus Groups* are oversight tools to assess and improve the POSH and SAPR programs at the MSAs. The attached reports from the Academy Superintendents, as well as the recommendations to the MSAs from the APY 08-09 report will be used as a starting point for the Department’s site visits and assessments that will be provided in the forthcoming APY 10-11 report.

Additionally, each Academy provides oversight of its POSH and SAPR programs. USMA uses monthly Sexual Assault Review Board (SARB) meetings chaired by the Superintendent to provide oversight of its Sexual Harassment and Assault Response and Prevention (SHARP) Program.. The SARB meetings afford senior Academy leaders the opportunity to assess the current state of the program, and provide procedural guidance and feedback to members of the SARB and Sexual Assault Response Team.

The SAPR office, reporting directly to the Superintendent, provides oversight of programs supporting the prevention and response of sexual harassment and sexual assault at USNA. This office is headed by a senior naval officer who serves as the SARC for the entire command. The SARC is assisted in program oversight by four full-time staff members, including a military deputy SARC. In addition, a full-time Professor of Sociology from the Department of Leadership, Ethics and Law augments the SAPR staff to assist with education program assessments and academic research related to the culture of sexual assault.

USAFA has several programs in place to provide system accountability of POSH and SAPR programs. USAFA senior leadership is briefed monthly on SAPR cases and trends, and a multi-disciplinary sexual assault case management team conducts case reviews at bi-weekly meetings. Implementation of the POSH and SAPR programs and presentations by guest lecturers are evaluated using pre- and post- test measures. The Air Force Inspector General (IG) conducts bi-annual Unit Compliance Inspections of SAPR and Equal Opportunity using the new SAPR Inspection Checklist developed by Air Force SAPR.

5. IMPROVE KNOWLEDGE AND UNDERSTANDING OF POSH AND SAPR

The fifth DoD-wide priority is to improve knowledge and understanding of the POSH and SAPR programs. This priority focuses on improving pro-active communication of SAPR information to stakeholders.

USMA increased staff and faculty SAPR training during APY 09-10 to include a Sex Signals session at approximately the same time that cadets were receiving the Sex Signals training. This provided USMA staff and faculty with insight into the training the cadets received regarding prevention of sexual harassment and assault, educated them on the subject matter, and prepared them for informal discussions that may occur with cadets.

The Respect Program website published several real world sexual harassment scenarios and their associated outcomes. The Installation SARC and VA presented an overview of the SAPR program to several local and regional ancillary agencies including Keller Army Community Hospital, the Orange County, NY Sexual Assault Response Team and at the Police Interactive Training Conference hosted by Westchester County Chiefs of Police Association.

USNA continued to educate faculty, staff, and support personnel on POSH and SAPR through focused recurrent training and ready access to pertinent information. The Academy expanded the SAPR familiarity training for the Academic Dean's Newcomers Indoctrination Training and provided in-depth SAPR refresher training targeted to all key personnel including Company Officers, Senior Enlisted Leaders, Chaplains, and VAs. Lastly, USNA completely revamped the SAPR section of the USNA intranet website, available to all midshipmen, faculty, and staff, which now includes one-click access to information for victims of sexual assault as well as information for potential first responders seeking guidance on how to help a victim. USNA also added complete information on all aspects of the USNA SAPR program including both response and prevention education.

USAFA SAPR and EO continuously inform and educate stakeholders through a variety of programs. The highlights from APY 09-10 include a 10th Air Base Wing SAPR Conference, a SARC interview on the base KAFA radio station, and a social norming/marketing campaign using cadet-generated data. In addition to all the training for faculty, staff, and support personnel, USAFA extended training to the community including a sexual violence support agency, local law enforcement agencies, and local high schools and universities.

SUMMARY OF THE PLANS FOR APY 10-11

The Academies identified plans to continue to improve their POSH and SAPR programs during APY 10-11. USMA plans to enhance its Respect Program by adding a 90-minute facilitated discussion on gender relations to both Cadet Basic Training and Cadet Field Training and expanding the training provided to Respect Representatives. Additionally,

the Respect Office will conduct briefings with each academic department to educate faculty and staff on reported and unreported incidents and to garner support for the Respect Office and other sexual harassment and assault prevention programs. The Installation SARC is creating a new SHARP/I. A.M. STONG website and will host the first annual “Walk a Mile” awareness event during SAAM. To enhance oversight, the Installation SARC plans to invite the IG Chief of Inspections to conduct an annual inspection of the Garrison SAPR program.

During APY 10-11, USNA plans to continue to refine areas commended in the APY 08-09 report to include, educating and publicizing reporting options, monitoring continuity of services by the SARC throughout the investigation and prosecution stages, and providing victims with Midshipman Legal Advisor contact information and explanation of services. USNA also will improve and refine SAPR training for faculty, staff and support personnel and continue to recruit and train VAs. In addition, USNA will roll-out the fourth and final year of the SHAPE program for First Class midshipmen and increase participation in the new Faculty and Staff GUIDE program.

USAFA plans to implement recommendations from Brett Sokolow, JD, founder, president and managing partner of NCHERM, to enhance prevention training and encourage restricted reporting. Additionally, to further encourage restricted reporting and meet victim’s needs, USAFA is researching the security implications of an eSARC program, a confidential reporting option via text and email to the SARC, and a virtual victim support group through a secure web-based chat room. To further enhance training, USAFA is beginning a two-year implementation effort for a mandatory Air Force Bystander Intervention Program.

ASSESSMENT OF MSA PROGRAMS

In the August 2008 report entitled “DoD’s and the Coast Guard’s Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges,”¹¹ GAO recommended that the Department improve the usefulness of the annual report as an oversight tool both internally and for congressional decision makers in order to enhance oversight of the SAPR program. The Department implemented this recommendation for the *Annual Report on Sexual Harassment and Violence at the Military Service Academies*, as well.

This document represents the fourth assessment of the sexual harassment and assault programs at the Academies. However, this is the first MSA assessment to employ the *DoD-wide SAPR Strategic Plan* as a framework for evaluation. It is currently the intent of the Department to conduct all future MSA assessments using the five strategic priorities identified in the *DoD-wide SAPR Strategic Plan*. Each MSA should now organize its sexual harassment and assault program objectives and initiatives according to the Department’s five identified priorities (listed on page 4).

¹¹ Government Accountability Office (2008). *DoD’s and the Coast Guard’s Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>

During the past few years, the MSAs have applied considerable resources to design and implement policies, programs, and services to prevent and respond to sexual harassment and assault. Many of these programs extend well beyond simple activities that heighten awareness of the problem. While awareness programs serve an important purpose, effective prevention and response involve extensive education, training, organization, monitoring, and evaluation. As evidenced by the preceding report, program infrastructure is well established at each MSA. Not only does each Academy have a well-organized response structure, they also incorporate sexual harassment and assault learning objectives into leadership and academic curricula. The MSAs have also employed many of the nation's leading experts to help them construct their programs and participate as guest lecturers.

Standing in contrast to the MSAs' extensive programmatic achievements is the data from the *2010 SAGR Survey*. The results show a concerning elevation in the incidents of unwanted sexual contact and sexual harassment reported on the survey. As previously noted, this increase may reflect an increase in incidents experienced by cadets and midshipmen, or it may reflect their ability to better recognize unacceptable behavior given the knowledge provided by sexual harassment and assault programming. Whatever the cause, it is now time for the MSAs to enhance the evaluation components of their SAPR and POSH programs. The Department recommends the MSAs establish outcome-based evaluative processes and metrics for their sexual harassment and assault program objectives and initiatives. These metrics can take many forms, but should examine annual progress in concept comprehension, skill acquisition, behavioral intention, or any other programmatic outcome.

During APY 10-11, SAPRO and ODMEO will use the APY 09-10 MSA's self-assessments and *2010 SAGR Survey* to develop a comprehensive assessment protocol and jointly conduct Academy site visits. During the site visits, SAPRO and ODEMO will address the recommendations provided to the MSAs as part of the APY 08-09 Report, the progress and areas for improvement noted during the review of the APY 09-10 Report, and plans to address areas of concerns noted in the *2010 SAGR Survey*. The areas of concern include but not limited to the number of incidents reported that involve multiple offenders and/or the use of alcohol and to address reasons given for not reporting. SAPRO and ODMEO will provide commendations, as well as recommendations for continued improvement in the APY 10-11 report.

Preventing sexual harassment and assault at the MSAs, as well as in all aspects of military service, remains our number one priority for the Department. The APY 09-10 report demonstrates some progress towards that goal. However, much work needs to be done in prevention of and response to sexual misconduct.

AGGREGATE REPORTS OF SEXUAL ASSAULT

The Department's MSA sexual assault statistics include all contact sexual crimes by adults, as defined in the Uniform Code of Military Justice (UCMJ). These crimes include rape, aggravated sexual assault, nonconsensual sodomy, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, and attempts to commit these offenses. For incidents that occurred prior to the UCMJ changes on October 1, 2007, sexual assault included rape, nonconsensual sodomy, indecent assault, and attempts to commit these acts.

In APY 09-10, a total of 41 reports of sexual assault were made to the MSAs, representing a 64% increase from APY 08-09.

- The MSAs received 19 Unrestricted Reports¹² involving cadets and midshipmen as either the victim or subject¹³ of a sexual assault investigation
- The MSAs initially received 27 Restricted Reports¹⁴ involving cadets and midshipmen as victims of sexual assault
 - 5 of the Restricted Reports later converted to Unrestricted Reports at the victims' request, leaving 22 remaining Restricted Reports.
- 37 cadets and midshipmen reported they had been the victim of a sexual assault¹⁵
 - 15 cadets and midshipmen made or converted to an Unrestricted Report
 - 22 cadets and midshipmen made and maintained Restricted Reports

Sexual assault is one of the most underreported crimes in the United States. Estimates suggest that only a small percentage of sexual assaults in a college environment are ever reported to the police.¹⁶ This reporting behavior is mirrored at the MSA. According to the *2010 SAGR Survey*, only about 13% of cadets and midshipmen who experience unwanted sexual contact report the matter to a military authority. As reporting is frequently the first step in getting assistance, the Department enacted a new policy in 2005 to encourage more victims to come forward.

While one sexual assault is too many, the overall increase in reporting behavior is encouraging. Increasing the number of reports made by military members, improves the ability of the Department to provide resources to victims of sexual assault and hold perpetrators accountable for their offenses. The Department expects that yearly increases in reporting will be an indicator of improved cadet and midshipman confidence in the DoD's SAPR program's ability to respond. Figure 1 shows the sexual

¹² An Unrestricted Report of sexual assault is a report that is provided to command and/or law enforcement for investigation.

¹³ The term "subject" is used in the Armed Forces to denote the suspected perpetrator of an offense.

¹⁴ Restricted Reporting allows victims to confidentially access medical care and advocacy services without triggering an investigation.

¹⁵ Of the 41 reports of sexual assault, 38 reports involved cadets and/or midshipmen as victims of sexual assault. The remaining three Unrestricted Reports of sexual assault involved victims who were neither a cadet nor midshipman.

¹⁶ Kilpatrick, D, Resnick, H, Ruggiero, K, Conoscenti, L, McCauley, J. (2007). *Drug-facilitated, Incapacitated, and Forcible Rape: A National Study*. Retrieved from: <http://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf>

assault reports made at the MSAs since 2005. Figure 2 shows reports by academy.

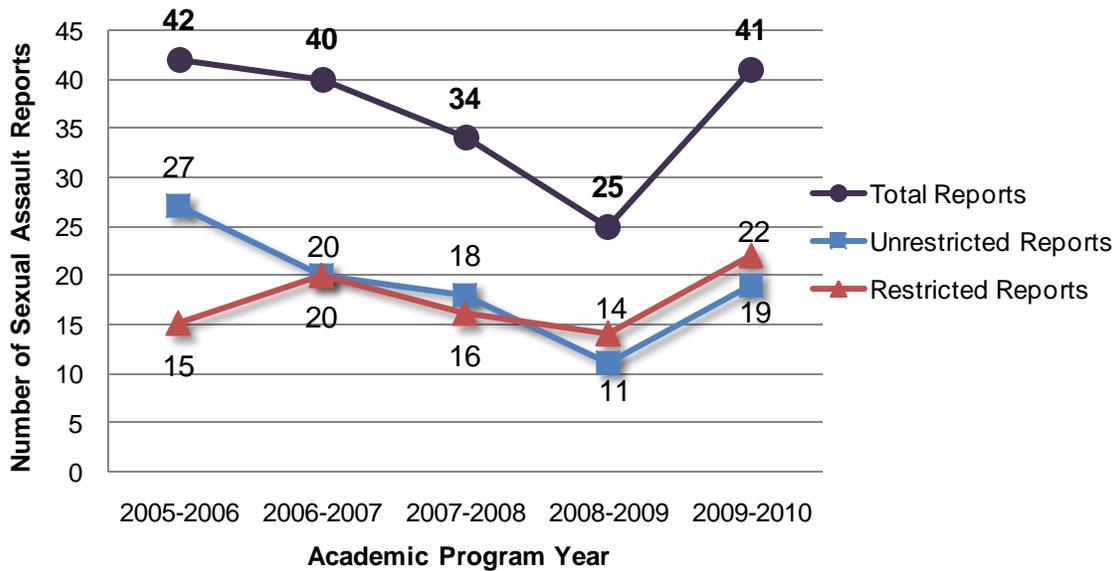


Figure 1. Reports of Sexual Assault at the MSA by Report Type, APYs 05-10.

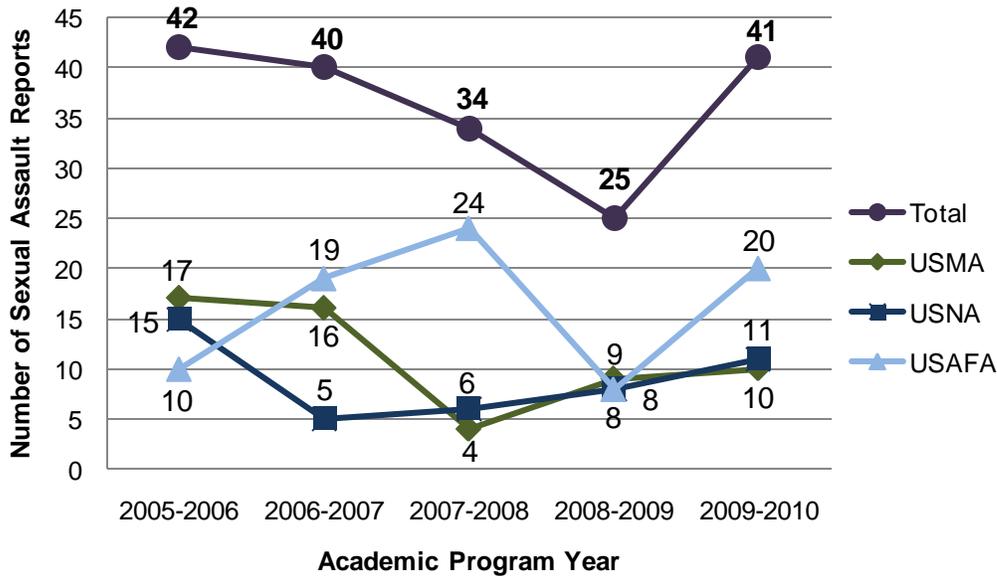


Figure 2. Reports of Sexual Assault at the MSA by Academy, APYs 05-10.

A. APY 09-10 UNRESTRICTED REPORTS OF SEXUAL ASSAULT

Data from Unrestricted Reports are collected and reported by the Military Criminal Investigative Organizations (MCIO) which includes the Army Criminal Investigations Command, the Naval Criminal Investigative Service, and the Air Force Office of Special Investigations.

In APY 09-10, there were 19 Unrestricted Reports of sexual assault involving cadets and midshipmen as either the subject and/or victim of a sexual assault investigation.

- 15 of the Unrestricted Reports involved cadets and midshipmen as victims
 - None of the cadets or midshipmen made an Unrestricted Report relating to a sexual assault that occurred prior to entry into an academy
- 18 criminal investigations were initiated¹⁷ and 16 of those investigations were completed in APY 09-10
 - The results of the other 2 investigations will be reported in forthcoming years' reports
 - Four reports of sexual assault from prior reporting periods, specifically APY 08-09, were also completed during APY 09-10

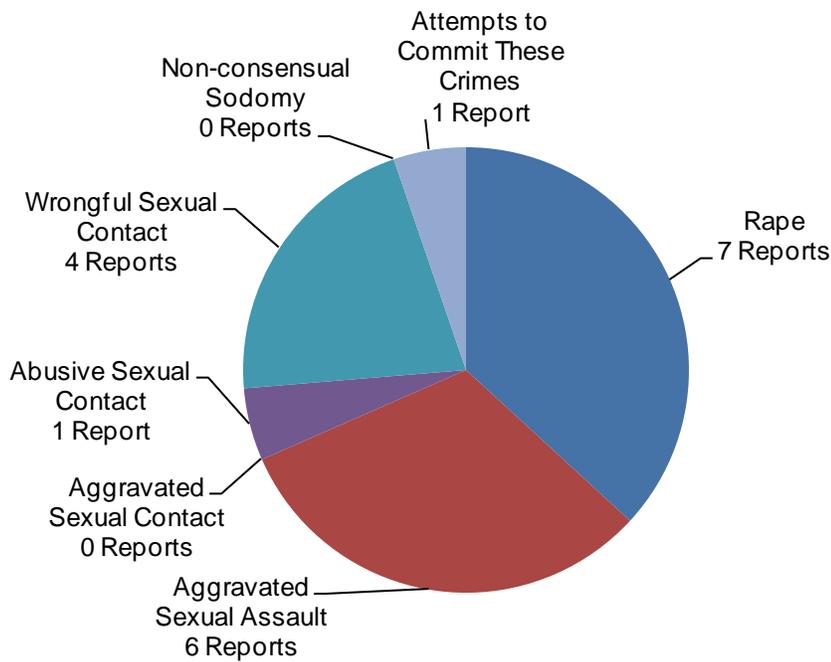


Figure 3. Crimes Investigated in Unrestricted Reports of Sexual Assault, APY 09-10.

¹⁷ One Unrestricted Report of sexual assault could not be investigated because the victim declined to participate .

In APY 09-10, 12 of the 19 Unrestricted Reports involved the victimization of a cadet or midshipman by another cadet or midshipman. Figure 4 illustrates how cadets and midshipmen are involved in sexual assault reports.

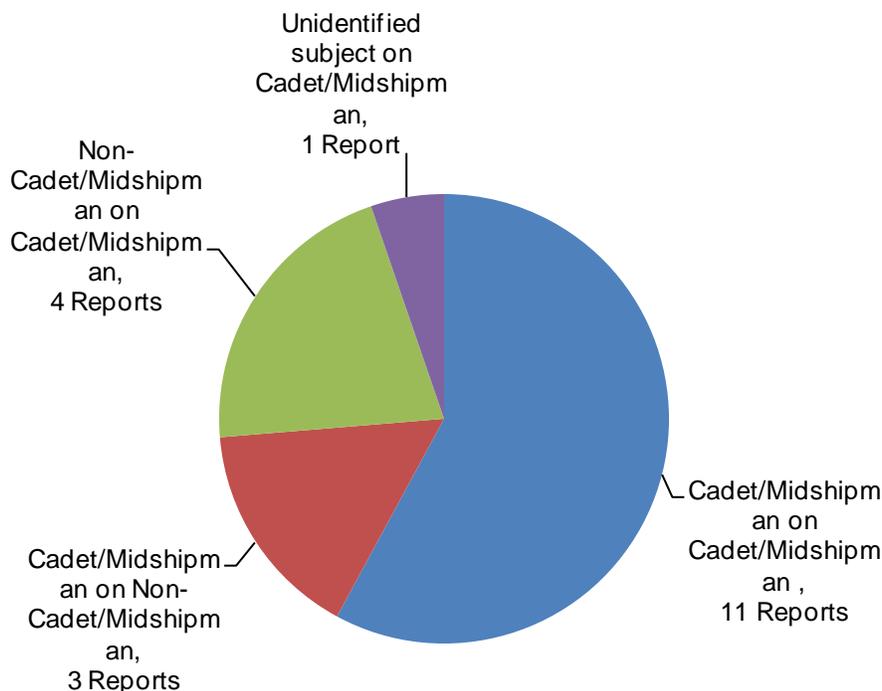


Figure 4. Unrestricted Reports of Sexual Assault by Victim and Subject Status, APY 09-10.

1. Disposition of Completed Investigations

After an Unrestricted Report of sexual assault is made, the matter is referred to an MCIO for investigation. Depending on the complexity of the allegation, the investigation can take a few weeks to several months to complete.

When an Unrestricted Report is investigated, the goals of the investigation are to identify what crimes have been committed, who has been victimized, and who may be held accountable for the crime. It is the intent of the Department to hold offenders accountable when available evidence supports such action. The 16 criminal investigations opened and closed in APY 09-10 involved 20 subjects.¹⁸ The investigation opened in APY 08-09 and closed in APY 09-10 involved four subjects. While cadets and midshipmen are under the legal authority of the Department, three subjects were civilians and not subject to military law, one subject was a USAFA cadet being prosecuted by a civilian authority, and one subject could not be identified. Figure 5 shows the flow of sexual assault reports from initial allegation through final disposition.

¹⁸ Some of the reports involved more than one offender.

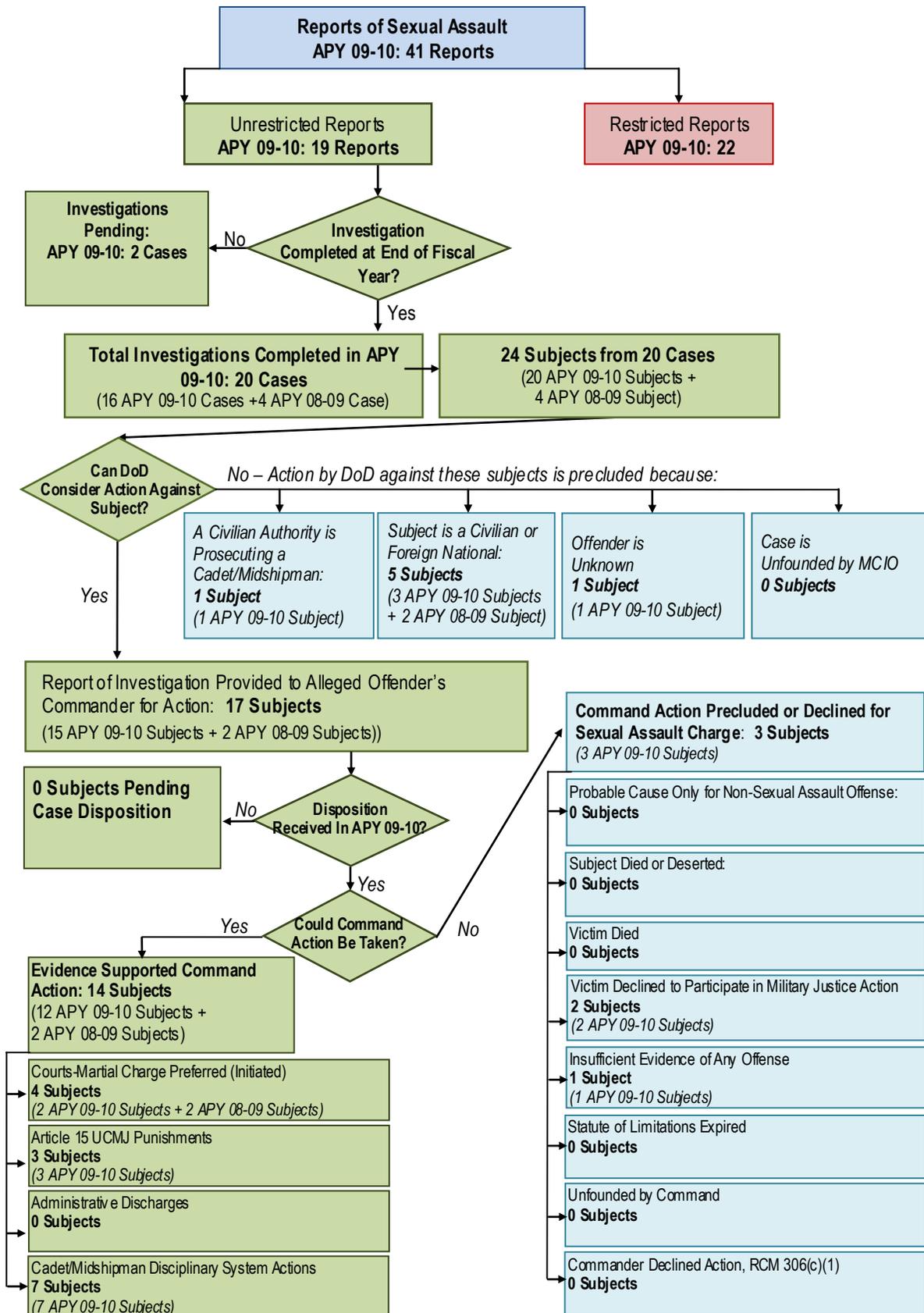


Figure 5. Flow of Cases from Initial Report Through Final Disposition, APY 09-10.

- The Department could not take action against seven subjects of cases reported completed during APY 09-10:
 - Five subjects were civilians who were not subject to the Uniform Code of Military Justice
 - One cadet was being prosecuted by a civilian authority
 - One subject could not be identified
- Reports of investigation on 17 subjects were provided to military commanders for action in APY 09-10
- For all investigations completed in APY 09-10, commanders had jurisdiction and sufficient evidence of a crime to support taking disciplinary action against 12 subjects. The actions taken are as follows:
 - Court-martial charges preferred (initiated): 2
 - Nonjudicial punishments (Article 15, UCMJ): 3
 - Administrative discharges: 0
 - Cadet disciplinary system actions: 7
- For 3 subjects whose cases were completed in APY 09-10, command action for sexual assault charges was precluded or declined for the following reasons:
 - The victim declined to participate in military justice actions against 2 subjects
 - Investigation of the allegations against 1 subject disclosed insufficient evidence of any offense

2. Demographics of Unrestricted Reports

The following demographic information is drawn from the 16 investigations of sexual assault that were initiated and completed during APY 09-10. These investigations involved 16 victims and 20 subjects. There were 2 investigations that involved multiple victims and/or subjects.

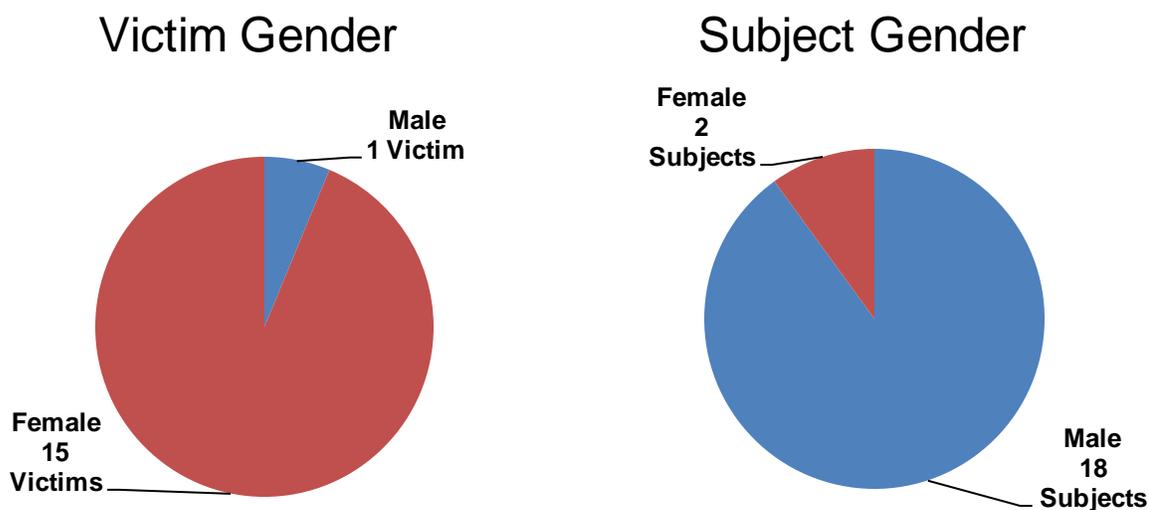


Figure 6. Gender of Victims and Subjects, Completed Investigations of Unrestricted Reports, APY 09-10

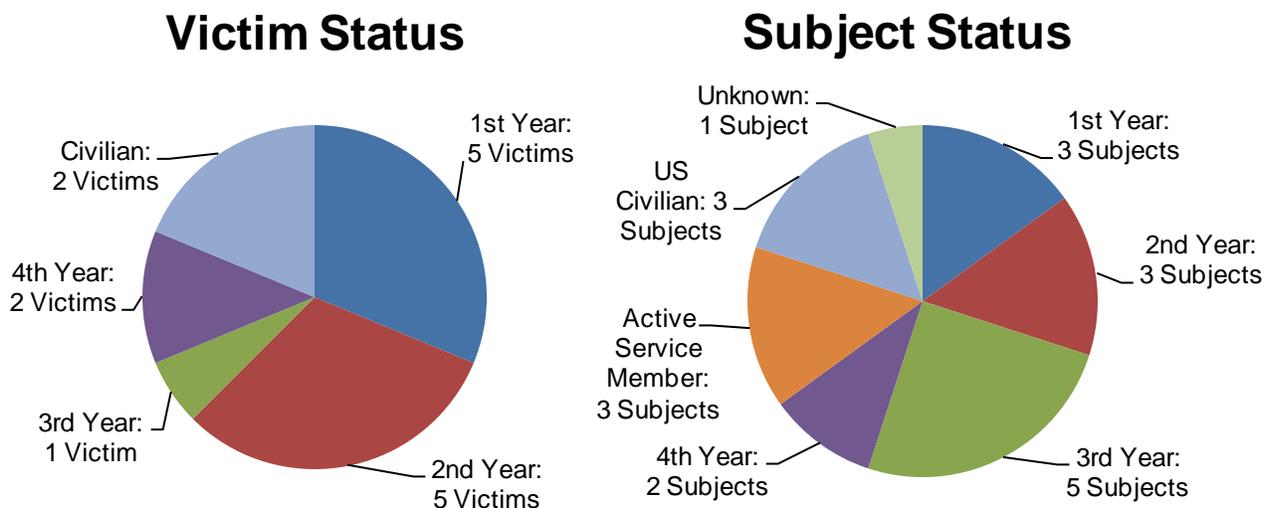


Figure 7. Status of Victims and Subjects in Completed Investigations of Unrestricted Reports, APY 09-10.

B. APY 09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT

Information about Restricted Reports is typically collected by SARCs and VAs. Because Restricted Reports are confidential, covered communications as defined in Department policy, SAPR personnel only collect limited data about the victim and the allegation being made. As with Unrestricted Reports, Restricted Reports can be made for incidents that occurred in prior reporting periods and incidents that occurred prior to military service.

In APY 09-10, there were 27 initial Restricted Reports of sexual assault.

- Of the 27 reports, 5 converted to Unrestricted Reports at the request of the victim
- At the close of APY 09-10, 22 reports remained Restricted.¹⁹
 - 4 cadets made a Restricted Report and obtained services for a sexual assault that occurred prior to military service.

1. Demographics of Restricted Reports of Sexual Assault

The following information pertains to cadets and midshipmen who have made a Restricted Report of sexual assault. Twenty-seven cadets and midshipmen initially made a Restricted Report.

¹⁹ The Restricted Reports that converted to Unrestricted Reports are included in the total 19 Unrestricted Reports cited earlier.

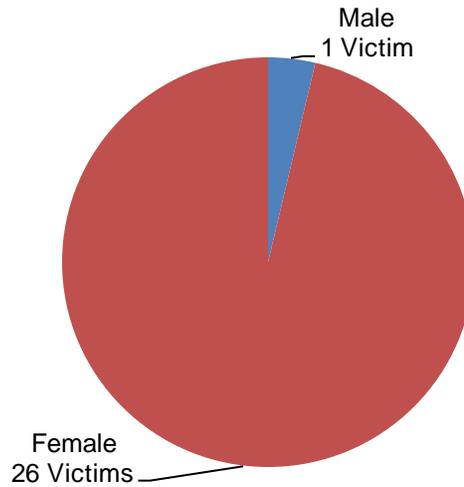


Figure 8. Gender of Victims making Restricted Reports, APY 09-10.

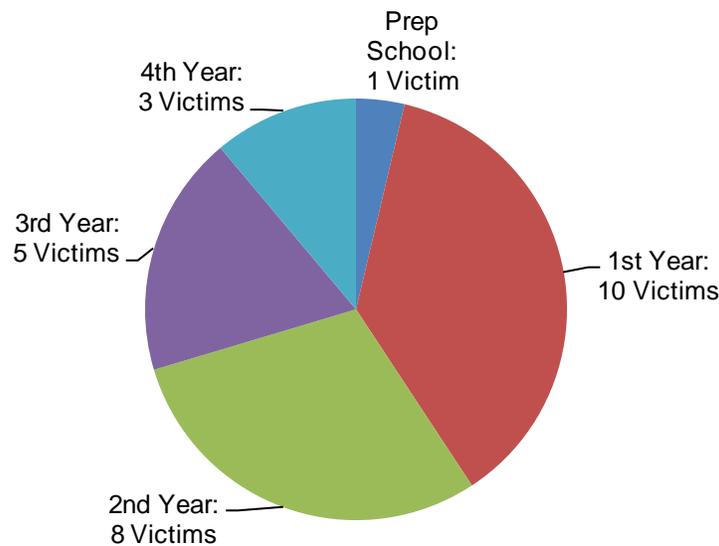


Figure 9. Status of Victims making Restricted Reports, APY 09-10.²⁰

C. UNDERREPORTING OF SEXUAL ASSAULT

In civilian and military societies, many incidents of sexual assault are not reported because victims are reluctant to officially report the crime for a variety of reasons. Both civilian and military victims have concerns about reporting, including losing their privacy,

²⁰ The MSA Preparatory (Prep) Schools are designed to academically, physically and militarily prepare qualified young men and women to enter an Academy. Applicants who are not accepted into an Academy may receive an appointment to a Prep School.

believing the matter may not warrant police involvement, thinking that their accounts of the assault may not be believed, and assuming that police cannot help them.^{21, 22}

- In civilian society, 2007 estimates indicate that only 19% of rapes are reported to police. Among college women, about 12% of rapes are reported.²³
- In the Armed Forces, in 2006 only 20% of the men and women who experienced unwanted sexual contact²⁴ in the year prior to being surveyed said they reported the incident to a military authority.²⁵
- In the *2010 SAGR Survey*, of the approximate 13% of women who reported an incident of unwanted sexual contact in the 12 months prior to the survey, only 13% of them reported the incident to a military authority.²⁶

National crime statistics are primarily based on reports that come into law enforcement agencies. As a result, they underestimate the number of sexual assaults that occur. The reports made to DoD also underestimate the number of sexual assaults that occur each year in the Armed Forces and at the MSAs. Since many victims do not report to police, researchers use anonymous surveys to estimate the number of sexual assaults that occur in both civilian and military society.

In the civilian population, there have been several surveys used to estimate the number and kind of sexual assaults that occur. However, each survey used different sex crime definitions (rape only vs. any kind of sexual assault), used different survey questions, asked about different time periods (previous 12 months vs. lifetime occurrence), and used different methods to collect and analyze the data. As a result, different surveys yield different results and are not directly comparable.

Within the DoD, the DMDC surveys cadets and midshipmen at the MSAs every two years. Based on the 2010 survey, an estimated 520²⁷ cadets and midshipmen experienced an incident of unwanted sexual contact in the 12 months prior to the survey. When compared to the 41 reports of sexual assault made to the Academies, fewer than 10% of unwanted sexual contacts were reported to military authorities. Again, unwanted sexual contact ranges from unwanted sexual touching through

²¹ Tjaden, P, Thoennes, N. (2000). *Extent, nature, and consequences of intimate partner violence: Findings from the National Violence Against Women Survey*. Retrieved from: <http://www.ojp.usdoj.gov/nij/pubs-sum/181867.htm>

²² U.S. Department of Defense (2008). *2006 Workplace and Gender Relations Survey of Active Duty Members* [Data file]. Retrieved from: http://www.sapr.mil/contents/references/WGRA_OverviewReport.pdf

²³ Kilpatrick, D, Resnick, H, Ruggiero, K, Conoscenti, L, McCauley, J. (2007) *Drug-facilitated, Incapacitated, and Forcible Rape: A National Study*. Retrieved from: <http://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf>

²⁴ Unwanted sexual contact is the term the survey used to capture all contact sexual crimes prohibited by the Uniform Code of Military Justice (military law), including rape, aggravated sexual assault, and forcible sodomy.

²⁵ .S. Department of Defense (2008). *2006 Workplace and Gender Relations Survey of Active Duty Members* [Data file]. Retrieved from: http://www.sapr.mil/contents/references/WGRA_OverviewReport.pdf

²⁶ U.S. Department of Defense (2010). *2010 Service Academy Gender Relations Survey* [Data file]. Washington, DC: Defense Manpower Data Center (DMDC).

²⁷ This is determined by the number of cadets and midshipmen that indicated experience unwanted sexual contact on the anonymous 2010 SAGR Survey.

completed rape. Figure 10 displays how these survey reports compare to the Unrestricted and Restricted Reports received during the current APY.

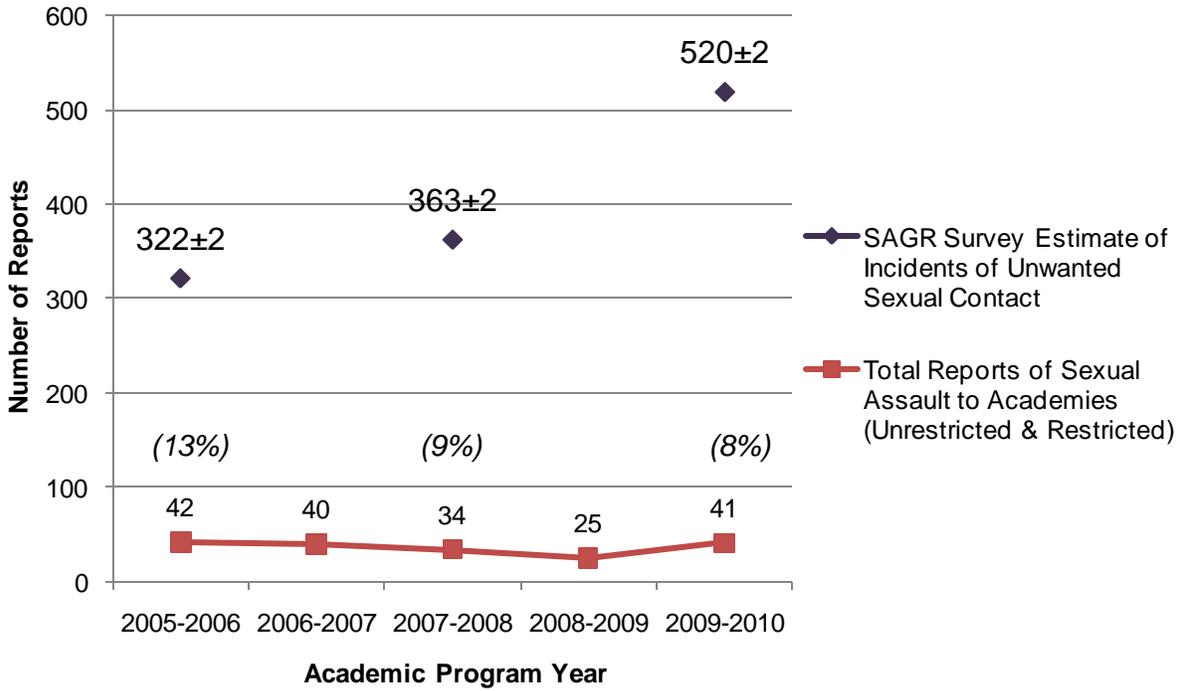


Figure 10. US Military Service Academies: Estimated Incidents of Unwanted Sexual Contact according to SAGR Surveys vs. Reports of Sexual Assault made to Academies. The italicized numbers in parentheses represent the estimated percentage of incidents of unwanted sexual contact accounted for by the Reports of Sexual Assault to the Military Service Academies.

Unrestricted Sexual Assault Reports

Sexual Harassment and Violence at the US Military Service Academies APY09-10 Combined Totals	
A. APY09-10 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen	APY09-10 Totals
# VICTIMS in APY09-10 Unrestricted Reports	19
# Cadet/Midshipman victims	15
# Non-Cadet/Midshipman victims	4
# Unrestricted Reports in the following categories	19
# Cadet/Midshipman on Cadet/Midshipman	10
# Cadet/Midshipman on Non-Cadet/Midshipman (includes other Service Members or Civilians)	4
# Non-Cadet/Midshipman (includes other Service Members or Civilians) on Cadet/Midshipman	4
# Unidentified Subject on Cadet/Midshipman	1
# Unrestricted Reports of sexual assault occurring	19
# On Academy Grounds	9
# Off Academy Grounds	10
# Unidentified location	0
# Investigations Initiated (From APY2009-2010 Unrestricted Reports)	18
# Investigations pending completion as of 31-May-10	2
# Completed Investigations as of 31-May-10	16
# Restricted Reports	27
# Converted from Restricted Report to Unrestricted Report*	5
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	22
B. DETAILS OF UNRESTRICTED REPORTS IN APY09-10	APY09-10 Totals
Length of time between sexual assault and Unrestricted Report	19
# Reports made within 3 days of sexual assault	6
# Reports made within 4 to 30 days after sexual assault	6
# Reports made within 31 to 365 days after sexual assault	5
# Reports made longer than 365 days after sexual assault	2
# Unknown	0
Reported Time of sexual assault	19
# Midnight to 6 am	10
# 6 am to 6 pm	3
# 6 pm to midnight	5
# Unknown	1
Reported Day of sexual assault	19
# Sunday	2
# Monday	2
# Tuesday	2
# Wednesday	2
# Thursday	1
# Friday	3
# Saturday	5
# Unknown	2
C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN APY09-10)	APY09-10 Totals
# Investigations initiated and completed during APY09-10	16
# Investigations with more than one victim, subject, or both	3
# SUBJECTS in the completed investigations	20
# Cadet/Midshipman subjects	13
# Service Member subjects	3
# Non-Service Member subjects	3
# Unidentified subjects	1
# VICTIMS in the completed investigations	16
# Cadet/Midshipman victims	13
# Service Member victims	0
# Non-Service Member victims	3
# Unknown	0

Unrestricted Sexual Assault Reports (Continued)

D. FINAL DISPOSITIONS FOR SUBJECTS IN APY09-10 INVESTIGATIONS	APY09-10 Totals
# SUBJECTS in APY09-10 completed investigations	20
DoD Action Precluded:	5
# Unknown Subjects	1
# Unfounded by Investigative Agency	0
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ	1
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	3
# Total Command Action Precluded or Declined for Sexual Assault	3
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	2
# Insufficient evidence of any offense	1
# Statute of limitations had expired	0
# Unfounded by Command	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	0
# Subjects awaiting completion of command action as of 31-May-10	0
# Subjects for whom command action was completed as of 31-May-10	12
# Evidence Supports Command Action for the following APY09-10 Sexual Assault Subjects	12
# Courts-martial charge preferred (Initiated)	2
# Honor board actions (Initiated)	0
# Nonjudicial punishments (Article 15 UCMJ)	3
# Administrative discharges	0
# Cadet Disciplinary System Actions	7
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY09-10 INVESTIGATIONS (From prior year investigations completed in APY09-10)	APY09-10 Totals
# Total Number of Investigations, from all reporting periods prior to current APY, pending completion at the end of APY09-10	4
# Pre-APY09-10 Investigations STILL PENDING completion as of 31-May-10	0
# Pre-APY09-10 Investigations completed of 31-May-10	4
# SUBJECTS from Pre-APY09-10 investigations completed as of 31-May-10	4
# Final APY09-10 DISPOSITIONS for SUBJECTS from Pre-APY09-10 investigations that were completed in APY09-10	4
DoD Action Precluded:	2
# Unknown Subjects	0
# Unfounded by Investigative Agency	0
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ	0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	2
# Total Command Action Precluded or Declined for Sexual Assault	0
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	0
# Statute of limitations had expired	0
# Unfounded by Command	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	0
# Pre-APY09-10 Subjects awaiting completion of command action as of 31-May-10	0
# Pre-APY09-10 Subjects for whom command action was completed as of 31 May-10	2
# Evidence Supports Command Action for the following Pre-APY09-10 Sexual Assault Subjects	2
# Courts-martial charge preferred (Initiated)	2
# Honor board actions (Initiated)	0
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	

Restricted Sexual Assault Reports

RESTRICTED REPORTS OF SEXUAL ASSAULT - COMBINED MILITARY SERVICE ACADEMIES, APY09-10	
A. APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
# Cadet/Midshipman VICTIMS in Restricted Reports	27
# Converted from Restricted Report to Unrestricted Report*	5
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	22
# Reported sexual assaults AGAINST Cadet/Midshipman victims in the following categories	27
# Cadet/Midshipman on Cadet/Midshipman	20
# Non-Cadet/Midshipman on Cadet/Midshipman	6
# Unidentified subject on Cadet/Midshipman	1
# Reported sexual assaults occurring	27
# On Academy Grounds	10
# Off Academy Grounds	16
# Unidentified location	1
B. INCIDENT DETAILS	APY09-10 TOTALS
Length of time between sexual assault and Restricted Report	27
# Reports made within 3 days of sexual assault	7
# Reports made within 4 to 30 days after sexual assault	10
# Reports made within 31 to 365 days after sexual assault	6
# Reports made longer than 365 days after sexual assault	2
# Unknown	2
Time of sexual assault incident	27
# Midnight to 6 am	7
# 6 am to 6 pm	4
# 6 pm to midnight	12
# Unknown	4
Day of sexual assault incident	27
# Sunday	5
# Monday	0
# Tuesday	2
# Wednesday	2
# Thursday	3
# Friday	6
# Saturday	4
# Unknown	5
C. DEMOGRAPHICS FOR APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
Gender of VICTIMS	27
# Male	1
# Female	26
# Unknown	0
Grade/Status of VICTIMS	27
# Prep School	1
# 1st Year	10
# 2nd Year	8
# 3rd Year	5
# 4th Year	3
# Other Cadet Year	0
# Active Duty Service Members	0
* The Restricted Reports that converted to Unrestricted Reports are now included in the total number of Unrestricted Reports provided in Worksheet 1a.	

Victim Services

APY09-10 COMBINED SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT AT US MILITARY ACADEMIES	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made .</i>	
A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	33
# Medical	8
# Counseling	13
# Legal	12
# CIVILIAN facilities (Referred by DoD)	5
# Medical	1
# Counseling	2
# Legal	2
# Unrestricted Reports where SAFEs were conducted	5
# Unrestricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making an UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	42
# Medical	11
# Counseling	26
# Legal	5
# CIVILIAN facilities (Referred by DoD)	8
# Medical	2
# Counseling	6
# Legal	0
# Restricted Reports where SAFEs were conducted	3
# Restricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making a RR that received service referrals for an incident that occurred prior to military service	4
C. APY09-10 MILITARY PROTECTIVE ORDERS (MPO)*	APY09-10 TOTALS
# Military Protective Orders issued due to an APY09-10 Unrestricted Report of Sexual Assault	7
# Reported MPO Violations in APY09-10 Completed Investigations	2
# Reported MPO Violations by Subjects	2
# Reported MPO Violations by Victims of Sexual Assault	0
*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim.	

Sexual Assault Case Synopses

Combined Synopses of Unrestricted Reports of Sexual Assault Involving Cadets/Midshipmen Opened and Completed in APY09-10									
Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
USMA 1	Dec-10	unk	Male	1st Year	Female	Victim reported being raped by unidentified male cadet (former boyfriend)			The investigation determined that an unknown person, who the victim would not identify, committed the offense of rape when he continued to engage in sexual intercourse after the victim verbally withdrew her consent. A review by the SJA determined there was probable cause to believe the victim was raped, but without the identification of the subject and the victim's unwillingness to cooperate no further action was taken.
USMA 2	Jan-10	1st Year	Male	1st Year	Female	Victim reported being raped by male cadet in barracks	Regimental Board	Awarded 90 hours area tours, 45 days restriction, 90 days withdrawal of privileges, and 35 demerits.	
USMA 3	May-10	4th Year	Male	1st Year	Female	Victim reported being raped by male cadet in barracks	Rape, Article 120	Court Martial, guilty of 1 count of rape, 1 count indecent conduct, subject pled guilty to 3 violations of a general order, 42 months confinement, forfeiture of all pay and allowances, dismissal from service.	
USMA 4	Mar-10	1st Year	Male	1st Year	Female	Victim reported subject entering room and inappropriately touching her despite her protest	Commandant's Board	Awarded 90 days loss of privileges, reduction of rank, no driving privileges for DCA, clubstreams until 01 Jan 2012, 90 days restriction, 100 hours area tours	
USMA 5	Jun-10	3rd Year	Male	3rd Year ROTC cadet (civilian)	Female	Victim reported subject inappropriately touching her despite her protest	Engage Board	Awarded 100 hours area tours, 90 days restriction, 90 days withdrawal privileges, reduction in rank, violation vacated a previous award of suspended separation so cadet was separated	

Sexual Assault Case Synopses (Continued)

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
USNA 1	Dec-09	E-6, E-5, E-4	male, male, female	2nd year	female	Victim was sexually assaulted by enlisted service members while at a party	Rape, Article 120	NUP for each of three subjects E-6, Art 92 & 134 / E-5, Art 81 & 92 / E-4, Art 92, 120 & 134 / All three admin discharged	While victim was on third class summer cruise, three enlisted sailors hosted a party at the E-6's apartment in which alcohol was served to underage drinkers. Nine other midshipmen from the ship attended. All the other midshipmen left the victim alone with the three enlisted and returned to the ship. Victim was sexually assaulted by at least one and possibly two of the enlisted while the third failed to intervene. All three enlisted were punished at NUP or related charges and were subsequently discharged. The other nine midshipmen were dealt with via the USNA.
USNA 2	Dec-09	3rd year	male	3rd year	female	Victim reported sexual assault by classmate while on summer training	Rape, Article 120	Subject dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	Victim was on summer training in California with subject. Subject had made repeated (failed) attempts to date the victim during the training period. When subject and victim (who were both underage) became highly intoxicated during parties held in on-base transient housing, the subject texted the victim to meet up with him in the parking lot. He allegedly led her to an unoccupied restroom where he subsequently assaulted her.
USNA 3	Oct-09	(1x) 1st year, (2x) 2nd year	three males	1st year	female	Victim reported being touched by three males while in her bed	Abusive Sexual Contact, Article 120	All three subjects dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	Two intoxicated 2nd year midshipmen entered the victim's dorm room while she was asleep. They climbed into her rack and touched her inappropriately while commenting on sexual acts she should perform on them. Later, a third midshipman (1st year) who was intoxicated and on duty, escorted the other two men out and then returned to the victim's room and committed the same offenses as the other two.
USNA 4	Feb-10	4th year	male	4th year	female	Victim reported having breast touched with sword by subject	Wrongful Sexual Contact, Article 120	Subject dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	While in the dining hall, with other midshipmen present, the subject used a carving knife to touch the victim's breast while making obscene comments. On previous occasions, the subject had spread rumors about the victim's sexual activity and had made derogatory comments to her and slapped her buttocks in the presence of other junior midshipmen while in their company area.
USNA 5	Feb-10	civilian contractor	male	2nd year	female	Victim was propositioned by civilian contract worker	Counted under "attempts to commit offenses," Article 80" although civilian not subject to UCMJ. No civil charges were filed.	Contractor fired from USNA job and prohibited from entering USNA grounds and adjacent Naval Station Annapolis	While the victim was using an unoccupied dorm room to shower and change clothes, a contractor (subject) who was subsequently propositioned her. She refused and he departed. A few minutes later, the subject returned without knocking, remarking that he had hoped to catch her coming out of the shower. Subject persisted with suggestive remarks while blocking the victim's ability to escape. The victim's insistence that her boyfriend was on the way finally caused the subject to depart.

Sexual Assault Case Synopses (Continued)

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
USAFA 1	Oct 09	2nd Year	M	2nd Year	F	Allegation: Rape	None	No action	Location: On USAFA Alcohol involved: No Allegation legally insufficient in regard to prosecution and victim did not want to go forward.
USAFA 2	Feb 10	3rd Year	M	1st Year	F	Allegation: Aggravated Sexual Assault	None	No action	Location: On USAFA Alcohol involved: No Allegation legally insufficient in regard to prosecution and victim did not want to go forward.
USAFA 3	Dec 09	4th Year	M	Civilian	F	Allegation: Aggravated Sexual Assault	2 charges of aggravated sexual assault (third class felony, fourth class felony)	Trial scheduled after closeout of APY 09-10	Location: Off USAFA Alcohol involved: Yes Non-USAFA jurisdiction. Subject arrested by Civilian authorities. Not Guilty Plea. Victim resigned from USAFA for non-related reasons.
USAFA 4	Oct 09	Civilian	F	4th Year	M	Allegation: Aggravated Sexual Assault	None	Department given to Subject	Location: Off USAFA Alcohol involved: Yes Non-USAFA jurisdiction. Subject barred from USAFA; civilian authorities declined to prosecute.
USAFA 5	Feb 10	Civilian	M	4th Year	F	Allegation: Aggravated Sexual Assault	1 charge of sexual assault (third class felony) and 1 charge contributing to delinquency of a minor (fourth class felony)	Department given to Subject	Location: Off USAFA Alcohol involved: Yes Non-USAFA jurisdiction. Subject barred from USAFA; pending trial.
USAFA 6	Sep 09	3rd Year	M	2nd Year	F	Wrongful Sexual Contact	None	No action.	Location: On USAFA Alcohol involved: No Allegation legally insufficient in regard to prosecution. Victim briefed by investigator and aware of inability to

Data Dictionary
 Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)
 Month Closed - the month and year that investigative activity was concluded
 Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown
 Subject Gender = Male, Female or Unknown
 Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian
 Initial Allegation Reported = Very short summary of allegation (Victim reported being touched on genitals by subject while asleep)
 Misconduct Charged = Offense and Article of UCMU
 Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMU Punishment, Closed, etc.)

Formal Sexual Harassment Reports

Combined Formal Sexual Harassment Reports at the US Military Service Academies APY09-10	
A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.	APY 09-10 TOTALS
A. Formal Sexual Harassment Complaints (total)	1
# Cadet/Midshipman Victims	1
# Non-Cadet/Midshipman Victims	0
B. Location of Incident	1
# On Academy Grounds	1
# Off Academy Grounds	0
# Unidentified location	0
C. # Total Sexual Harassment Investigations opened during APY09-10	3
# Investigations pending completion as of 31 May 10	0
# Completed investigations as of 31 May 10	3
D. Sexual Harassment Details - Length of time between incident and formal report	3
# Reports made within 60 days of the sexual harassment	3
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
E. # Reports forwarded to General Court Martial Convening Authority	1
# Reports forwarded to GCMCA within 72 Hours	1
# Reports forwarded to GCMCA beyond 72 Hours	0
F. Time of Sexual Harassment Incident	3
# Midnight to 6 am	0
# 6 am to 6 pm	1
# 6 pm to midnight	1
# Unknown	1
G. Day of Sexual Harassment Incident	3
# Sunday	0
# Monday	1
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	1
# Saturday	0
# Unknown	1
H. # APY09-10 COMPLETED INVESTIGATIONS	3
# Investigations with more than one victim, more than one subject, or both	1
# of Subjects in Completed Investigations	3
I. APY08-09 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS	3
# Subjects with Unsubstantiated Complaints	1
# Pending command action as of 31 May 10	1
# Subjects for whom command action was completed of 31 May 10	1
J. # Commander Actions (APY09-10 Subjects)	1
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Honor board actions	0
# Other administrative actions	1

Sexual Harassment Case Synopses

Combined Synopses of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen at US Military Service Academies									
Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
USMA 1	Nov-10	Major	Male	Multiple	Female	Multiple victims were subjected to unwanted and unsolicited comments that were offensive and sexual in nature. Victims alleged that supervisor touched them in a manner that made them feel uncomfortable.	Conduct Unbecoming, Art 133	Officer received a General Officer Memorandum of Reprimand (GOMOR) and relieved of duties.	Multiple cadets were under the direct supervision of the officer. The officer made numerous unwanted comments and engaged in physical and verbal sexually harassing behaviors that created a hostile work environment for female cadets in the unit and created unfair conditions for male cadets in regards to professional development opportunities.

Data Dictionary
 Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)
 Month Closed - the month and year that investigative activity was concluded
 Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown
 Subject Gender = Male, Female or Unknown
 Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian
 Initial Allegation Reported = Very short summary of allegation
 Misconduct Charged = Offense and Article of UCMJ or other statute as applicable
 Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)



**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB A



OFFICE OF THE SUPERINTENDENT
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996-5000

MASP

~~MEMORANDUM THRU DEPARTMENT OF THE ARMY, ATTN: DEPUTY CHIEF OF STAFF, G1,
300 ARMY PENTAGON, WASHINGTON, DC 20310-0300~~ *LPB 10/23/10*

~~THRU ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS), 111
ARMY PENTAGON, WASHINGTON, DC 20310-0111~~ *TRC 15 Nov. 2010*

~~THRU SECRETARY OF THE ARMY, 101 ARMY PENTAGON, WASHINGTON, DC 20310-0101~~ *W 23 Nov 10*

FOR UNDERSECRETARY OF DEFENSE (PERSONNEL AND READINESS), 101 ARMY
PENTAGON, WASHINGTON, DC 20310-0101

SUBJECT: Annual Report (Academic Program Year 2009-2010)—Sexual Harassment and Violence at
the United States Military Academy

1. Reference: Public Law 109-364, Section 532.
2. General. The National Defense Authorization Act for Fiscal Year 2007 requires Service Academy Superintendents to submit an annual report through their Military Department to the Secretary of Defense on sexual harassment/sexual assault involving academy personnel.
3. Requirements. Section 532 details the report requirements for the Academic Program Year from 1 June to 31 May, generally corresponding to the beginning of summer training through graduation the following year. The report is at enclosure in the requested template formats, one in an MS Word document, the other in an MS Excel workbook.
4. Conclusion. USMA remains steadfastly committed to the Sexual Assault Prevention and Response program through focused preventive efforts and being approachably responsive to allegations of harassment and assault. Over the course of the Academic Program Year (APY) 2009-2010, the United States Military Academy (USMA) made steady progress on the prevention of Sexual Harassment and violence. The progressive training of the Cadets by the Special Assistant to the Commandant for Human Relations (SAC-HR) and United States Corps of Cadets (USCC) Equal Opportunity Advisor (EOA), complimented by both formal and informal education of the Cadets by the USMA Staff and Faculty resulted in improved confidence and understanding of the Sexual Harassment Assault Response and Prevention (SHARP) program.
5. The point of contact for this report is LTC Kay "Linda" Emerson, West Point Diversity Officer, at (845) 938-7063, DSN: 688-7063.

2 Enclosures

1. APY 09-10 Programmatic Template
2. APY 09-10 Statistical Template


DAVID H. HUNTOON, JR.
Lieutenant General, US Army
Superintendent

Academic Program Year 2009-2010 Annual Report on Sexual Harassment and Violence at the Military Service Academies: Instructions and Template

Programmatic Data

The purpose of this report is to determine the effectiveness of policies, training, and procedures of the Academy with respect to sexual harassment and violence involving Academy personnel for Academic Program Year (APY) 2009-2010.

Note: The APY 09-10 is specifically from June 1, 2009 to May 31, 2010

Each submission must include the title of "APY 09-10 Annual Report on Sexual Harassment and Violence at the Military Service Academies: <Academy>"; a completed Executive Summary Template, not to exceed 500 words; a completed APY 09-10 Annual Report on Sexual Harassment and Violence Programmatic Data Call Template and a completed Statistic Data Call Template. Please ensure that the final report is not labeled For Official Use Only (FOUO), as the final report will be posted to www.sapr.mil and submitted to Congress.

The following Executive Summary Template should be used to capture a summary of your Academy's APY 09-10 Annual Report on Sexual Harassment and Violence.

EXECUTIVE SUMMARY

Over the course of the Academic Program Year (APY) 2009-2010, the United States Military Academy (USMA) made steady progress on the prevention of Sexual Harassment and violence. The progressive training of the Cadets by the Special Assistant to the Commandant for Human Relations (SAC-HR) and United States Corps of Cadets (USCC) Equal Opportunity Advisor (EOA), complemented by both formal and informal education of the Cadets by the USMA Staff and Faculty resulted in improved confidence and understanding of the Sexual Harassment Assault Response and Prevention (SHARP) program.

Much of the Cadet training program relies on the Equal Opportunity (EO) lessons of prevention of sexual harassment and creating a positive command climate for all personnel. These lessons are embedded in the Simon Center for Professional Military Ethic's Respect Program. Key tenets of the Respect Program are that every human being has infinite worth and dignity. These and other lessons in the Profession Military Ethic Education (PME2) courses afford military staff mentors and Cadet Company Respect Representatives to instruct the Corps of Cadets on ways to prevent sexual harassment, which in many cases should have a positive impact on preventing sexual violence or assault. The Cadet Respect Officers and NCOs in each cadet company

provide peer assistance to their Cadet chain of command and fellow company members. Through many avenues, formal and informal, Cadets are presented with or have access to the SHARP reporting access points. Staff and faculty members are also trained and informed of the program in order to support the Corps of Cadets.

The United States Military Academy Preparatory School (USMAPS) also conducted training for the Cadet Candidates. Initiatives and programs at the USMAPS follow similar initiatives at USMA, and utilize resources available at Fort Monmouth, NJ. Gender relations and SHARP program training are provided for USMA Cadets working the summer training program with the Cadet Candidates.

In addition to the USMA Cadet and USMAPS Cadet Candidate programs, West Point's Installation Sexual Assault Response Coordinator (SARC) provided support to the Garrison Soldiers, Civilian employees and adult Family members. The Installation SARC provided thorough coverage of SHARP program education and response throughout West Point.

During APY 09-10, USMA received one formal complaint of sexual harassment alleged against a field grade officer. Upon investigation, the complaint was substantiated, and the Command applied judicious discipline. USMA received a total of eleven official reports of sexual assault, five unrestricted and six restricted reports. All five unrestricted reports identified the subjects as Cadets. Four of the five victims cooperated with investigating officers. In the four investigated cases, all of the subjects were found guilty of misconduct and were disciplined accordingly. Victims of both restricted and unrestricted reports were afforded the entire network of victim advocacy support.

USMA remains steadfast in its commitment to the Sexual Assault Prevention and Response (SAPR) program through focused preventive efforts and being approachably responsive to allegations of sexual harassment and assault. USMA has diligently and continuously improved its policies, procedures, and processes designed to prevent and respond to sexual assault in accordance with Department of Defense (DoD) requirements.

The following APY 09-10 Annual Report on Sexual Harassment and Violence Programmatic Data Call Template should be used to capture required content for the APY 09-10 Annual Report on Sexual Harassment and Violence at the Military Service Academies. Please provide input under each heading.

1. POLICIES, TRAINING AND PROCEDURES

1.1. Prevent Sexual Harassment and Violence – Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to prevent sexual harassment and sexual assault, including but not limited to:

- efforts by your Academy to promote a culture of prevention

- education and training initiatives
- communications, social marketing, and media initiatives
- work done to implement or support the Department's Sexual Assault Prevention Strategy
- subject matter experts consulted and involved

USMA continued to promote a culture of prevention during APY 09-10 through the Respect Program and Equal Opportunity / Prevention of Sexual Harassment education as core components of the United States Corps of Cadets (USCC) Professional Military Ethic Education (PME2) curriculum conducted throughout the academic year. The program is characterized by comprehensive prevention and awareness training, utilizing a network of staff and faculty facilitators, Cadet Respect Program Representatives, and distinguished guest speakers.

Cadet Program

The USMA sexual harassment program includes the following personnel:

- USMA Superintendent;
- Commandant of the USCC;
- Special Assistant to the Commandant for Human Relations;
- USCC Equal Opportunity Advisor (EOA);
- Cadet Respect Program Representatives;
- Inspector General (IG);
- Chaplain; and
- Staff Judge Advocate (SJA);
- Special Assistant to the Commandant for Respect.

The USCC's sexual harassment policy and program is embedded within the Simon Center for the Professional Military Ethic's (SCPME) Respect Program. The purpose of the Respect Program is to foster the Corps' development of and commitment to the fundamental principle that each individual has infinite dignity and worth. The Respect Program focuses on the idea that demonstrating respect to all people is a leadership discipline. Leaders have the responsibility to ensure a positive climate exists in their unit. Cadets are taught that a positive climate includes unconditional positive respect for all people, courageous communication, and maximizing each member of their team. Lastly, the USMA Respect program ties these concepts of dignity and worth to future endeavors as platoon leaders and as officers deployed to drastically different countries and cultures.

All USMA cadets participate in the Respect Program's formal course of instruction as part of the PME2 Program. PME2 is a 70-hour program for cadets that focuses on values, education, Officership, and leadership, which begins during Cadet Basic Training and continues until graduation. PME2 reinforces current USMA programs and uses several distinguished guest speakers and facilitators to address cadets throughout the APY. Specific instruction includes: prevention of sexual assault and

harassment equal opportunity, cultural awareness and diversity training complemented by the entire PME2 curriculum which focuses on character development. During Cadet Basic Training, new cadets receive an introduction to the Sexual Harassment / Assault Response & Prevention Program (definitions of sexual harassment, sexual assault, reporting options and points of contact), in addition to three other Respect Classes which focus on the full-spectrum of Respect (race, color, religion, gender, or national origin). Cadet Cadre for Cadet Basic Training and Cadet Field Training also receive Respect training prior to the arrival of their subordinates in preparation for their leadership roles which includes information on gender relations, appropriate behavior on and off-duty, and reiterates reporting procedures for sexual harassment and sexual assault. Fourth Class Cadets received approximately five hours of training throughout the year on Respect/EO/Prevention of Sexual Harassment (POSH)/ and prevention of sexual assault. Third Class Cadets receive at least four hours of training including a significant amount of cultural awareness training integrated into the Cadet Field Training. The Second and First Class Cadets receive approximately three to four hours of training and also serve as the instructors for the junior classes. Additionally, all company Respect Representatives received at least 14 hours of training lead by USCC EOA utilizing materials directly from the Defense Equal Opportunity Management Institute (DEOMI).

The Respect Officers and NCOs in each cadet company provide peer assistance to their Cadet chain of command and fellow company members. The presence of trained Respect Cadets in the Cadet companies and at Camp Buckner for Cadet Field Training affords the cadets an additional resource for reporting or discussing situations that they may be uncomfortable bringing directly to their chain of command.

Elements of the Respect Program include:

- A formal command policy demonstrating commitment to an environment free of harassment;
- Comprehensive prevention and response awareness training and education through the Professional Military Ethic Education (PME2) Program;
- 24 hours a day, seven days a week (24/7) response and support;
- Established reporting procedures and an environment that encourages incident reporting; and prompt, thorough investigative procedures, and case resolution;
- Cadet Respect Committee which develops a Respect Campaign Plan under the mentorship of the Special Assistant to the Commandant for Respect and the Equal Opportunity Advisor for USCC;
- Cadet Command Climate Surveys administered by cadets each semester;
- A Cadet Respect Officer and NCO in each cadet company to promote reporting and support awareness, education and EO activities; and
- 10 Sensing Sessions a year that are initiated by the Respect Office for the USCC Commandant of Cadets covering topics from gender relations, summer assignments, and diversity issues.

Prevention of Sexual Assault Education consists of two guest lectures by Ms.

Veraunda Jackson (a nationally recognized speaker) for Fourth Class (freshman) Cadets, and “Sex Signals” for Second Class (junior) Cadets and USMA Staff and Faculty. Seniors and sophomores receive their prevention of sexual assault training through small group discussion-based classes emphasizing their responsibility as leaders and as friends to prevent sexual assault.

At the end of the Academic year, Cadets are surveyed to identify perceptions by cadets on the presence of sexist and sexual harassment behaviors at USMA and the factors affecting a potential victim’s propensity to report incidents of harassment.

USMAPS Program

Initiatives and Programs at the United States Military Academy Preparatory School (USMAPS) largely follow similar initiatives at USMA. At USMAPS, the Cadet Candidates received an initial briefing as part of in-processing (within 48 hours of arrival) detailing contacts and resources for sexual harassment and assault, restricted and unrestricted reporting, and the concept of consent.

All Cadet Candidates participated in a pilot study of the Sexual Harassment/ Assault Response and Prevention (SHARP) Program Online Training designed by HQDA G-1 for use with ROTC cadets. The Cadet Candidates completed training (2-3 hours average time to complete) through the Nformd.Net Sexual Assault Prevention Program, and offered feedback on the modules. Cadet Candidates also attended two nationally known programs: Sex Signals, including the post-show workshop, and Voices of Men.

Installation Support Program

In addition to the Cadet and Cadet Candidate programs, West Point’s Installation Sexual Assault Response Coordinator (SARC) who provides support to the Garrison Soldiers, Civilian employees and adult Family members, provided training to all Garrison Soldiers and Civilian employees through small group presentation and large group briefings. The Installation SARC provided the “I. A.M. STRONG” message training tailored to the Civilian and adult Family member audience. Additionally, formed a partnership with the Better Opportunities for Single Soldiers (BOSS) program, thereby opening an avenue of assistance for prevention and education efforts with younger single or geographically-separated married Soldiers. Both the Installation and USCC SHARP Program leaders (the Installation SARC and the USCC SARC (a.k.a. the SAC-HR)) routinely shares training and materials and augmented each other with technical assistance. The representatives were featured on a West Point Radio show, which was also broadcast via internet radio through partnership with the Association of Graduates. During the radio show, the SHARP Program leaders were interviewed and they discussed their respective roles and responsibilities as members of the Sexual Assault Review Board, program definitions of sexual assault and sexual harassment, training opportunities available in support of annual and quarterly training or by request to all Soldiers and Civilian employees through small group presentation and theatre

briefings. The Installation SARC described the BOSS partnership to assist in prevention/education efforts and visibility with younger Soldiers (ages 18-25) and her availability as another reporting source for Cadets. A SHARP Program training session conducted by the Installation SARC was video-recorded and posted to the USMA intranet for instructional use or reference by West Point staff and faculty, Garrison employees and adult Family members.

1.2. Increase Reporting – Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to increase reporting of sexual harassment and sexual assault:

The USMA chain of command supported the SHARP program by staffing the USMA policy memorandum on the Sexual Assault Prevention and Response Program. The APY staffing process resulted in a comprehensive policy that was subsequently signed by the Superintendent on 10 June 2010. Leaders across the staff and faculty continually emphasized prevention of sexual harassment and sexual assault as contained in the EO and POSH policy. Within the Respect curriculum, increased awareness of reporting procedures and EO/Respect goals for the Corps of Cadets is aimed at contributing to a preventive cultural mindset and increase victim propensity to report incidents of harassment. Respect Representatives in each Cadet company are specifically taught that they are considered a peer resource for reporting Sexual Harassment or Sexual Assault. All Respect Representatives are aware that they have to defer all reports to the EOA or SARC, but are educated that this is a duty. Respect Cadets also promoted the use of Cadet chain of command open door policies so that reporting to chain of command members would have a greater propensity of occurring. Lastly, Cadets who are not members of the Cadet chain of command were approved to serve as non-mandatory reporting sources for Cadets who are victims to speak about their sexual assault and seek assistance. Affording Cadet victims the option to speak with a fellow Cadet, such as, their roommate and/or a Respect Officer, is a method of encouraging reporting without mandating reporting, by allowing peer confidants to assist Cadet victims in making informed decisions subsequent to a sexual assault, and to relieve the stress of breaking confidence under the previous USCC policy. Prior to this year, all cadets were required, as are all Active duty members that do not serve in a SARC, unit victim advocate, health care provider, or chaplain role, to report any knowledge of a sexual assault to their chain of command.

Reporting options with contact information are posted in barracks, published in the training materials, and presented during each training session. Additionally, contact information for the Installation SARC and Victim Advocate (VA) are on the DFMWR/ACS/FAP web site. The Installation SARC and the Installation Victim Advocate maintain 24/7 contact capability with established hotline numbers for the West Point community. The USCC SARC also maintains 24/7 contact capability; information is posted in the Cadet barracks and throughout the Academy in educational, athletic and support activity locations. On the USCC shared portal

accessed by the Cadets daily is the Sexual Assault resource page with the 24 hour information for Cadets to call regarding a sexual assault, reach a victim advocate, or the SARC.

The Installation SARC and Victim Advocate also take several steps to increase awareness and increase the victim propensity to report incidents by meeting with BOSS participants, participating in community fairs and events, and providing briefings and training for new and currently assigned personnel. Additionally, the Installation SARC ensures the prominent placement of posters and information pamphlets containing talking points and contact information for response personnel.

1.3. Improve Response – Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to respond to or improve the response to allegations of sexual harassment and sexual assault including but not limited to:

- steps taken to publicize reporting options
- steps taken to encourage the reporting of sexual harassment and sexual assault by Academy personnel
- the number of personnel trained to be “first responders” to incidents (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)

Reporting options are included in command policy letters publicized and distributed throughout USCC. Policy memorandums, issued in accordance with Army Command Policy are published in all Cadet company areas by their designated company Respect Representatives. Staff and Faculty leadership and Respect representatives are also advised of protections granted to complainants IAW Chapter 5-34, AR 600-20 and the Federal Whistleblower Protection Act.

Reporting options with contact information are also posted in barracks and advertised at each training session. The Installation SARC and the Installation Victim Advocate maintain 24/7 contact capability with established hotline numbers for the West Point community. The USCC SARC also maintains 24/7 contact capability; contact information is posted in the Cadet barracks and throughout the Academy in educational, athletic and support activity locations. On the USCC shared portal accessed by the Cadets daily is the Sexual Assault resource page with the 24 hour information for Cadets to call regarding a sexual assault, reach a victim advocate, or the SARC. A weekly feature box is published in the post newspaper “Pointer View” with names and contact phone numbers of SAPR points of contact (Installation SARC and VA; USCC SARC).

Additionally, two female members of the Brigade Tactical Department (one commissioned officer and one non-commissioned officer) received training to serve as additional restricted reporting option and/or Victim’s Advocate.

The Installation SARC and VA regularly presented an overview of the sexual assault prevention and response program with reporting options and response to several local and regional ancillary agencies including:

- Medical providers and nursing staff at Keller Army Community Hospital (June 2009)
- The Police Interactive Training Conference hosted by the Westchester County (NY) Chiefs of Police Association (October 2009)
- The Orange County (NY) Sexual Assault Response Team (March 2010)

These initiatives have increased the strength and width of the response network thereby enabling a more coherent response to victims, and increasing the knowledge base of SHARP on West Point, but within the surrounding community, as well.

1.4. Ensure Program Oversight

1.4.1 Please provide a description of how your Academy executes its oversight of programs supporting the prevention and response of sexual harassment and sexual assault.

The principal means of the USMA SHARP program oversight is through the monthly SARB meetings chaired by the Superintendent. The Board meetings afford senior Academy leaders the opportunity to assess the current state of the program, provide procedural guidance and feedback to members of the Board and Sexual Assault Response Team. At USMAPS, an instructor is assigned to serve as the Special Assistant to the Commandant for Human Relations (SAC-HR) to address education and response for sexual assault, and to serve as liaison to the Installation and USCC SARCs and serving as a member of the USMA SARB.

Additionally, USMA EO office advises the leadership on EO/POSH training and policy directives IAW AR 600-20 Chapters 6 and 7. USCC EO is embedded in the Simon Center for the Professional Military Ethic (SCPME) with the Respect Program, providing oversight and training for Cadet Respect representatives who advise their cadet chains of command on Respect issues impacting the Corps of Cadets and manage PME2 within their Cadet companies. The USCC EOA develops training and provides direct input on Prevention of Sexual Harassment training in all PME classes. The USCC EOA manages complaints of sexual harassment with oversight from the USMA EO.

1.4.2 Please include a synopsis of the formal processes, participants, and data collection activities that support oversight of the programs including by not limited to:

- program management reviews
- steps taken to address recommendations from past external oversight activities, such as those performed by:

- Government Accountability Office (GAO)
- Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)

Annual reviews of the POSH program training and effectiveness are conducted by the USMA IG office. The IG findings and recommendations are provided to the office of the Superintendent for action by the USMA EO Office. USMA continually participates in assessments and self-assesses its performance through numerous formal and informal means. In addition to the APY 09-10 Gender Relations Survey conducted by the Defense Manpower Data Center (DMDC), with subsequent interviews of Cadets, West Point participated in the following assessments during APY 09-10:

- The Installation SARC and VA participated in the DOD SAPRO Assessment through in-person interviews on 2 June 2009.

- The Installation SARC and VA participated in the DAIG Inspection through in-person interviews on 27 October 2009.

- As part of preparation for Army Community Service accreditation, the Installation SARC participated in a pre-site review of all Installation SAPR documents on 15 March 2010.

- The Installation SARC provides a semi-annual update to the Superintendent and the SARB on the current status and the way ahead for the Garrison SAPRP.

- Cadet Respect Representatives conducted two informal command climate surveys last year which gathered data about incidents of sexual harassment and sexual assault which were reported or went unreported. These cadet-led surveys provided valuable information to the USCC chain of command, the Respect Office and USCC SARC on the veracity of current programs and whether reporting procedures were familiar and understood.

Pre- and post-training tests were given to Cadet Candidates of USMAPS in the online modules (Nformd.Net Sexual Assault Prevention Program). Average post-test result was 83%, which showed a 21% average increase for females and a 31% average increase for males for the training provided. Additionally, the USMAPS program was reviewed as part of USMA's IG inspection. A SurveyMonkey survey conducted at the USMAPS after Sex Signals and Voices of Men training indicated that while the majority of Cadet Candidates did not find the topic of sexual violence of interest, most indicated they learned something from the programs, and that this topic is important and should be discussed with future classes.

As a result of concerns raised during the USMA IG inspection about potential confusion between the USMA Respect Program and the US Army SHARP Program reporting requirements, POSH and EO training will be expanded in the PME2

curriculum during APY 10-11 for fourth year (senior) Cadets. Cadet Respect staff will receive an additional two-four hours of training on EO climate detractors and sexual harassment prevention provided by the USCC EO.

1.5. Educate Stakeholders — Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to inform and educate stakeholders about sexual harassment and sexual assault

Staff and faculty training was increased during APY 09-10 to include their own DA-funded Sex Signals session at the same approximate time that cadets were receiving the training. Previously such training was only available to the Corps of Cadets. Reaching out to the West Point staff and faculty provided them with insight into the training the Cadets receive regarding prevention of sexual assault and sexual harassment, educated them on the subject matter, and prepared them for informal discussions that may occur in both formal and informal settings.

The SCPME/ Respect Program website published a number of real world scenarios and their outcomes. This published information allows cadets, staff and faculty and anyone internal to West Point to see the outcome of certain scenarios and lessons learned from those situations.

Other initiatives taken during APY 09-10 include:

- The Installation SARC completed a review and update of the Memorandum of Understanding with the Mental Health Association in Orange County (NY) Inc., covering rape crisis advocacy response, victim/survivor support services.
- The Installation SARC and VA continued to be active participants in the Orange County (NY) Sexual Assault Response Team.
- The USMAPS SAC-HR serves on a county-wide Community Coalition for the Primary Prevention of Sexual Violence funded by a grant from the CDC. Coalition focuses on bystander intervention and the Green Dot Campaign (social norms).

2. DATA FOR CADET/MIDSHIPMAN REPORTS

2.1. Please provide a narrative that summarizes the reports made during APY 09-10 including but not limited to:

- total number of sexual assault reports
- number of Unrestricted reports
- number of Restricted reports
- reports converted from Restricted to Unrestricted
- dispositions for investigations of Unrestricted reports
- number of formal and informal sexual harassment reports

For APY 09-10, USMA received a total of eleven official reports of sexual assault, five unrestricted and six restricted reports. Of the six restricted reports, one was later converted to an unrestricted report. The five unrestricted reports received from Cadets identified the subjects as Cadets. The reports were adjudicated as follows: one case was not investigated because the victim was unwilling to cooperate with law enforcement and identify the subject; one subject was awarded 80 hours area tours, 45 days restriction, 60 days withdrawal of privileges, and 35 demerit; one subject was separated from the Academy, and the subject in two of the cases was tried by court martial and received a sentence of 42 months confinement.

There was one formal sexual harassment complaint against a field grade officer. This complaint was raised by multiple female Cadets. The subject received a General Officer Letter of Reprimand and was relieved of his duties.

USMAPS had one Unrestricted report involving two Cadet Candidates (CC) The incident was reported by a female CC with a male CC as the subject. It was fully investigated by CID, information was supplied to the Staff Judge Advocate (SJA), and SJA determined there was not enough evidence to press charges. The report was closed.

3. GENDER RELATIONS SURVEY

3.1. Please describe your thoughts on the analysis of the APY 09-10 Gender Relations Survey conducted by the Defense Manpower Data Center (DMDC) including but not limited to:

- climate of confidence to report and seek help
- access and knowledge of resources for medical care and counseling
- understanding of Restricted and Unrestricted reporting options
- knowledge of the reporting process for sexual harassment and sexual assault
- training on how to avoid situations that increase risk of sexual violence
- underreporting of sexual harassment and sexual assault
- usage of data to improve program and outreach efforts in the next APY
- areas/topics that should be addressed in future surveys

As of this report, the Academy continues to await the results and analysis of the APY 09-10 Gender Relations Survey conducted by DMDC.

3.2. Please describe any actions you will take or any improvement needed, if applicable, as a result of the APY 09-10 Gender Relations Survey

Not applicable.

4. PLANS FOR APY 10-11

4.1 Please describe the plan for actions that are to be taken in APY 10-11 regarding prevention and response to sexual harassment and sexual assault involving Academy personnel including but not limited to:

- prevention and training
- Restricted reporting
- response to victims
- oversight activities
- stakeholder outreach

Starting with the summer training period, an increase in Respect education is being added to the Cadet training schedule. Cadet Cadre of both Cadet Basic Training and Cadet Field Training will each receive a 90-minute block of instruction on gender relations appropriate behavior on and off-duty, and reiterates reporting procedures for sexual harassment and sexual assault. The format of the training is facilitated discussion.

The SCPME Respect Office will conduct 15 desk-side briefings with each of the academic department directors and conduct briefings to each of the academic departments with all staff and faculty present. These department briefs allow the USCC to educate staff and faculty on the number of reported and unreported incidents that occur and garner support for the Respect Program, prevention of sexual harassment and sexual assault. Every military instructor also serves as a mentor and officer representative for the Cadet athletic teams and clubs. They have additional opportunities to informally promote the positive climates on those teams and with Cadets. The Respect Office will also brief the Office Directorate of Intercollegiate Athletics (ODIA) enlisting their support to prevent sexual harassment and sexual assault as well as foster a positive command climate on their teams. The Respect Office plans to increase its interaction with all club and corps squad athletic teams. The Department of Physical Education (DPE) plans on increasing communication with the Respect office concerning their club team climate assessments and possibly incorporating the company Respect Representatives into its "Champions of Character" Program. The Respect Office will conduct a special training session with the Army Football team and the Women's Basketball team.

Respect Representatives training was increased from 14 hours to 17 hours for APY10-11 provided by the USCC and USMA EOAs. While moral and ethical character will be covered in the sessions, but the bulk of the training covered will be EO subjects to include the organization of the EO program at West Point, the purpose of the EO program, and prevention of and reporting of sexual harassment. The overall training program for the entire Corps of Cadets increased approximately two hours per year group with small group discussion being added for the first year (freshman) Cadets and third year (junior) Cadets.

At the USMAPS, gender relations and SHARP Program training are provided via

facilitated discussion for USMA Cadets working the summer detail with CCs. The CCs receive their initial briefing on the SHARP program within 48 hours of their arrival. During the APY 10-11, USMAPS will receive Sex Signals with the post-show workshop. The USMAPS policy, the Command Guidance Memorandum, on sexual assault prevention and response will be updated. Professional posters are posted in the barracks advertising 24-hour number for sexual assault reporting. Presentations are made to staff and faculty on the SHARP Program. The USMAPS SAC-HR will continue to serve on the Community Coalition for Primary Prevention of Sexual Violence and utilize information for training with CCs and staff.

The Installation SARC will prepare a separate web page for the SHARP/I. A.M. STRONG program on the West Point Directorate of Family and Morale, Welfare, and Recreation / Army Community Services / Family Advocacy web page. The Installation SARC will host "Walk a Mile" Awareness Walk/Event in April in observance of Sexual Assault Awareness Month and Victim Rights Week. The Installation SARC will invite colleagues from the Mental Health Association of Orange County, New York to partner and participate in the Walk. The effort will be the first of what is expected to become an annual event. The Installation SARC plans to invite the IG Chief of Inspections to conduct an inspection of the Garrison Sexual Assault Prevention and Response Program to ensure appropriate oversight. The Installation SARC will continue to collaborate with the USCC SARC.

1a. Unrestricted Reports (A-E)

Sexual Harassment and Violence at the US Military Service Academies APY09-10 US Military Academy	
A. APY09-10 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen	APY09-10 Totals
# VICTIMS in APY09-10 Unrestricted Reports	5
# Cadet/Midshipman victims	3
# Non-Cadet/Midshipman victims	2
# Unrestricted Reports in the following categories	5
# Cadet/Midshipman on Cadet/Midshipman	2
# Cadet/Midshipman on Non-Cadet/Midshipman (includes other Service Members or Civilians)	2
# Non-Cadet/Midshipman (includes other Service Members or Civilians) on Cadet/Midshipman	0
# Unidentified Subject on Cadet/Midshipman	1
# Unrestricted Reports of sexual assault occurring	5
# On Academy Grounds	3
# Off Academy Grounds	2
# Unidentified location	0
# Investigations Initiated (From APY2009-2010 Unrestricted Reports)	5
# Investigations pending completion as of 31-May-10	0
# Completed Investigations as of 31-May-10	5
# Restricted Reports	6
# Converted from Restricted Report to Unrestricted Report*	1
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	5
B. DETAILS OF UNRESTRICTED REPORTS IN APY09-10	APY09-10 Totals
Length of time between sexual assault and Unrestricted Report	5
# Reports made within 3 days of sexual assault	1
# Reports made within 4 to 30 days after sexual assault	2
# Reports made within 31 to 365 days after sexual assault	1
# Reports made longer than 365 days after sexual assault	1
# Unknown	0
Reported Time of sexual assault	5
# Midnight to 6 am	4
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	1
Reported Day of sexual assault	5
# Sunday	1
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	1
# Saturday	2
# Unknown	1
C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN APY09-10)	APY09-10 Totals
# Investigations initiated and completed during APY09-10	5
# Investigations with more than one victim, subject, or both	1
# SUBJECTS in the completed investigations	5
# Cadet/Midshipman subjects	4
# Service Member subjects	0
# Non-Service Member subjects	0
# Unidentified subjects	1
# VICTIMS in the completed investigations	5
# Cadet/Midshipman victims	3
# Service Member victims	0
# Non-Service Member victims	2
# Unknown	0
D. FINAL DISPOSITIONS FOR SUBJECTS IN APY09-10 INVESTIGATIONS	APY09-10 Totals
# SUBJECTS in APY09-10 completed investigations	5
DoD Action Precluded:	1
# Unknown Subjects	1
# Unfounded by Investigative Agency	0
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ	0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	0
# Total Command Action Precluded or Declined for Sexual Assault	0

1a. Unrestricted Reports (A-E)

# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	0
# Statute of limitations had expired	0
# Unfounded by Command	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	0
# Subjects awaiting completion of command action as of 31-May-10	0
# Subjects for whom command action was completed as of 31-May-10	4
# Evidence Supports Command Action for the following APY09-10 Sexual Assault Subjects	4
# Courts-martial charge preferred (Initiated)	2
# Honor board actions (Initiated)	0
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	2
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY09-10 INVESTIGATIONS (From prior year investigations completed in APY09-10)	APY09-10 Totals
# Total Number of Investigations, from all reporting periods prior to current APY, pending completion at the end of APY09-10	3
# Pre-APY09-10 Investigations STILL PENDING completion as of 31-May-10	0
# Pre-APY09-10 Investigations completed of 31-May-10	3
# SUBJECTS from Pre-APY09-10 investigations completed as of 31-May-10	3
# Final APY09-10 DISPOSITIONS for SUBJECTS from Pre-APY09-10 investigations that were completed in APY09-10	3
DoD Action Precluded:	1
# Unknown Subjects	0
# Unfounded by Investigative Agency	0
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ	0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	1
# Total Command Action Precluded or Declined for Sexual Assault	0
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	0
# Statute of limitations had expired	0
# Unfounded by Command	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	0
# Pre-APY09-10 Subjects awaiting completion of command action as of 31-May-10	0
# Pre-APY09-10 Subjects for whom command action was completed as of 31 May-10	2
# Evidence Supports Command Action for the following Pre-APY09-10 Sexual Assault Subjects	2
# Courts-martial charge preferred (Initiated)	2
# Honor board actions (Initiated)	0
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	

F. REPORTED SEXUAL ASSAULTS INVOLVING CADETS/MIDSHIPMEN AS SUBJECTS OR VICTIMS IN THE BELOW CATEGORIES FOR ALL APY09-10 UNRESTRICTED REPORTS							
	Male on Female	Male on Male	Female on Male	Female on Female	Unknown on Male	Unknown on Female	APY09-10 Totals
	5	0	0	0	0	0	5
# Cadet/Midshipman on Cadet/Midshipman	3	0	0	0	0	0	3
# Cadet/Midshipman on Non-Cadet/Midshipman	1	0	0	0	0	0	1
# Non-Cadet/Midshipman on Cadet/Midshipman	0	0	0	0	0	0	0
# Unidentified subject on Cadet/Midshipman	1	0	0	0	0	0	1

Sexual Harassment and Violence at the US Military Service Academies APY09-10, UNRESTRICTED REPORTS BY OFFENSE TYPE

REPORTS MADE IN APY09-10	Pre-UCMJ Change INCIDENTS (Prior to 1 Oct 07)				Pre-APY09-10 INCIDENTS (Occurred between 1 Oct 07 and 31 May 09)							APY09-10 INCIDENTS (Occurred between 1 Jun 09 and 31 May 10)							
G. REPORTED SEXUAL ASSAULTS BY or AGAINST CADETS/MIDSHIPMEN IN THE FOLLOWING CATEGORIES FOR ALL APY09-10 INVESTIGATIONS (UR)	Rape (Art. 120)	Indecent Assault (Art. 134)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	APY09-10 Totals
# Cadet/Midshipman on Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	2	0	0	5
# Cadet/Midshipman on Non-Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	2
# Non-Cadet/Midshipman on Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unidentified subject on Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
# TOTAL Cadet/Midshipman Victims	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	0	0	4
# Cadet/Midshipman Victims: Female	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	0	0	4
# Cadet/Midshipman Victims: Male	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TIME OF INCIDENT BY OFFENSE TYPE FOR UNRESTRICTED REPORTS OF SEXUAL ASSAULT MADE IN APY09-10

Time of sexual assault	Rape (Art. 120)	Indecent Assault (Art. 134)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	APY09-10 Totals
# Midnight to 6 am	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	2	0	0	5
# 6 am to 6 pm	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	0	0	4
# 6 pm to midnight	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
Day of sexual assault	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	2	0	0	5
# Sunday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Monday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Tuesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Wednesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Thursday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Friday	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
# Saturday	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	2
# Unknown	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1

DEMOGRAPHICS ON VICTIMS IN COMPLETED APY09-10 INVESTIGATIONS

Gender of VICTIMS	Rape (Art. 120)	Indecent Assault (Art. 134)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	APY09-10 Totals
# Male	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	2	0	0	5
# Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grade/Status of Victims	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	2	0	0	5
# Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 1st Year	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
# 2nd Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# 3rd Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 4th Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Other Cadet Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# US Civilian	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	2
# Foreign national/foreign military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

DEMOGRAPHICS ON SUBJECTS IN COMPLETED APY09-10 INVESTIGATIONS

Gender of SUBJECTS	Rape (Art. 120)	Indecent Assault (Art. 134)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	APY09-10 Totals
# Male	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	2	0	0	5
# Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grade/Status of SUBJECTS	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	2	0	0	5
# Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
# 1st Year	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	2
# 2nd Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 3rd Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# 4th Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Other Cadet Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# US Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign national/foreign military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1

2. Restricted Reports

RESTRICTED REPORTS OF SEXUAL ASSAULT - MILITARY SERVICE ACADEMIES, APY09-10 U.S. Military Academy	
A. APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
# Cadet/Midshipman VICTIMS in Restricted Reports	6
# Converted from Restricted Report to Unrestricted Report*	1
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	5
# Reported sexual assaults AGAINST Cadet/Midshipman victims in the following categories	6
# Cadet/Midshipman on Cadet/Midshipman	6
# Non-Cadet/Midshipman on Cadet/Midshipman	0
# Unidentified subject on Cadet/Midshipman	0
# Reported sexual assaults occurring	6
# On Academy Grounds	6
# Off Academy Grounds	0
# Unidentified location	0
B. INCIDENT DETAILS	APY09-10 TOTALS
Length of time between sexual assault and Restricted Report	6
# Reports made within 3 days of sexual assault	3
# Reports made within 4 to 30 days after sexual assault	2
# Reports made within 31 to 365 days after sexual assault	0
# Reports made longer than 365 days after sexual assault	0
# Unknown	1
Time of sexual assault incident	6
# Midnight to 6 am	2
# 6 am to 6 pm	3
# 6 pm to midnight	0
# Unknown	1
Day of sexual assault incident	6
# Sunday	2
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	1
# Friday	0
# Saturday	2
# Unknown	1
C. DEMOGRAPHICS FOR APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
Gender of VICTIMS	6
# Male	0
# Female	6
# Unknown	0
Grade/Status of VICTIMS	6
# Prep School	0
# 1st Year	4
# 2nd Year	0
# 3rd Year	2
# 4th Year	0
# Other Cadet Year	0
# Active Duty Service Members	0
* The Restricted Reports that converted to Unrestricted Reports are now included in the total number of Unrestricted Reports provided in Worksheet 1a.	

3. Victim Services

APY09-10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT U.S. Military Academy	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made .</i>	
A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	15
# Medical	5
# Counseling	5
# Legal	5
# CIVILIAN facilities (Referred by DoD)	1
# Medical	0
# Counseling	1
# Legal	0
# Unrestricted Reports where SAFEs were conducted	1
# Unrestricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making an UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	11
# Medical	3
# Counseling	6
# Legal	2
# CIVILIAN facilities (Referred by DoD)	1
# Medical	0
# Counseling	1
# Legal	0
# Restricted Reports where SAFEs were conducted	3
# Restricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making a RR that received service referrals for an incident that occurred prior to military service	0
C. APY09-10 MILITARY PROTECTIVE ORDERS (MPO)*	APY09-10 TOTALS
# Military Protective Orders issued due to an APY09-10 Unrestricted Report of Sexual Assault	3
# Reported MPO Violations in APY09-10 Completed Investigations	1
# Reported MPO Violations by Subjects	1
# Reported MPO Violations by Victims of Sexual Assault	0
*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim.	

4. Sexual Assault Case Synopses

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
1	Dec-10	unk	Male	1st Year	Female	Victim reported being raped by unidentified male cadet (former boyfriend).			The investigation determined that an unknown person, who the victim would not identify committed the offense of rape when he continued to engage in sexual intercourse after the victim verbally withdrew her consent. A review by the SJA determined there was probable cause to believe the victim was raped, but without the identification of the subject and the victim's unwillingness to cooperate no further action was taken.
2	Jan-10	1st Year	Male	1st Year	Female	Victim reported being raped by male cadet in barracks	Regimental Board - sexual relations in the barracks	Awarded 80 hours area tours, 45 days restriction, 60 days withdrawal of privileges, and 35 demerits	The cadet identified in the allegation was the subject of a Regimental conduct board and was found guilty of having sexual relations in the barracks.
3	May-10	3d when initial	Male	Civilian & 1st Year	Female x 2	Civilian victim reported that she had been raped. Cadet victim reported being raped by male cadet in barracks	Rape, Article 120 x2	Court Martial, guilty of 1 count of rape (Civilian victim), 1 count indecent conduct (Cadet victim), subject pled guilty to 3 violations of a general order; 42 months confinement, forfeiture of all pay and allowances, dismissal	Civilian victim alleged rape at an off post party hosted by a junior officer and recent graduate. Subject was convicted of rape and indecent conduct.
4	Mar-10	1st Year	Male	1st Year	Female	Victim reported subject entering room and inappropriately touching her despite her protest	Commandant's Board Underage drinking and alcohol consumption in the barracks	Awarded 90 days loss of privileges, reduction of rank, no driving privileges for DCA clubs/teams until 01 Jan 2012, 90 days restriction, 100 hours	The cadet identified in the allegation received a Commandant level conduct board and was found guilty of underage drinking and alcohol consumption in the barracks.
5	Jun-10	3rd Year	Male	3rd Year ROTC cadet (civilian)	Female	Victim reported subject inappropriately touching her despite her protest	Brigade Board - Cadet previously had a separation suspended. The suspension was vacated and the cadet was separated.	Awarded 100 hours area tours, 60 days restriction, 90 days withdrawal privileges, reduction in rank; violation vacated a previous award of suspended separation	The cadet identified in the allegation prior to this incident had a separation suspended due to an alcohol related incident; a misconduct investigation was initiated as a result of the most recent incident and the suspended separation was vacated, and the cadet was separated.
6	Aug-10	2nd Year	Male	2nd year (x 3)	Female (x3)	Victim reported that she had been sexually assaulted.	Wrongful Sexual Contact-Article 120; Assault Consummated by Battery-Article 128 x 2; Violation of USCC SOP-Article 92 x 2	Separation was suspended; subject retained at USMA.	Victim reported in April 2009 that Subject had wrongful sexual contact with her while she was giving him a massage. On the first incident, when Victim finished massaging him, Subject followed her toward the door and pinned her against a dresser by her shoulders and repeatedly tried to kiss her. Victim told Subject to stop several times before he let her go. At the completion of a second massage a couple of days later, Subject pinned her down on the bed and began touching her breasts and grabbed her buttocks after he pulled her on top of him. Subject also allegedly threatened Victim. Victims Two and Three were mentioned in Victim One testimony as victims of unwanted sexual contact; Victim Two sought advocacy. Victims Two and Three claims were unsubstantiated.
7	Apr-10	Civilian	Male	4th Year	Male	Victim reported that he has been sexually assaulted.	None	LVPD investigated; case closed due to lack of evidence (delayed reporting compounded by lack of DNA evidence and reused hotel surveillance video)	Cadet reported in April 2009 that he was sexually assaulted, forcibly sodomized, on 13 March 2009 by unknown individuals while on spring break in Las Vegas. Cadet recalls blacking out, only to wake up later in a hotel room where he was being sexually assaulted by two men. Las Vegas Police Department closed the case as

Data Dictionary
Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)
Month Closed - the month and year that investigative activity was concluded
Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown
Subject Gender = Male, Female or Unknown
Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian
Initial Allegation Reported = Very short summary of allegation (Victim reported being touched on genitals by subject while asleep)
Misconduct Charged = Offense and Article of UCMJ
Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)

5. Formal Sexual Harassment Rpts

Formal Sexual Harassment Reports at the US Military Service Academies APY09-10 U.S. Military Academy	
<p>A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</p> <p>a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or</p> <p>b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or</p> <p>c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.</p>	APY 09-10 TOTALS
A. Formal Sexual Harassment Complaints (total)	1
# Cadet/Midshipman Victims	1
# Non-Cadet/Midshipman Victims	0
B. Location of Incident	1
# On Academy Grounds	1
# Off Academy Grounds	0
# Unidentified location	0
C. # Total Sexual Harassment Investigations opened during APY09-10	3
# Investigations pending completion as of 31 May 10	0
# Completed investigations as of 31 May 10	3
D. Sexual Harassment Details - Length of time between incident and formal report	3
# Reports made within 60 days of the sexual harassment	3
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
E. # Reports forwarded to General Court Martial Convening Authority	1
# Reports forwarded to GCMCA within 72 Hours	1
# Reports forwarded to GCMCA beyond 72 Hours	0
F. Time of Sexual Harassment Incident	3
# Midnight to 6 am	0
# 6 am to 6 pm	1
# 6 pm to midnight	1
# Unknown	1
G. Day of Sexual Harassment Incident	3
# Sunday	0
# Monday	1
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	1
# Saturday	0
# Unknown	1
H. # APY09-10 COMPLETED INVESTIGATIONS	3
# Investigations with more than one victim, more than one subject, or both	1
# of Subjects in Completed Investigations	3
I. APY08-09 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS	3
# Subjects with Unsubstantiated Complaints	1
# Pending command action as of 31 May 10	1
# Subjects for whom command action was completed of 31 May 10	1
J. # Commander Actions (APY09-10 Subjects)	1
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Honor board actions	0
# Other administrative actions	1

6. SH Case Synopses

Synopsis of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen									
Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
<i>Ex:</i>	Jun-08	Captain	Male	1st Year	Female	<i>Victim's supervisor pressured her to sleep with him in order to get a good rating.</i>	Conduct Unbecoming, Art 134	Pending; Court-Martial scheduled for 10/09	<i>Cadet was working a special project with a staff officer. This was 3rd time officer had made an overt sexual overture. Investigation substantiated misconduct.</i>
1	Nov-10	Major	Male	Multiple	Female	Multiple victims were subjected to unwanted and unsolicited comments that were offensive and sexual in nature. Victims alleged that supervisor touched them in a manner that made them feel uncomfortable.	Conduct Unbecoming, Art 133	Officer received a General Officer Memorandum of Reprimand (GOMOR) and relieved of duties.	Multiple cadets were under the direct supervision of the officer. The officer made numerous unwanted comments and engaged in physical and verbal sexually harassing behaviors that created a hostile work environment for female cadets in the unit and created unfair conditions for male cadets in regards to professional development opportunities.
Data Dictionary Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.) Month Closed - the month and year that investigative activity was concluded Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown Subject Gender = Male, Female or Unknown Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian Initial Allegation Reported = Very short summary of allegation Misconduct Charged = Offense and Article of UCMJ or other statute as applicable Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)									



**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB B



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

ACTION MEMO

FOR: UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS)

FROM: Ray Mabus, Secretary of the Navy  22OCT10

SUBJECT: United States Naval Academy's Submission to the Academic Program Year (APY) 2009 - 2010 Department of Defense (DoD) Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies

- TABs A and B constitute the United States Naval Academy's submission to Academic Program Year (APY) 2009 - 2010 Report on Sexual Harassment and Violence at the U.S. Military Service Academies.
- This report is due to Congress on 15 December 2010.
- The report is to be transmitted for submission to the Congressional Armed Services Committees in accordance with Section 532 of Public Law no. 109-364.

RECOMMENDATION: USD P&R forward to DoD SAPRO for consolidation of TABs A and B into the APY 2010 Report on Sexual Harassment and Violence at the U.S. Military Service Academies and submit the report to the Senate and House Committees on Armed Services.

COORDINATION: TAB C

ATTACHMENTS:
As stated

Prepared By: CAPT Diana T. Cangelosi, Sexual Assault Response Coordinator, USNA,
(410) 293-1502

Academic Program Year 2009-2010 Annual Report on Sexual Harassment and Violence at the Military Service Academies: U.S. Naval Academy (USNA)

Programmatic Data

The purpose of this report is to determine the effectiveness of policies, training, and procedures of the Naval Academy with respect to sexual harassment and violence involving Naval Academy personnel for Academic Program Year (APY) 2009-2010.

Note: The APY 09-10 is specifically from June 1, 2009 to May 31, 2010

EXECUTIVE SUMMARY

The United States Naval Academy continued to demonstrate its clear commitment to both the spirit and intent of Department of Defense and Department of the Navy Sexual Assault Prevention and Response (SAPR) Programs by expanding its innovative prevention program known as SHAPE (Sexual Harassment and Assault Prevention Education), introducing prevention program assessment tools and reorganizing internal manpower to optimize overall effectiveness. The depth of the USNA's outreach and response programs is unique within the Navy, as well as the other military service academies. This is largely due to the empowerment of the Brigade of Midshipmen to conduct peer-led prevention education and to provide peer support at a first responder level.

Although the total number of reports of sexual assault involving midshipmen at USNA increased from eight to eleven during APY 2009-2010, this can be attributed to expanded education and response programs which have encouraged victims and others with the knowledge of alleged crimes to come forward.

Reports of Sexual Assault involving Midshipmen	Restricted Reports	Unrestricted Reports	Restricted to Unrestricted Reports	Total Reports
APY 2008-2009	5	3	0	8
APY 2009-2010	4	6	1	11

The seven key areas identified by the 2005 Defense Task Force on Sexual Harassment and Violence at the Military Service Academies (Service Academy Culture, Victims' Rights and Support, Offender Accountability, Data Collection and Case Management Tracking, Training and Education, Prevention, and Coordination between Military and Civilian Communities) continue to be addressed in APY 2010. Oversight of these key areas has been fully integrated into USNA SAPR instructions, policies and procedures. Additionally, the seven recommendations for USNA from the *DOD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies (APY 2008-2009)* were thoroughly examined and added to the USNA SAPR plan of action and milestones.

Each of the seven DoD recommendations from 2009 has either been implemented or is in progress as outlined in Section 1.4.

Other specific accomplishments from APY 2009-2010 are included in Section 1. Data on incident reporting is included in Section 2. Specific plans and initiatives for APY 2010-2011 are included in Section 4. Results of the Defense Manpower Data Center (DMDC) Service Academy Gender Relations Survey for APY 2009-2010 were not available for analysis and inclusion in this report and would have been included in Section 3.

Prevention of sexual harassment, misconduct, assault and sexist behavior remains a priority at the USNA. The implementation of a peer education based prevention curriculum is indicative of the innovative efforts undertaken to address inappropriate behavior and teach all midshipmen to treat each other with dignity and respect. The continued refinement of the SHAPE curriculum, improvements in the timely investigation and disposition of sexual assault cases and determined awareness efforts during APY 2010-2011 will foster a command climate that encourages appropriate behavior and corrects inappropriate behavior, allowing the USNA to serve as a “flagship institution” in the development and preparation of principled young leaders who can carry the ideals embodied in SAPR policies to the Fleet and Fleet Marine Force.

1. POLICIES, TRAINING AND PROCEDURES

1.1. Prevent Sexual Harassment and Violence –

- 1) Sustained SAPR program continuity despite personnel turnover, ensuring that the Sexual Assault Response Coordinator (SARC), Deputy SARC, SAVI Liaisons (including newly developed Faculty Liaisons), Victim Advocates, midshipmen volunteer SAVI GUIDES (Guidance, Understanding, Information, Direction, Education), and legal support personnel maintained up-to date training and qualification standards .
- 2) Continued to address USNA policy, prevention and response efforts and progress related to sexual harassment and assault in a variety of forums such as athletic coach’s meetings, individual sports team training, beginning of the semester “reform” training, Midshipman Sponsor training and summer training for the faculty and staff.
- 3) Selected SAVI GUIDES and SHAPE Peer Educators to attend the annual collegiate Sexual Assault Prevention Conference focused on sexual assault in our schools. Presented an overview of the Naval Academy program and collaborated with other institutions of higher education to foster program improvement.
- 4) Continued to conduct Equal Opportunity exit-briefs with female midshipmen separating from the Academy to ascertain their perceptions of the command climate and determine whether their departure is gender related. Used feedback to address concerns.
- 5) Assisted in the administration of the DoD Service Academies Gender Relations Survey in April 2010.

1.2. Increase Reporting —

- 1) The SAPR section of the USNA intranet website was completely revamped during the summer of 2009 to be much more user-friendly and encompass all of the programs the Sexual Assault Prevention and Response Office. One of the most important changes to the website was the addition of two highlighted direct links to pages providing immediate assistance for a survivor of sexual assault and another entitled: “How to Help a Friend”. These two links are located prominently on the top of the left hand menu on the homepage of the site to draw attention and provide answers quickly. The other changes to the site include adding pages that describe the SHAPE Program and the Brigade SAPR program. Contact information and photos of first responders had been added and the SAPR staff now has the ability to update the homepage with current events, news and announcements relevant to the USNA community. There is also a direct link to the RAINN (Rape, Abuse and Incest National Network) website’s 24/7 National Sexual Assault Online Hotline for confidential support.
- 2) Prior to their departure for APY 2009-10 summer training, each midshipman received a durable, plastic wallet card containing pertinent phone numbers and information regarding Restricted and Unrestricted reporting. Over 4,000 wallet cards were distributed to the Brigade. Subsequently, the cards will be distributed annually during the beginning of the fall semester to all new first year (fourth class) midshipmen.

1.3. Improve Response —

- 1) Conducted monthly multi-disciplinary Sexual Assault Case Management Group (SACMG) meetings to review and track progress on current open cases, facilitate program updates, discuss process improvements and ensure system accountability and victim access to services.
- 2) Monitored sexual harassment and assault notification and response processes, ensuring key responders were well trained and that accurate flow-charts were maintained to support appropriate response for each type of report.
- 3) Maintained and tracked Victim Advocate (VA) refresher training in order to ensure currency.
- 4) Reviewed VA pool and advertised for volunteers to be trained as replacements to ensure high quality, 24/7/365 crisis intervention support. Number of qualified and VA’s ranged between twelve and twenty throughout the APY.
- 5) Personnel trained to be “first responders” included 17 Victim Advocates and 47 Midshipmen SAVI GUIDES. A new program was launched for faculty and staff members who could reach out from their positions as instructors and staffers. The Faculty and Staff GUIDE program is similar to the Midshipman SAVI GUIDE program in that all receive the same DoN certified 30 hour Victim Advocate course content, but are not expected to “stand watch” or respond to off campus emergencies. These Faculty and Staff members and

midshipmen volunteers use their training to provide information and encourage reporting. Three inaugural Faculty GUIDE members were trained this APY. The USNA does not specifically train criminal investigators, law enforcement or medical personnel as these individuals receive their training from the Naval Station Annapolis SARC with whom the USNA SARC maintains close cooperation.

1.4. Ensure Program Oversight

1.4.1 The USNA executes its oversight of programs supporting the prevention and response of sexual harassment and sexual assault specifically through its SAPR office which reports directly to the Superintendent. This office is headed by a senior Naval Officer (currently a Navy Captain (O-6) who serves as the SARC for the entire command. This practice was commended by DoD SAPRO in their APY 2008-2009 Annual Report to Congress. The SARC is assisted in program oversight by four full time staff members including a Deputy SARC (military), Director of Clinical Services and Education (civilian), Training Specialist (civilian) and a SAVI Liaison (civilian). In addition, the SAPR staff is augmented by a full time Professor of Sociology from the Department of Leadership, Ethics and Law who assists with education program assessment and academic research related to the culture of sexual assault.

1.4.2

- 1) Continued to implement the recommendations of the *2005 Report of the Defense Task Force on Sexual Harassment and Violence at the Military Service Academies* to the fullest possible extent. Specific actions included:
 - a. Increased emphasis on midshipmen responsibility and accountability through focused training, additional review and monitoring of midshipmen behavior and assessment data.
 - b. Continued awareness training and expanded sexual assault confidential reporting resources maximizing avenues for reporting and support. Increased awareness of restricted reporting options through focused training.
 - c. Continued active liaison with Navy's SAPR Program Office for information sharing, program updates, coordination and support.
- 2) Implemented the seven recommendations listed below in response to the *Department of Defense Sexual Assault Prevention and Response Office (SAPRO) Annual Report on Sexual Harassment and Violence at the U.S. Military Academies: Academic Program Year 2008-2009*.
 - a. All counselors at the Midshipman Development Center (MDC) counseling facility have been trained on sexual assault treatment and know how to perform referrals even if midshipmen present at the MDC for other reasons such as academic difficulties or eating disorders. The USNA SAPR staff includes as the Director of Clinical Services and Education, a fully qualified Licensed Clinical Social Worker with considerable expertise in sexual assault and partner violence. The Director conducts regular training with the other MDC counselors while serving

as the primary provider of counseling for victims of sexual assault.

- b. USNA has listed Victim Witness Liaison Officer (VWLO) contact information on its website. Since the individual selected to perform these duties usually rotates during the APY, it was felt that providing specific contact data on printed materials would induce unnecessary confusion and cause such products to become prematurely outdated.
- c. The current VWLO has received specific VWLO training as well as specific SAPR training. The current VWLO has become a regular guest speaker at Victim Advocate training sessions conducted by several SARCs in the Greater Washington DC area.
- d. Although the USNA SARC maintains a close relationship with the Anne Arundel Medical Center (AAMC) Sexual Assault Forensic Examination (SAFE) team, attempts to conduct regular training in the mailing of SAFE kits to the NCIS Consolidated Evidence Facility in Norfolk, Virginia were deemed impractical due to the high turnover rate of hospital personnel. Since the kits must have a case number in order to be mailed and since that case number can only be assigned by the USNA SARC, both parties agreed that in the event that a kit needed to be mailed, a thorough review of the mailing procedures would be performed at the time a case number was requested. (Of note, no SAFE kits have been utilized in a USNA Restricted Report case in over two years.)
- e. The USNA provided the AAMC with five DoD SAFE kits and associated protocols in July 2009.
- f. The USNA SAPR staff is in the process of examining a training program on developing healthy relationships for possible inclusion in the SHAPE curriculum.
- g. Plans are in place for members of the SAPR team to attend a conference in Nov 2010 to find out more about this specific program and to assess its applicability to the USNA environment.
- h. During the summer of 2009, a CMEO Officer was assigned from within the Commandant's staff for the Brigade of Midshipmen. He received CMEO training early in fall 2009. Similarly, a replacement for the Faculty and Staff CMEO representative will take place in the summer and early fall of 2010. A replacement for the USNA Equal Opportunity Advisor is being identified.

1.5. Educate Stakeholders —

- 1) Implemented the next phase (year three of a four year roll-out) of the Sexual Harassment and Assault Prevention Education (SHAPE) program for second class midshipmen using peer educators trained by subject matter experts. Developed substantial improvements to the annual selection process for Midshipmen Peer Educators. Improvements include a written application essay, recommendations from Company Officers and Senior Enlisted Leaders and a thorough interview process. An assessment tool used to gauge program effectiveness

is currently being developed.

- 2) Continued to heighten faculty, staff and support personnel prevention and response awareness through focused recurrent training and ready access to pertinent information:
 - a. Expanded the Sexual Assault Prevention and Response (SAPR) familiarity training for the Academic Dean's Newcomers Indoctrination Training.
 - b. In-depth SAPR refresher training was targeted at all key personnel including Company Officers, Senior Enlisted Leaders, Chaplains, Victim Advocates
 - c. Completely revamped the SAPR section of the USNA intranet website, available to all midshipmen, faculty and staff, which now includes one click access to immediate information for victims of sexual assault as well as information for potential first responders seeking guidance on how to help a victim. Complete information on all aspects of the USNA SAPR program including both response and prevention education has been added.
 - d. Under the direction of the SAPRO staff, the SAVI GUIDES developed all new presentation scripts to provide consistent in-company training on reporting options and the role of first responders.

2. DATA FOR CADET/MIDSHIPMAN REPORTS

2.1. Although the total number of reports of sexual assault involving midshipmen at USNA increased from eight to eleven during APY 2009-2010, this can be attributed to expanded education and response programs which have encouraged victims and others with the knowledge of alleged crimes to come forward.

Reports of Sexual Assault involving Midshipmen	Restricted Reports	Unrestricted Reports	Restricted to Unrestricted Reports	Total Reports
APY 2008-2009	5	3	0	8
APY 2009-2010	4	6	1	11

Restricted Reports neither increased nor decreased substantially during APY 2009-2010. At least two victims who would have chosen to make Restricted Reports found that this option was no longer available to them because they had previously communicated with friends, roommates or relatives who were concerned enough for their well-being that they subsequently reported what they had heard to the chain of command.

Out of the seven total unrestricted reports for APY 2009-2010, (including the one Restricted Report changed to an Unrestricted Report) four were categorized as incidents of rape including one instance of aggravated sexual assault. The other three were categorized as abusive sexual contact, wrongful sexual contact and an attempt to commit wrongful sexual contact.

In three of the seven cases, the subjects, who were all midshipmen, were dealt with via the

USNA conduct system due to insufficient evidence for referral for Courts Martial. In one case, the victim refused to name her offender and no further disposition was possible. In another case, three enlisted subjects were punished by their Commanding Officer via Non-Judicial Punishment (NJP) as there was insufficient evidence for referral for Courts Martial. All three were subsequently discharged from the Navy for administrative reasons related to their NJP. In a case involving a civilian contractor who had attempted wrongful sexual contact of a female midshipman, there was insufficient evidence for civilian prosecution, however upon receiving news of the report, the subject's employer fired him from his USNA job and he was prohibited by the Commanding Officer from entering the grounds of the USNA and the nearby Naval Station Annapolis. The final case, at the time of this report, was still pending disposition with the local Anne Arundel County State's Attorney.

3. GENDER RELATIONS SURVEY

3.1. Results from Survey were not available for this report

4. PLANS FOR APY 10-11

4.1

- 1) Continue to refine the following areas, some of which were commended or discussed in the *Department of Defense Sexual Assault Prevention and Response Office (SAPRO) Annual Report on Sexual Harassment and Violence at the U.S. Military Academies: Academic Program Year 2008-2009*.
 - a. Continue to ensure that training curricula emphasizes procedures that midshipmen should follow for reporting a sexual assault and to whom a victim can confidentially report. Find new avenues to publicize reporting options.
 - b. The VWAC (Victim Witness Assistance Coordinator) will provide victims with the Midshipman Legal Advisor's contact information and a brief explanation of the service they can provide.
 - c. The SARC will monitor continuity in victim services throughout the investigation and prosecution stages by continuing close coordination with the Staff Judge Advocate, the Victim Witness Liaison Officer and other personnel providing victim assistance.
 - d. USNA will continue to educate all Academy personnel annually on the collateral misconduct policy, as well as the fact that victims do not typically receive immunity for collateral misconduct by simply reporting a sexual assault.
- 2) Improve and refine sexual assault prevention and response training for faculty, staff and support personnel. Furthermore, develop and implement innovative ways to introduce awareness information ensuring the message is current and pervasive.
- 3) Continue to execute the Sexual Harassment and Assault Prevention Education (SHAPE) program roll out for first class midshipmen in APY 2010-2011. This fourth and final year of

the program roll out will continue to use peer educators but will be trained by in-house subject matter experts now that responsibility for the program has completely transitioned to USNA staff and faculty permanent positions.

- 4) Select program personnel to represent USNA at conferences with sexual assault prevention education themes. Present Naval Academy program overviews and collaborate with other institutions of higher learning to foster program improvement and sharing of resources and ideas. Implement plans to meet with the SAPR staffs of the other military service academies to exchange best practices and share new ideas.
- 5) Broaden opportunities and increase participation in sexual assault awareness activities with every department within the Naval Academy complex. Such events will include, but are not limited to:
 - a. Sexual Assault Awareness Month activities.
 - b. Sexual assault awareness guest lecturers and programs.
 - c. Annual training
- 6) Increase participation in the Faculty and Staff GUIDE Program, using select members of the USNA staff and faculty as a conduit for the prevention and response message.
- 7) Continue to develop methods for improving the Victim Advocate (VA) program to include; increased opportunities for refresher training and familiarization walkthroughs of supporting programs such as the Anne Arundel Medical Center (AAMC).
- 8) Continue to support local community sexual assault awareness programs through active participation in events, meetings and active exchange of resources and ideas including continued membership in the Anne Arundel County Sexual Assault Response Team.
- 9) Monitor sexual assault notification and response processes, ensuring key responders are well trained and that accurate flow-charts are maintained to support appropriate response for each type of report.
- 10) Review victim advocate pool bi-annually and advertise for volunteers to be trained as replacements to ensure quality crisis intervention support.

1a. Unrestricted Reports (A-E)

Sexual Harassment and Violence at the US Military Service Academies APY09-10 US Naval Academy	
A. APY09-10 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen	APY09-10 Totals
# VICTIMS in APY09-10 Unrestricted Reports	7
# Cadet/Midshipman victims	7
# Non-Cadet/Midshipman victims	0
# Unrestricted Reports in the following categories	7
# Cadet/Midshipman on Cadet/Midshipman	5
# Cadet/Midshipman on Non-Cadet/Midshipman (includes other Service Members or Civilians)	0
# Non-Cadet/Midshipman (includes other Service Members or Civilians) on Cadet/Midshipman	2
# Unidentified Subject on Cadet/Midshipman	0
# Unrestricted Reports of sexual assault occurring	7
# On Academy Grounds	3
# Off Academy Grounds	4
# Unidentified location	0
# Investigations Initiated (From APY2009-2010 Unrestricted Reports)	6
# Investigations pending completion as of 31-May-10	1
# Completed Investigations as of 31-May-10	5
# Restricted Reports	5
# Converted from Restricted Report to Unrestricted Report*	1
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	4
B. DETAILS OF UNRESTRICTED REPORTS IN APY09-10	APY09-10 Totals
Length of time between sexual assault and Unrestricted Report	7
# Reports made within 3 days of sexual assault	3
# Reports made within 4 to 30 days after sexual assault	2
# Reports made within 31 to 365 days after sexual assault	1
# Reports made longer than 365 days after sexual assault	1
# Unknown	0
Reported Time of sexual assault	7
# Midnight to 6 am	4
# 6 am to 6 pm	2
# 6 pm to midnight	1
# Unknown	0
Reported Day of sexual assault	7
# Sunday	0
# Monday	2
# Tuesday	2
# Wednesday	1
# Thursday	0
# Friday	0
# Saturday	1
# Unknown	1
C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN APY09-10)	APY09-10 Totals
# Investigations initiated and completed during APY09-10	5
# Investigations with more than one victim, subject, or both	2
# SUBJECTS in the completed investigations	9
# Cadet/Midshipman subjects	5
# Service Member subjects	3
# Non-Service Member subjects	1
# Unidentified subjects	0
# VICTIMS in the completed investigations	5
# Cadet/Midshipman victims	5
# Service Member victims	0
# Non-Service Member victims	0
# Unknown	0

1a. Unrestricted Reports (A-E)

D. FINAL DISPOSITIONS FOR SUBJECTS IN APY09-10 INVESTIGATIONS		APY09-10 Totals
# SUBJECTS in APY09-10 completed investigations		9
DoD Action Precluded:		1
# Unknown Subjects		0
# Unfounded by Investigative Agency		0
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ		0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ		1
# Total Command Action Precluded or Declined for Sexual Assault		0
# Probable cause for only non-sexual assault offense		0
# Subject deceased or deserted		0
# Victim deceased		0
# Victim declined to participate in the military justice action		0
# Insufficient evidence of any offense		0
# Statute of limitations had expired		0
# Unfounded by Command		0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)		0
# Subjects awaiting completion of command action as of 31-May-10		0
# Subjects for whom command action was completed as of 31-May-10		8
# Evidence Supports Command Action for the following APY09-10 Sexual Assault Subjects		8
# Courts-martial charge preferred (Initiated)		0
# Honor board actions (Initiated)		0
# Nonjudicial punishments (Article 15 UCMJ)		3
# Administrative discharges		0
# Other administrative actions		5
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY09-10 INVESTIGATIONS (From prior year investigations completed in APY09-10)		APY09-10 Totals
# Total Number of Investigations, from all reporting periods prior to current APY, pending completion at the end of APY09-10		1
# Pre-APY09-10 Investigations STILL PENDING completion as of 31-May-10		0
# Pre-APY09-10 Investigations completed of 31-May-10		1
# SUBJECTS from Pre-APY09-10 investigations completed as of 31-May-10		1
# Final APY09-10 DISPOSITIONS for SUBJECTS from Pre-APY09-10 investigations that were completed in APY09-10		1
DoD Action Precluded:		1
# Unknown Subjects		0
# Unfounded by Investigative Agency		0
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ		0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ		1
# Total Command Action Precluded or Declined for Sexual Assault		0
# Probable cause for only non-sexual assault offense		0
# Subject deceased or deserted		0
# Victim deceased		0
# Victim declined to participate in the military justice action		0
# Insufficient evidence of any offense		0
# Statute of limitations had expired		0
# Unfounded by Command		0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)		0
# Pre-APY09-10 Subjects awaiting completion of command action as of 31-May-10		0
# Pre-APY09-10 Subjects for whom command action was completed as of 31 May-10		0
# Evidence Supports Command Action for the following Pre-APY09-10 Sexual Assault Subjects		0
# Courts-martial charge preferred (Initiated)		0
# Honor board actions (Initiated)		0
# Nonjudicial punishments (Article 15 UCMJ)		0
# Administrative discharges		0
# Other administrative actions		0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.		

2. Restricted Reports

RESTRICTED REPORTS OF SEXUAL ASSAULT - MILITARY SERVICE ACADEMIES, APY09-10 U.S. Naval Academy	
A. APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
# Cadet/Midshipman VICTIMS in Restricted Reports	5
# Converted from Restricted Report to Unrestricted Report*	1
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	4
# Reported sexual assaults AGAINST Cadet/Midshipman victims in the following categories	5
# Cadet/Midshipman on Cadet/Midshipman	3
# Non-Cadet/Midshipman on Cadet/Midshipman	1
# Unidentified subject on Cadet/Midshipman	1
# Reported sexual assaults occurring	5
# On Academy Grounds	0
# Off Academy Grounds	4
# Unidentified location	1
B. INCIDENT DETAILS	APY09-10 TOTALS
Length of time between sexual assault and Restricted Report	5
# Reports made within 3 days of sexual assault	1
# Reports made within 4 to 30 days after sexual assault	0
# Reports made within 31 to 365 days after sexual assault	1
# Reports made longer than 365 days after sexual assault	2
# Unknown	1
Time of sexual assault incident	5
# Midnight to 6 am	1
# 6 am to 6 pm	0
# 6 pm to midnight	1
# Unknown	3
Day of sexual assault incident	5
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	1
# Friday	0
# Saturday	0
# Unknown	4
C. DEMOGRAPHICS FOR APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
Gender of VICTIMS	5
# Male	1
# Female	4
# Unknown	0
Grade/Status of VICTIMS	5
# Prep School	1
# 1st Year	1
# 2nd Year	1
# 3rd Year	1
# 4th Year	1
# Other Cadet Year	0
# Active Duty Service Members	0
* The Restricted Reports that converted to Unrestricted Reports are now included in the total number of Unrestricted Reports provided in Worksheet 1a.	

3. Victim Services

APY09-10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT U.S. Naval Academy	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made .</i>	
A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	16
# Medical	2
# Counseling	7
# Legal	7
# CIVILIAN facilities (Referred by DoD)	3
# Medical	1
# Counseling	0
# Legal	2
# Unrestricted Reports where SAFEs were conducted	1
# Unrestricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making an UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	6
# Medical	2
# Counseling	4
# Legal	0
# CIVILIAN facilities (Referred by DoD)	3
# Medical	1
# Counseling	2
# Legal	0
# Restricted Reports where SAFEs were conducted	0
# Restricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making a RR that received service referrals for an incident that occurred prior to military service	0
C. APY09-10 MILITARY PROTECTIVE ORDERS (MPO)*	APY09-10 TOTALS
# Military Protective Orders issued due to an APY09-10 Unrestricted Report of Sexual Assault	4
# Reported MPO Violations in APY09-10 Completed Investigations	1
# Reported MPO Violations by Subjects	1
# Reported MPO Violations by Victims of Sexual Assault	0
*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim.	

4. Sexual Assault Case Synopses

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
Ex:	Jun-08	1st Year	Male	1st Year	Female	Victim reported being touched on genitals by subject while asleep	Abusive Sexual Contact, Article 120	Pending; Court-Martial scheduled for 10/09	Victim asleep in dorm room and awoke to find subject digitally penetrating her and fondling her breasts. Victim yelled at subject, who fled the room. Victim called police. SAFE kit done by MTF on base. Subject apprehended and confessed. Art 32 held Apr 09. Subject convicted at court martial.
1	Dec-09	E-6, E-5, E-4	male, male, female	2nd year	female	Victim was sexually assaulted by enlisted service members while at a party	Rape, Article 120	NJP for each of three subjects/ E-6: Art 92 & 134 /E-5: Art 81 & 92 / E-4: Art 92, 120 & 134 / All three admin discharged	While victim was on third class summer cruise, three enlisted sailors hosted a party at the E-6's apartment in which alcohol was served to underage drinkers. Nine other midshipmen from the ship attended. All the other midshipmen left the victim alone with the three enlisted and returned to the ship. Victim was sexually assaulted by at least one and possibly two of the enlisted while the third failed to intervene. All three enlisted were punished at NJP on related charges and were subsequently discharged. The other nine midshipmen were dealt with via the USNA conduct system.
2	Dec-09	3rd year	male	3rd year	female	Victim reported sexual assault by classmate while on summer training	Rape, Article 120	Subject dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	Victim was on summer training in California with subject. Subject had made repeated (failed) attempts to date the victim during the training period. When subject and victim (who were both underage) became highly intoxicated during parties held in on-base transient housing, the subject texted the victim to meet up with him in the parking lot. He allegedly led her to an unoccupied restroom where he subsequently assaulted her.
3	Oct-09	(1x) 1st year, (2x) 2nd year	three males	1st year	female	Victim reported being touched by three males while in her bed	Abusive Sexual Contact, Article 120	All three subjects dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	Two intoxicated 2nd year midshipmen entered the victim's dorm room while she was asleep. They climbed into her rack and touched her inappropriately while commenting on sexual acts she should perform on them. Later, a third midshipman (1st year) who was intoxicated and on duty, escorted the other two men out and then returned to the victim's room and committed the same offenses as the other subjects.
4	Feb-10	4th year	male	4th year	female	Victim reported having breast touched with sword by subject	Wrongful Sexual Contact, Article 120	Subject dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	While in the dining hall, with other midshipmen present, the subject used a carving knife to touch the victim's breast while making obscene comments. On previous occasions, the subject had spread rumors about the victim's sexual activity and had made derogatory comments to her and slapped her buttocks in the presence of other junior midshipmen while in their company area.
5	Feb-10	civilian contractor	male	2nd year	female	Victim was propositioned by civilian contract worker	Counted under "Attempts to commit offenses, Article 80" although civilian not subject to UCMJ. No civil charges were filed.	Contractor fired from USNA job and prohibited from entering USNA grounds and adjacent Naval Station Annapolis	While the victim was using an unoccupied dorm room to shower and change clothes, a contractor (subject) who was inspecting rooms, discovered her presence and subsequently propositioned her. She refused and he departed. A few minutes later, the subject returned without knocking, remarking that he had hoped to catch her coming out of the shower. Subject persisted with suggestive remarks while blocking the victim's ability to escape. The victim's insistence that her boyfriend was on the way finally caused the subject to depart.
Data Dictionary Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.) Month Closed - the month and year that investigative activity was concluded Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown Subject Gender = Male, Female or Unknown Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian Initial Allegation Reported = Very short summary of allegation (Victim reported being touched on genitals by subject while asleep) Misconduct Charged = Offense and Article of UCMJ Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)									

5. Formal Sexual Harassment Rpts

Formal Sexual Harassment Reports at the US Military Service Academies APY09-10 U.S. Naval Academy	
A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.	APY 09-10 TOTALS
A. Formal Sexual Harassment Complaints (total)	0
# Cadet/Midshipman Victims	0
# Non-Cadet/Midshipman Victims	0
B. Location of Incident	0
# On Academy Grounds	0
# Off Academy Grounds	0
# Unidentified location	0
C. # Total Sexual Harassment Investigations opened during APY09-10	0
# Investigations pending completion as of 31 May 10	0
# Completed investigations as of 31 May 10	0
D. Sexual Harassment Details - Length of time between incident and formal report	0
# Reports made within 60 days of the sexual harassment	0
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
E. # Reports forwarded to General Court Martial Convening Authority	0
# Reports forwarded to GCMCA within 72 Hours	0
# Reports forwarded to GCMCA beyond 72 Hours	0
F. Time of Sexual Harassment Incident	0
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
G. Day of Sexual Harassment Incident	0
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
H. # APY09-10 COMPLETED INVESTIGATIONS	0
# Investigations with more than one victim, more than one subject, or both	0
# of Subjects in Completed Investigations	0
I. APY08-09 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS	0
# Subjects with Unsubstantiated Complaints	0
# Pending command action as of 31 May 10	0
# Subjects for whom command action was completed of 31 May 10	0
J. # Commander Actions (APY09-10 Subjects)	0
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Honor board actions	0
# Other administrative actions	0

6. SH Case Synopses

Synopsis of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen									
Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
Ex:	Jun-08	Captain	Male	1st Year	Female	Victim's supervisor pressured her to sleep with him in order to get a good rating.	Conduct Unbecoming, Art 134	Pending; Court-Martial scheduled for 10/09	Cadet was working a special project with a staff officer. This was 3rd time officer had made an overt sexual overture. Investigation substantiated misconduct.
1									
2									
3									
4									
5									
6									
7									
8									
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11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									

Data Dictionary
 Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)
 Month Closed - the month and year that investigative activity was concluded
 Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown
 Subject Gender = Male, Female or Unknown
 Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian
 Initial Allegation Reported = Very short summary of allegation
 Misconduct Charged = Offense and Article of UCMJ or other statute as applicable
 Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)



**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB C



DEPARTMENT OF THE AIR FORCE

WASHINGTON, DC 20330-1000

NOV 3 2010

OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE (PERSONNEL & READINESS)

FROM: Assistant Secretary of the Air Force (Manpower and Reserve Affairs)

SUBJECT: U.S. Air Force Academy (USAFA) Sexual Harassment and Violence (SH&V)
Report, APY 2009-2010

The subject report for USAFA is attached for incorporation into OSD's annual report to Congress. USAFA continues to provide a very robust education and training program, to include seminars, guest speakers and targeted year-group focused training.

Please note, while few of the unrestricted reports are related to cadet-on-cadet sexual assaults, there is a very high correlation between restricted reports and cadet-on-cadet sexual assaults. This correlation suggests that fear of ostracism might be a motivating factor in cadets' unwillingness to make unrestricted reports. We are currently working with USAFA leadership to obtain greater insight into this possible linkage.

My point of contact is Mr. David A. French, and he can be reached (703) 693-9333, dave.french@pentagon.af.mil.

A handwritten signature in black ink, appearing to read "Daniel B. Ginsberg".

DANIEL B. GINSBERG
Assistant Secretary of the Air Force
(Manpower and Reserve Affairs)

Attachment:
2009-2010 USAFA SH&V Report

Academic Program Year 2009-2010 Annual Report on Sexual Harassment and Violence at the Military Service Academies

United States Air Force Academy Programmatic Data

Executive Summary

USAFA reported 20 sexual assault cases involving cadets in the 2009-2010 Academy Program Year (APY). Sixteen of those reports were initially “restricted” reports; three of those later converted to “unrestricted” reports. Four reports were “unrestricted” from the time of initial report.

USAFA remains committed to maintaining an outstanding victim-focused Sexual Assault Prevention and Response (SAPR) program. USAFA’s SAPR program, sexual harassment prevention programs, Peak Performance Center, and other helping agencies are focused on these and related issues. Education, culture change, and victim care are the primary focuses of USAFA’s SAPR program. Since the program’s inception, USAFA continues to benchmark national civilian and military best practices in order to realize improvements in sexual assault prevention, reporting and victim care.

1. POLICIES, TRAINING AND PROCEDURES

1.1 Prevent Sexual Harassment and Violence – *Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to prevent sexual harassment and sexual assault, including but not limited to:*

- *efforts by your Academy to promote a culture of prevention*
- *education and training initiatives*
- *communications, social marketing, and media initiatives*
- *work done to implement or support the Department’s Sexual Assault Prevention strategy*
- *subject matter experts consulted and involved*

Efforts to Promote a Culture of Prevention

To be most effective, Sexual Assault Prevention and Response (SAPR) efforts to instill the messages of prevention, respect, and wingman behavior are integrated throughout all Academy stakeholders. To promote this integrated culture, USAFA SAPR works to instill these values globally throughout USAFA program elements. SAPR-themed programs are developed and promoted in partnership with the sponsoring agency for which the training is targeted. For example, in addition to normal cadet training initiatives, SAPR worked with USAFA’s Athletic Department, co-producing sexual assault prevention self-defense courses. Similarly, we partnered with the Department of Faculty to provide facilitated discussion points for instructors to use as cadets come back to class with conversation about what they just heard following sexual assault prevention program guest speaker presentations. SAPR also worked with the

Commissioning Education program to develop a “Moral Courage” lesson which uses a two-part video scenario promoting bystander intervention during a drug-facilitated sexual assault. The Moral Courage lesson is taught by senior officers from varied career fields. Additionally, SAPR messages were presented to cadets via Spring Break and Sexual Assault Awareness month campaigns.

Education and Training Initiatives

USAFA SAPR works in tandem with the Cadet Wing (CW) Peak Performance Center, the Human Relations office, and the 10 ABW Equal Opportunity Office, focusing on overarching themes that are integrated and reinforced by each program. This year, the theme of establishing mutually respectful gender relations was cultivated through (1) definitions of both sexual harassment and sexual assault across a ‘continuum of harmful behavior’ which illustrates how sexual harassment can escalate into sexual assault. This is done to illustrate the importance of identifying and stopping sexual harassment BEFORE it can develop into assault (2) scenario-based discussion, (3) role plays (including some that are cadet-developed), and related methodology. These methods and teaching points are incorporated across these related mission elements to reinforce key messages and identify the importance of early intervention.

Basic Cadet Training

Sexual assault-related prevention and training for cadets at USAFA begins immediately upon their arrival in Basic Cadet Training (BCT). During day two of BCT, all Basic Cadets receive a “Helping Agencies Brief” (on the first full day of Basic Cadet Training) with a focus on sexual assault reporting options, support resources, and contact information. The Helping Agencies Brief also includes a discussion of basic Human Relations and Equal Opportunity (EO) policy. Later in BCT, Basic Cadets view and discuss “Frank: the Undetected Rapist,” a video by Dr. David Lisak, in gender-separate groups). Basic Cadets also receive additional Human Relations training in BCT, briefed and facilitated by Defense Equal Opportunity Management Institute (DEOMI)-trained personnel from across the Air Force. Sessions include Military Equal Opportunity and Human Relations awareness training (Parts I & II) providing substantial discussion on sexual harassment.

Other 4th Class year Training

The 4th class year cadet’s role is that of “follower”; all training is conducted to be consistent with that role.

- Within the first month of the academic program year, all 4th class cadets attend presentations of “Sex Signals”, focusing on male/female communication, dating, intimacy as well as sexual assault prevention and bystander intervention.
- 4th Class Cadets receive Air Force (AF) Accessions Briefings (I & II) during the beginning of their academic year. AF Air Education and Training Command developed this program. The video/scenario-based training addresses USAF policy, consent, and bystander intervention and is mandated by the AF.

- Women's and men's Health Briefings are conducted during Basic Cadet Training by Cadet Medical Clinic staff and include discussion of Sexually Transmitted Diseases (STDs), and contraceptives.
- Sexual Risk Management, taught by the Peak Performance Center staff, is designed to address personal decisions about sex healthy relationships, consent (deliberate and clear communication), and consequences and risks of sexual activity (within the context of AF core values and professional image).
- "You Deserve to Be Here!" is presented by guest speaker Veraunda Jackson, Esq. Ms. Jackson speaks to both men and women (in gender separate groups) sharing her motivational story of being a rape survivor. She talks specifically to female cadets about self-esteem, bystander intervention, supporting one another, and how to navigate the unique challenges of being a woman at USAFA. Ms. Jackson addresses men about victim empathy, appropriate behaviors toward female teammates, and bystander intervention.
- Sex and substance abuse punishments under the Uniform Code of Military Justice (UCMJ) is briefed by the USAFA Department of the Faculty Law Dept.
- "Promoting Diversity" Human Relations Lesson is taught by Cadet Wing (CW) Human Relations staff and includes interpersonal relations between genders, societal perceptions, and sexual harassment.

3rd Class Year

The 3rd class year builds on and expands previous sexual assault and sexual harassment lessons, consistent with the USAFA officer development system, and with the 3rd year cadet's role of deliberately focusing on the development of "interpersonal" behavior.

- "AF SAPR Policy and Services" (Cadet Annual SAPR Training) provides reinforcement of prior training and focuses on cadets' roles as wingmen and emerging supervisors. This course incorporates case studies geared toward helping cadets develop appropriate interpersonal relationship skills.
- "May I Kiss You?" is presented by guest speaker Mike Domitrz who educates cadets on consent and communication within sexual relationships and intimacy.
- "Sex Signals" presentation focuses on male/female communication, dating, intimacy as well as sexual assault, resources, prevention and bystander intervention. Data collection devices were utilized for this presentation to capture pre- and post-test measures regarding cadet knowledge and behavior of bystander intervention. Data collected to be used for both program evaluation and for a social norming/marketing campaign for bystander intervention.
- "Respect and Responsibility" workshop/seminar is an experientially-based interactive 7-hour program designed around the concept of dignity and respect. This workshop is conducted in concert with the Center for Character and Leadership Development and includes specific discussions of negative and positive interactions between male and female cadets.

2nd Class Year

The 2nd class year also builds on and expands previous sexual assault and sexual harassment lessons, consistent with the USAFA officer development system and their role as team leaders.

- “SAPR AF Policy and Services” (Cadet Annual SAPR Training) reinforces prior training and provides a developmental focus on cadets’ role as team leaders. This training incorporates case studies geared toward “team leader” developmental level.
- “Drunk Sex or Date Rape: Can You Tell the Difference?” is presented by guest speaker Brett Sokolow, JD. Mr. Sokolow. Cadets are presented with a real sexual assault case. The cadets then act as the ‘jury’ in order to decide the outcome. This dilemma-based presentation causes cadets to examine acquaintance rape, their own dating behaviors, and vulnerabilities as well as possible legal/life consequences for both the victim and the perpetrator. Data collection devices were utilized for this presentation to capture pre- and post-test data/measures regarding cadet knowledge and behavior regarding bystander intervention. Data collected will be used for both program evaluation and for a social-norming/ marketing campaign to promote bystander intervention.
- “Managing Diversity” Human Relations lesson provides supervisory-level discussions of leadership across the diversity spectrum including gender-related issues.
- “Moral Courage” Commissioning Education (CE) lesson provides 2 video-based scenarios based on bystander intervention themes from the “What Would You Do?” television series. Cadets discuss the actual behaviors of bystanders in simulated situations. Lessons are focus is on the barriers to intervening in such situations and how to overcome them.

1st Class Year

The role of the 1st class cadet is that of “organizational leaders”, to prepare them for their entry into the operational AF.

- “AF SAPR Policy and Services” (Cadet Annual SAPR Training) reinforces prior training as well as focuses on cadets’ developmental role as organizational leaders and incorporates case studies geared toward their developmental level.
- “Sex Offenders, Service Members, and You: Leadership beyond the Obvious” – presented by former Army Criminal Investigations Division agent, Mr. Russell Strand. This briefing highlights profiles of sex offenders and introduces the concept of the “third persona”. The presentation highlights difficulties in identifying sex offenders who have established themselves as “the nice guy/gal” or the “outstanding airman”, whom they may one day supervise. This briefing also underscores the importance of believing victims when they come forward and dispels many false reporting myths.
- “Addressing Human Relations Issues” is a human relations lesson taught by permanent party leaders that presents an in-depth discussion of actual case studies and how leaders of character should respond. This class also informs cadets about available support resources and helping agencies.

Additional Cadet Training Programs/Initiatives

1st and 2nd class cadets receive specialized SAPR job training

- BCT Cadre Training – All BCT cadre receive training to address appropriate and inappropriate interactions with Basic Cadets. The focus of the training is on respectful leadership.
- Cadet Military Guidance Officers (MGO) Training – This training focuses on recognizing Basic Cadet needs and connecting them to appropriate helping agencies. A specific training block addresses the USAFA Sexual Assault Response Program and BCT response procedures.
- Summer Youth Programs Cadre (Science/Sport camps) Training – This training is for cadet cadre includes and includes a review of USAFA SAPR programs, policies, and procedures and for referring civilian and underage sexual assaults.

Additional SAPR-related training for cadets

- Violence Awareness Program – This USAFA-wide program is customized for cadets and expands the discussion of violence to include the contrast between sexual assault violence versus non-sexual assault violence.
- Alcohol Awareness Program– This progressive, developmental program, organized by class year, promotes responsible behavior with an emphasis on the link between alcohol misuse and sexual assault.
- Integration of SAPR concepts in character development and cadet CE lessons.
- Human Relations (dignity and respect) lessons for all cadets.
- Women’s Forums – The APY 09/10 theme was “The Keys to Success”. The Women’s Forums offered an opportunity for round table discussions with every Female cadet, grouped together by class year. These forums provided feedback on various challenges experienced by USAFA women. APY 09/10 forums included discussion of scenarios that targeted SARC processes and accessibility.

Permanent Party Training

USAFA SAPR training continues to be a proactive and comprehensive endeavor that seeks to maintain positive shifts in culture that are rooted in respect for all and that nurture healthy gender relations. To that end, the training listed below develops awareness that sexual assault does occur and the policies and procedures surrounding prevention of and response to it. USAFA has a wide range of training programs, consultations, and outreach to both cadets and permanent party/staff. USAFA trained over 14,000 permanent party personnel across all mission elements and cadets during APY 09/10. The following list is illustrative of the programs in place this year:

- Academy Response Team Case Management Team training
- “Understanding Sex Offenders” by Russell Strand
- “Victimology” by Veraunda Jackson, Esq
- “Biochemical and Psychological Victimology” by Dr. Janine D’Anniballe
- “Understanding the Effects of Alcohol” by Karen Teel, MAAD University Outreach
- AFOSI and JA Training (included all Front Range OSI and JA personnel)
- “How to Conduct a Better Victim Interview” by Russell Strand

- Newcomers Orientation – risk reduction through adherence to core SAPR policy, reporting procedures, and local area information and services
- Pre-Deployment Briefing – core SAPR policy, reporting in AOR, risk-reduction
- New Faculty Orientation – SAPR policy and reporting process, mandatory vs. non-mandatory reporters; focus on how to deal with cadets who present as possible sexual assault victims
- Athletic Department Orientation – SAPR policy and reporting process, mandatory vs. non-mandatory reporters; focus on how to deal with cadets who present as possible sexual assault victims
- Air Officer Commanding (AOC) Master’s Program students – SAPR definition, policy, reporting refresher; role of AOC, mandatory reporting, ‘what to do if’ scenarios, how to handle cadets who may start to disclose a sexual assault, resources, Personal Ethics and Education Representative (PEER) program, Q/A
- Academy Military Trainer (AMT) School – SAPR definition, policy, reporting refresher; role of AMT, mandatory reporting, ‘what to do if’ scenarios, how to handle cadets who may start to disclose a sexual assault, resources, PEER program, “Frank” video plus discussion, Q/A
- New AOC Orientation – SAPR policy and reporting process from the commander’s perspective, Q/A
- Deployment and Reintegration Briefings for cadets and permanent party – provide SAPR contact information for deployed location, risk reduction, ‘buddy’ system, and upon return from deployment/summer operations (for cadets), facilitates group discussions and provides local helping agency information.
- AOC/AMT special training – Victim Behavior by Dr. Janine D’Anniballe and Perpetrators/3rd Persona by Russ Strand
- SPIRE Chapel Volunteers/Outreach Program – basic SAPR information, reporting procedures, how to help a cadet who may have been sexually assaulted
- Cadet Sponsor Program – provided basic SAPR program information, definitions, what to do if a cadet they sponsor discloses, demonstrates behavioral changes that they should be alert to, how to report to the SARC, resources, how a sponsor can help facilitate a healthy environment, and Q/A.
- Spring Break Campaign – “Have a Sweet and Safe Spring Break” – SAPR in conjunction with the Peak Performance Center (cadet counseling), USAFA Safety, ADAPT, cadet PEER program, and the Cadet Alcohol Working Group presented a Spring Break outreach program at Fairchild Hall (where cadets attend class) with informational tables manned by staff from these agencies and cadet PEERs, and presented Target Hardening self-defense program demonstrations and fliers to market and sign up participants
- Preparatory School – (1) in-processing day information table, (2) SAPR policy and (3) reporting process for cadet candidates, and focused training for faculty/ staff
- SAPR policy and reporting procedures are trained annually for all permanent party and cadets

Newly Implemented Training APY 2009/10

- “Sex Signals” initiated during 3rd and 4th class cadet years
- AF “Bystander Intervention” and sexual harassment/sexual assault continuum focus during annual training for 3rd, 2nd, and 1st class
- “Target Hardening” self-defense program includes bystander intervention presents distinct strategies to males and females separately and uses mixed martial arts and verbal intervention strategies designed to train participants how to safely avoid assault, and to safely intervene on the behalf of others
- Spring Break table used as an early ‘kick off’ of sexual assault awareness (risk reduction and program visibility)
- CW Human Relations initiated during Character and Leadership Development course “Respect and Responsibility” sexual harassment scenarios/training for all 4th class cadets

Communications, Social Marketing, and Media Initiatives

SAPR and the Academy Response Team (ART) recognize the importance of marketing and strategic communication to ‘get the word out’ about the services provided to victims of sexual assault as well as the resources available to their co-workers, squad mates, commanders, instructors, coaches, and others.

- BCT In-Processing Day – An information table is set up in Doolittle Hall (site of cadet in-processing) and staffed by SARC and Victim Advocates.
- BCT In-Processing includes the Equal Opportunity Brief.
- Preparatory School In-Processing Day – An Information table is set up in the Community Center (site of prep School in-processing) and staffed by SARC and Victim Advocates.
- Faculty Handbook includes basic SAPR policy, definitions, and reporting information.
- Cadet Handbook includes basic SAPR policy, definitions, contact information, how to report, and resources.
- Crisis Cards/Policy Cards/Promotional Items – Crisis Cards/Policy Cards are pocket-sized cards with SARC contact information, tips on helping someone in need, important helping agency information. Promotional items include useful/functional (i.e. items the cadets will use and keep) items such as combination highlighter/ink pens, flashlights, lip balm, water bottles, id card holders, magnets, clip magnets, sunscreen, credit card sized ice scrapers, and related, all imprinted with the SARC contact number.
- Parents Weekend – An information table for all cadets and visiting parents is manned by SARC and victim advocates.
- Spring Break Table – Table is located in Fairchild Hall, includes information table with a chocolate fountain, promotional items, self-defense demonstration and sign ups, manned by SARC, victim advocates, cadet PEERs, and ADAPT staff. This table is strategically set up three days prior to the cadet’s release for spring break.
- Sexual Assault Awareness Month (SAAM) – During April 2010 particular attention was given to the topic of sexual assault. This year’s SAAM campaign was kicked off just prior to Spring Break, as we have identified spring break as a high risk time for

sexual assault. The tenants of the USAFA SAAM 2010 campaign included 1) prevention/ education/awareness; 2) Protection; and 3) Empowerment. Highlights of the USAFA SAAM 2010 include:

- *“Have a Sweet and Safe Spring Break” campaign* – Included Target Hardening demo and sign ups as well as prevention, education, awareness and protection promotions.
 - *“Target Hardening” self-defense classes* – focuses on prevention and risk reduction using a ‘predator-prey’ paradigm (protection). Classes are taught gender-separate, and focus on prevention, risk reduction, how/when to safely engage, safe bystander intervention, identifying vulnerabilities (including alcohol use/misuse)(protection).
 - *“DoD SAPRline of Courage” clothesline project*: cadets and prep students designed and decorated t-shirts with messages, designs, and sayings in support of victims of sexual assault (prevention/education/awareness). Ten shirts were selected to be sent to DoD SAPRO for inclusion in a permanent display in the Pentagon.
 - *Featured guest speakers*: “Sex Signals” (prep school), “May I Kiss You?” by Mike Domitrz (3rd class cadets), “You Belong Here!” by Veraunda Jackson, Esq (4th class cadets).
 - *Poster Campaign*, for both SAAM and the Social Norming/Marketing campaigns. SAAM posters feature the DoD and AF “Hurts One, Affects All” slogans with cadets and permanent party leadership. Social Norming features cadet data regarding bystander intervention.
 - Creative and effective assessment and program measurement method using electronic ‘clickers’ for pre and post program presentations. Some results will also be utilized in an upcoming sexual assault social marketing campaign.
-
- Equal Opportunity regular Out-and-About Visits include handout promotional items with contact information and proactive prevention of sexual harassment information.

Work Done to Implement or Support the Department’s Sexual Assault Prevention Strategy

USAFA SAPR continually strives to improve implementation and support of DoD SAPR program requirements and procedures (per DoDI 6495.02, 23 Jun, 2006).

- Commanders, AOC, AMT, supervisors, and managers at all levels receive specialized training in areas of sexual assault prevention to include victimology, offender behavior, DoD ‘lighter and later’ policy for victim collateral misconduct, and response to reports of sexual assault. (E3.1 and E3.2.1.2.)
- Cadet training is developmental and incorporates adult learning theory, and is based upon the USAFA Officer Development System, and “PITO” models. (E3.2.2.2.)
- The USAFA multi-disciplinary case management group, the Academy Response Team (ART) meets twice monthly, exceeding DoD requirements. (E3.2.4.3.)
- As stated above, USAFA SAPR implemented assessment and program measurement method using electronic ‘clickers’ for pre- and post-program presentations. (E3.2.5.2.12.)

Subject Matter Experts Consulted and Involved

- **Dr. Janine D'Anniballe, PhD**, Clinical Psychologist, specialist in victimology
- **Veraunda Jackson, Esq, Attorney**, specializing in child abuse litigation and sexual assault victimology
- **Mike Domitrz**, founder of the 'Date Safe Project', specializing in consent issues
- **Russell Strand**, USA Family Advocacy Programs Criminal Division Training Director, specializes in offender behavior
- **Brett Sokolow, JD**, AF founder and president of The National Center for Higher Education Risk Management and is a specialist in campus safety, security and high risk student health and safety issues
- **Jim Russell, JD**, JA legal specialist and consultant to AF SAPR programs
- **Gail Stern/"Sex Signals" program** – issues of consent, dating, male/female relationships/communication, respect, personal boundaries, seeking help
- **Defense Equal Opportunity Management Institute (DEOMI)** trained instructors provide initial sexual harassment and equal opportunity training to 4th class cadets (Fall semester)

1.2. Increase Reporting Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to increase reporting of sexual harassment and sexual assault:

USAFA SAPR Reporting Procedures

All reports of sexual assault are made directly to the USAFA SARC, who is available twenty-four hours a day, seven days a week via Blackberry at DSN 333-7272, commercial 719-333-7272 or in person, 0730 – 1730 Monday – Friday at Arnold Hall, Room 180. After hours, the victim may meet with the SARC in person, but must first contact the SARC by phone to set up a time and safe meeting place. At the initial meeting, all reporting options are explained in detail to the victim; who then selects his or her reporting option. If the victim chooses the "restricted" option, she or he receives information regarding support services available to them. If the "unrestricted" option is chosen, the victim receives information on all support services and, as well, legal, investigative, and command intervention is initiated. For both reporting options, if the assault was within the window for collection of forensic evidence, (approximately 72 hours) the victim is given the option to have a SAFE Exam performed at Memorial Hospital in Colorado Springs (USAFA has no personnel credentialed to perform SAFE exams, and has a Memorandum of Understanding with Memorial Hospital). For both "restricted" and "unrestricted" options, a victim advocate is assigned if the victim so chooses. The SARC also discusses the "Independent report" to the victim, in relation to who the victim has disclosed the sexual assault to, in the event that one of the individuals the victim disclosed to decides to report to a mandatory reporter (i.e. AOC, or AMT). The SARC and victim both sign the Victim Reporting Preference Statement (DD Form 2910). USAFA Senior staff is notified within 24 hours of a sexual assault report.

USAFA SAPR Policies

The USAFA SAPR program policy is set by DoDI 6495.02, Jun 2006 and AFI 36-6001, Sept 2007. Due to the unique service academy environment and unique educational requirements, USAFA SAPR operates under the Officer Development System, or ODS and utilizes a 4-year cadet developmental model. To formally address these differences, the USAFA SAPR program has drafted a local instruction. This draft USAFA instruction is currently in the final stages of coordination and should be published within the next few months.

USAFA EO Procedures and Policies

USAFA policy on Equal Opportunity Treatment and Employment is “Zero Tolerance.” Equality and human dignity are essential to maintain a quality force and integral parts of readiness Installation’s success depends on its ability to promote and encourage positive human relations at every opportunity and in every workplace.

Policy and procedures are posted throughout the installation in high traffic areas and all cadet squadrons. Contact information to report sexual harassment is included in all posted documents and in Commander’s policy letters. Cadets who believe they have been sexually harassed may report to their chain-of-command or to the USAFA Equal Opportunity Office nearest the cadet area or to the 10 ABW/EO Office without reprisal.

1.3. Improve Response – Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to respond to or improve the response to allegations of sexual harassment and sexual assault including but not limited to:

- steps taken to publicize reporting options
- steps taken to encourage the reporting of sexual harassment and sexual assault by Academy personnel
- The number of personnel trained to be “first responders” to incidents (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)

Steps Taken to Publicize Reporting Options

- Social Norming/Marketing campaign using cadet-generated data (which research shows is one of the most effective means of reaching college-aged and young adults) was conducted. Cadet social norms data is used in poster campaigns around the cadet area to increase awareness and educate them that bystander intervention is indeed a ‘normal’ and expected cadet behavior.
- A USAFA Kafa radio interview with the SARC was conducted one week prior to Spring Break as a joint venture with the Center for Character and Leadership Development (CCLD). A CCLD staff member interviewed the SARC with specific questions regarding the role of the SARC, reporting options, definitions, responsible decision making, and situations that could be considered risky.

- SAAM campaign posters were developed using cadets, and cadet wing leadership, and showed their support and advocacy of the sexual assault program, of reporting, and of being a proactive bystander.
- Increased training of permanent party, targeting Department of Faculty, Athletic Department, AOC/AMTs.
- SAPR purchased new Blackberries for VAs and SARC which enhanced connectivity and communications capabilities.
- Information tables were set up at Doolittle hall for BCT and Preparatory School in-processing.
- Faculty Handbook, Cadet Handbook, Cadet Sight Picture include basic SAPR Policy and reporting process.
- Crisis Cards/Policy Cards are pocket-sized hard plastic cards with a cutout that will fit with the proxy cards (that cadets are required to carry at all times) that contain basic APR information, tips on helping someone in need, and important helping agency and emergency contact information.
- SAPR posters that include basic Restricted Reporting policy and contact information are posted in high traffic cadet areas and in bathroom stalls in the Cadet Wing and Fairchild Hall.
- An information table was set up in Arnold Hall for all cadets and visiting parents during Parent Weekend.
- Cadet Helping Agencies Briefing provides incoming students on reporting options on the first full day of Basic Cadet Training.
- All cadets receive annual training in their Commissioning Education curriculum that discusses reporting options and requirements.
- EO Human Relations Education, Commander's Briefs, and base media include policy, procedures, and contact information to report sexual harassment violations.

Steps Taken to Encourage the Reporting of Sexual Harassment and Sexual Assault by Academy Personnel

USAFA SAPR, Human Relations Office, Center for Character and Leadership Development, and the 10 ABW EO offices work together to encourage reporting of sexual harassment and sexual assault. This is accomplished through mandatory AF prescribed training, supplemented with Commissioning Education (CE) lessons, the new Character and Leadership Development Respect & Responsibility (R&R) program, special events such as Spring Break Campaign and Sexual Assault Awareness Month (SAAM), and guest subject matter expert presenters and programs. Training is provided with focus on 'first responders', Personal Ethics and Education Representatives (PEERs), and leadership as well as cadets. Examples of these training programs include:

- "Moral Courage" CE Lesson
- AF Bystander Intervention Training (3 separate modules: leadership, male, and female)
- All volunteers and personnel who work directly with cadets in other capacities such as Chapel "SPIRE" volunteers, cadet family sponsors, coaches/athletic staff, faculty, cadet flight line staff

- Special presentations such as “Sex Signals”, or “May I Kiss You?” (Mike Domitrz) reinforce the messages of reporting and work with USAFA SAPR staff to ‘tailor’ their presentations to include cadet specific situations and examples to enable cadets to better relate to each other

Number of Personnel Trained to be “First Responders” to Incidents (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)

USAFA SAPR provides ongoing training to all first responders, which includes both cadet and permanent party. Topics are relevant to first responder’s needs and include subjects such as victimology/typical victim behavior, offender behavior, DoD ‘lighter and later’ policy as related to collateral victim misconduct, how to work with victims, reporting strategies, how to deal with a victim who may be disclosing to a mandatory reporter, typical cases/scenarios using role plays and discussion, and related topics (total attendees are in bold):

- New Air Officer Commanding (AOC) training – **21** – Jun 09
- Cadet BCT Cadre Assistant Director of Operations training – **20** – 23 Jun 09
- Cadet BCT Assistant Director of Operations training – **4** – 13 Jul 09
- Cadet PEER initial training – **88** – 3 Aug 09
- Academy Military Trainer (AMT) Schoolhouse training – **10** – 19 Aug 09
- Academy Military Trainer (AMT) Schoolhouse training – **9** – 3 Nov 09
- Academy Response Team (ART) Russ Strand training – **12** – 8 Feb 10
- AOC/AMT/1st Sgt Russ Strand training – **56** – 9 Feb 10
- AFOSI/JA/SFS Russ Strand training – **33** – 9 Feb 10
- Peak Performance Center – Dr. D’Anniballe training – **7** – 9 Feb 10
- 10 ABW Commanders/1st Sgts/Chiefs Russ Strand/Dr. D’Anniballe training – **43** – 10 Feb 10
- ART Veraunda Jackson training – **19** – 5 Apr 10
- ART Dr. D’Anniballe training – **13** – 12 Apr 10
- AMT Schoolhouse training – **12** – 13 Apr 10
- New AOC Orientation SAPR training – **24** – 5 May 10
- Cadet BCT Cadre Military Guidance Officer (MGO) Training – **25** – 19 May 10
- 10 ABW 1st Sergeants SAPR briefing – **9** – 20 May 10

1.4. Ensure Program Oversight

1.4.1 Please provide a description of how your Academy executes its oversight of programs supporting the prevention and response of sexual harassment and sexual assault.

The USAFA SAPR and EO programs execute oversight through many avenues, to include DoD and AF instructions, inspections, surveys, and focus groups:

- USAFA senior leadership is briefed monthly on SAPR cases and trends.
- A multi-disciplinary sexual assault case management team conducts case reviews, meeting twice each month.

- The Cadet Helping Agency Team, “CHAT”, meets monthly or on an emergent basis if needed; this team, chaired by the Vice Commandant of Cadets for Culture and Climate, is comprised of medical, mental health/counseling, SAPR, and cadet leadership with the intent to monitor and have ‘eyes on’ all cadets placed on the Cadets At Risk List “CARL”).
- Program evaluation implemented using pre- and post- test measures for programs/ presentations.
- Several external assessments are conducted e. g. DMDC Gender Relations Survey and Cadet Focus Groups, DoD bi-annual Service Academy Assessment (site visit), Sexual Harassment and Violence (SH&V) report, DoDAAR.
- AF Inspector General conducts bi-annual Unit Compliance Inspections (UCI) of SAPR and EO using. SAPR is inspected using the new SAPR Inspection Checklist developed by AF SAPR.
- National subject matter experts are consulted (e.g. Brett Sokolow, JD).
- USAFA CWP conducts quarterly unit self-inspections; SAPR uses the AF Inspection Checklist.
- The USAFA SAPR program operates under the auspices of DoDI 6495.02, June 23, 2006 and AFI 36-6001, Sept 2007.

1.4.2 Please include a synopsis of the formal processes, participants, and data collection activities that support oversight of the programs including by not limited to:

- program management reviews
- steps taken to address recommendations from past external oversight activities, such as those performed by:
 - Government Accountability Office (GAO)
 - Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)

Oversight and accountability for the USAFA SAPR and EO programs is both extensive and recurrent throughout each academic program year; and it includes self-inspection, USAFA CW assessment, AF monthly/quarterly/annual reports, DoD and Congressional annual/bi-annual surveys, assessments, site visits, and written reports. Though not a requirement, USAFA SAPR is a ‘high interest’ item and participant in other USAFA institutional accreditations.

- ART case management team meets bi-weekly, exceeding the once a month DoD and AF standard
- Data collection for USAFA SAPR program evaluation and accountability has been implemented by our Social Norming Campaign – pre/post data collection at SAPR trainings and educational programs
- USAFA Feb 2008 awarded an “Outstanding” rating UCI SAPR Assessment
- DoD SAPRO Assessment 2009, met/exceeded all standards
- AFI 36-3502 USAFA Performance Metrics – Air Force (twice per year)
- DoDAAR – Department of Defense Annual Assessment Report
- Sexual Harassment and Violence (SH&V) report - Congress
- DoD Quarterly Reports; tracks restricted/unrestricted reports, victim services, legal and investigative outcomes for unrestricted reports

- USAFA CWP Self-Inspection Checklists (quarterly)
- USAFA Academic Accreditation and National Collegiate Athletic Association (NCAA) certification process requested USAFA SAPR participation-- both credentialing bodies lauded USAFA SAPR staff, victim support and advocacy, and programs

USAFA SAPR response to recommendations from the APY 2008-2009 DoD SAPRO program evaluation

SAPRO recommended that USAFA Command should continue to proactively release messages to the Cadet Wing via training venues that strongly advise all cadets to treat each other with dignity and respect.

USAFA is using existing cadet training opportunities to reinforce and re-emphasize “dignity and respect” messages. For example, USAFA has bolstered initial sexual assault training for basics and 4th degree cadets, as well as annual refresher SAPR training for upper-class cadets by introducing new training and enhancing teaching messages. Subject matter expert speakers are pre-briefed to emphasize dignity/respect messages, to include: ‘Sex Signals’ for 3rd and 4th year cadets; Mike Domitrz training regarding consent for 3rd year cadets; ‘Target Hardening’ self-defense for sexual assault prevention; Russ Strand, a trained criminal investigator training for the 1st class; and Brett Sokolow, JD, training for the 2nd class regarding alcohol and sexual assault. Additionally, both the Superintendent and the Commandant of Cadets brief all cadets on a recurring basis, and continually re-emphasize the basic core principles of treating others with dignity and respect.

SAPRO recommended that USAFA personnel should strategize how best to educate the Cadet Wing on the fact that a “not guilty” verdict means that the burden of proof of the accused’s guilt beyond a reasonable doubt was not met, and does not necessarily mean innocent.

USAFA addresses this subject through its academic curriculum. All cadets are required to take the core course, Law 220, Law for Air Force Officers. During this course, cadets learn about the criminal trial process, the standard of proof required and the meaning of not guilty vs. innocent. “Educating” cadets following the outcome of a trial on the difference between not guilty and innocent would be inappropriate and it is not clear what anyone could say without in some way implicitly or explicitly undermining the judicial process. The inference would be that even though the accused was found not guilty he was to some degree guilty. Further, there is an erroneous assumption in the question. A not guilty verdict may absolutely mean that the accused is innocent. Only the members of the jury, who take an oath not to disclose their deliberations, know why they chose to find a member not guilty – and it could clearly be because they thought the person claiming to be a victim was lying or not credible, and that therefore the accused was unequivocally innocent. We will not, and cannot, know why the jury reached its verdict.

SAPRO recommended addition of volunteer Victim Advocates (VAs) to work cases for the Air Base Wing and other non-cadet cases.

This recommendation has merit and is being explored currently by the USAFA SAPR office. To avoid potential conflicts with civilian personnel policies, care will be taken to ensure that the duties of the volunteer VAs would remain exclusive of the duties performed by the full-time cadet-specific VAs. USAFA will continue to work toward this solution.

SAPRO advised USAFA to continue to strategize ways to reduce the stigma perceived by cadets who seek counseling services from the Peak Performance Center.

Stigma regarding help-seeking behavior has been addressed initially at USAFA by changing the name to “Peak Performance” from “Cadet Counseling” center. USAFA SAPR has enhanced methodology for encouraging sexual assault victims to seek counseling by explaining both basic biological and neurochemical effects of trauma post sexual assault to reduce stigma (they are physical symptoms normal after a sexual assault) and encourage counseling to learn management techniques.

SAPRO recommended that USAFA SAPR improve communication and collaboration efforts with community partners.

Many of these initiatives were addressed earlier in this document. USAFA continues work in tandem with local agencies, and other military bases (SARC teleconferences, etc) to ensure full collaboration where appropriate.

SAPRO recommended that USAFA SAPR ART team members continue to explore innovative means of providing support and informing victims (and their commanders) regarding victim collateral misconduct that occurred in conjunction with a sexual assault.

Collateral misconduct is addressed in training modules to cadets, especially in conjunction with restricted reporting options. Additionally, all AOCs and AMTs are briefed by the Vice Commandant, Culture & Climate, annually on the DoD position regarding collateral misconduct in sexual assault cases. USAFA continues to seek innovative methods for communicating these messages.

SAPRO recommended that USAFA should continue to strengthen its cross-training with local community resources on each other’s roles, the roles of command, the Military Justice process, the military’s policies and procedures respecting the USAFA SAPR Programs as well as pertinent aspects of the military culture.

AFOSI and JA continue to provide information and expertise to the local law enforcement and legal communities through quarterly scheduled meetings. At these

meetings, training and professional information sharing is encouraged between the military and civil authorities to establish common ground and eliminate bureaucracies inherent in offices serving the public. Annually, AFOSI, JA and the SARC office collaborate and sponsor a sexual assault conference for military and civilian authorities in the Colorado Springs area.

SAPRO recommended that 10 ABW/EO staffing should be monitored closely to prevent extended staffing vacancies or shortages that could impact the quality of service and support provided to the USAFA and Cadet Wing program.

The 10 ABW/EO staff actively enforces DoD, USAF, and USAFA policies regarding discrimination based on race, color, sex, national origin, age, religion and disability for civilians)all USAFA civilians and military members (including cadets and cadet-candidates), their dependents, retirees, and DoD civilian employees. USAFA practices zero-tolerance of EO violations on or off base, seeks to eliminate all forms of sexual harassment and discrimination by confronting violators. The 10 ABW/EO is fully manned in by an EO Director and five EO specialists and provides EO services in two USAFA locations; prevention of extended staffing vacancies or shortages will be closely monitored to ensure a continuity of quality service and support to USAFA.

1.5. Educate Stakeholders Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to inform and educate stakeholders about sexual harassment and sexual assault

USAFA SARC and EO continuously inform and educate stakeholders through a variety of programs:

- 10 ABW SAPR Conference
- First Responder Training
- Extending training to community: TESSA, Colorado Springs Police Department, El Paso County Sheriff's Department, DA's Office, MADD, and local high schools and universities
- AOC/AMT In-service training
- AOC Master's Course and New AOC Orientation class
- AMT Schoolhouse
- Cadet Sponsor Program Briefing (all cadet sponsor families)
- SPIRE (Cadet Chapel volunteers)
- Service Academy Exchange Cadet Briefings
- Athletic Department staff and coaches
- Department of Faculty (annual training and new faculty orientation)
- Cadet Helping Agencies Team – meets monthly to discuss 'at risk' cadets as a case management team; SAPR is a member
- ART updates to the Superintendent/senior leaders – SAPR provides a detailed case status to the Superintendent monthly, as well as weekly updates to the Commandant and Vice Commandants. These updates cover the status of all open ART cases
- PEERs – Personal Ethics and Education Representatives – Cadet PEERs are BACCHUS network certified as first-contact point of referral; PEERs are not

“counselors” but are trained to recognize warning signs in a range of issues (to include sexual assault)

- SAPR provides outreach services for other ‘stakeholders’ on base, or, as required/requested (i.e., might speak to a squadron at the request of the AOC)
- Radio KAFA interviews
- Social Norms campaign (discussed previously)
- All USAFA First Sergeants receive specialized SAPR training as part of their initial USAFA First Sergeant’s course

2. DATA FOR CADET/MIDSHIPMAN REPORTS

2.1. Please provide a narrative that summarizes the reports made during APY 09-10 including but not limited to:

- total number of sexual assault reports – **20 involving cadets**
- number of Unrestricted reports – **7 at the end of the APY**
- number of Restricted reports – **13 (originally 16; 3 converted during the APY)**
- reports converted from Restricted to Unrestricted - **3**
- dispositions for investigations of Unrestricted reports (**see attached tables**)
- number of formal and informal sexual harassment reports – **0**

USAFA SAPR reported 20 sexual assault cases involving cadets in APY 2009-2010. Sixteen of those reports were initially “restricted” reports; three of those later converted to “unrestricted” reports. Four reports were “unrestricted” from the time of initial report (thus, a total of 7 unrestricted reports were counted at the end of the APY).

The number of overall cases for APY 2009-2010 increased from the previous APY (2008-2009), but are generally consistent with data from APY 2007-2008. APY 2009-2010 data include a total of 7 unrestricted reports (there were no unrestricted reports in APY 2008-2009). Many national experts contend that increased reporting is consistent with higher levels of trust in the support services and the overall SAPR program. Additional data from DMDC focus groups do indicate that many cadets have trust in the SAPR services provided at USAFA. However, until more longitudinal data is obtained over several more years, it is difficult to definitively determine the causes for numerical fluctuations from year-to-year.

Dispositions for investigations for the 7 unrestricted reports are as follows:

- For the 3 cases that occurred on USAFA, where there was Air Force jurisdiction, none were found legally sufficient to proceed to prosecution. This is in part due to delayed reporting of these assaults (i.e., no forensic evidence could be collected).
- Of the 4 unrestricted cases occurring off USAFA, with civilian jurisdiction, 3 of those reports were made immediately after the assaults occurred, and forensic evidence was collected in all of those cases. All 3 were pending trial at the conclusion of the APY (the 4th unrestricted case occurred off-USAFA and was not prosecuted as it was found to be legally insufficient; this case was a delayed report as well).

There were no formal reports of sexual harassment. All of the informal reports made this APY were referred to command for disposition.

3. GENDER RELATIONS SURVEY

3.1. Please describe your thoughts on the analysis of the APY 09-10 Gender Relations Survey conducted by the Defense Manpower Data Center (DMDC) including but not limited to:

- climate of confidence to report and seek help
- access and knowledge of resources for medical care and counseling
- understanding of Restricted and Unrestricted reporting options
- knowledge of the reporting process for sexual harassment and sexual assault
- training on how to avoid situations that increase risk of sexual violence
- underreporting of sexual harassment and sexual assault
- usage of data to improve program and outreach efforts in the next APY
- areas/topics that should be addressed in future surveys

USAFA does not have the results of the 2010 SAGR Survey as they have not been released to the Academy at the time this report was written. The latest survey was conducted in April of 2008. Results of 2009 focus groups are discussed below.

Climate of Confidence to Report and Seek Help

- There was near unanimous agreement among focus group participants that senior Academy leaders are very dedicated to preventing sexual assault.
- Focus group participants indicated that Academy officials make the Wing aware that incidents of sexual assault have occurred.

Access and Knowledge of Resources for Medical Care and Counseling

- Cadets are briefed on the first full day of BCT, at the helping agencies briefing, that under restricted or unrestricted reporting, medical care, counseling, and other support services are available. That message is repeated throughout the cadet experience.

Understanding of Restricted and Unrestricted Reporting Options

- Most participants in the focus groups correctly stated the difference between restricted and unrestricted reporting of sexual assault.

Knowledge of the Reporting Process for Sexual Harassment and Sexual Assault

- Focus group participants generally knew the definition of sexual assault per the Uniform Code of Military Justice (UCMJ) and that the definition includes a variety of behaviors from unwanted sexual touching through completed unwanted sexual intercourse.

Training on How to Avoid Situations that Increase Risk of Sexual Violence

- Focus group participants indicated they do not receive specific training on intervening between an offender and victim (bystander intervention training expected to address this issue).
- Focus group participants indicated that they are trained in prevention.
- Focus group participants indicated the Academy is doing a good job of informing students about sexual assault and providing resources.

Underreporting of Sexual Harassment and Sexual Assault

- When told that USAFA had the highest number of reported sexual assaults in the past year compared to the other Service Academies, focus group participants were not surprised. This seems to indicate that many cadets feel other locations might not have the trust in the SAPR programs that USAFA cadets appear to have.
- Some Focus Group participants felt that the USAFA system allows making an anonymous report if the victim tells someone in the system but might be more difficult to remain anonymous if other cadets knew about the incident.
- Other Focus group participants disagreed that one could make a completely anonymous report because USAFA students live in such close quarters that someone would notice a friend is having trouble and would ask why.
- Some focus group participants indicated that students would not report unwanted sexual touching even though it is included in the definition of sexual assault because of the seriousness of sexual assault accusations.
- Focus group participants indicated that people might endorse a behavior on a survey, but not feel it is important enough to report or they took care of the situation themselves. Focus group participants also identified a mindset that they are expected to be “tough” and deal with issues.
- Focus group participants indicated that some students might not report sexual harassment for fear of the impact on how others view them.
- Some focus group participants felt that all of the emphasis on women as victims of sexual assault reinforces a sexist attitude.
- When asked if sexism were more common among upper class students, focus group participants indicated that when it occurs it is not unique to upper class.

Usage of Data to Improve Program and Outreach Efforts in the Next APY

- Data from surveys and external assessments are used to augment training messages and to further refine future assessments and program evaluations.
- USAFA will use the 2009 DMDC results to these ends once those results are received.

Areas/topics that should be Addressed in Future Surveys

- Results from the 2009 DMDC survey will be analyzed to identify potential issues that should be included in future survey efforts.

3.2. Please describe any actions you will take or any improvement needed, if applicable, as a result of the APY 09-10 Gender Relations Survey

USAFA does not have the results of the 2010 SAGR Survey as they have not been released to the Academy at the time this report was written. The most current survey data was from the April 2008 SAGR results. Information below discusses how USAFA is using the 2008 data.

- Focus group participants indicated that it is hard to define the point at which joking becomes sexual harassment because the standard differs by who is listening
 - USAFA SAPR has implemented the 'continuum of harm' slide and discussion to our SAPR annual training.
 - This slide and an interactive exercise are included in the new AF Bystander Intervention training which we are currently implementing and training.
 - 4th class cadets now receive 6 hours of substantive training through the R & R course co-taught by Cadet Wing Human Relations and Character and Leadership Development staff.
- Some focus group participants felt an online reporting tool for victims might be useful for initiating discussions about an incident or collecting data.
 - 'eSARC' program – USAFA SAPR is in discussion with the Communication Squadron to harness technology and enhance communication with cadets using their communication venues (cell phone texting, email, etc.).
 - This includes the possible development of secure email and website that includes confidential reporting option for victim to the SARC using text/email
 - Set up a virtual victim support group—secure web-based chat room type program for victims/survivors that guarantees anonymity yet they may interact with other victims/survivors for support and validation.

4. PLANS FOR APY 10-11

Please describe the plan for actions that are to be taken in APY 10-11 regarding prevention and response to sexual harassment and sexual assault involving Academy personnel including but not limited to:

- prevention and training
- Restricted reporting
- response to victims
- oversight activities
- stakeholder outreach

Plan for Actions APY 10/11

Implement further prevention training and encourage restricted reporting option recommendations from consultant, Brett Sokolow, JD

- Continue to enhance sexual assault prevention curriculum by integrating with other stakeholder programs such as Center for Character & Leadership Development, Athletic Department, Faculty/Academics, ADAPT, PPC)
- Continue to find ways to increase victim empathy

SAPR Program Evaluation

- Continue implementation of program evaluation during speaker presentations, SAPR-taught classes; using standardized pre and post questions
- To this end data has been collected during this current APY for 2nd and 3rd class cadets using wireless 'clickers' (Data Collection Devices)

Enhance Social Norming/Marketing Campaign and program evaluation– SAPR focus is on Bystander Intervention

- Continue working with CWP social norming coalition
- Utilize data collected from standardized questions asked of cadets regarding bystander intervention
- Data has been collected pre and post training presentations as a measure of program effectiveness; this will be further expanded this next APY

Implement 'eSARC' program to enhance response to victims and further encourage restricted reporting option – harness technology and enhance communication with cadets using their communication venues (cell phone texting, email, etc.)

- Begin groundwork with Communication Squadron and IT to set up secure email and website that could possibly include:
 - Confidential reporting option for victim to the SARC using text/email
 - Virtual victim support group—secure web-based chat room type program for victims/survivors that guarantees anonymity yet they may interact with other victims/survivors for support and validation
 - NOTE: All electronic SAPR services will only be implemented after careful considerations of security and victim needs

Implement mandatory AF Bystander Intervention Program (2 year implementation timeline, completion by June 2012)

- SAPRO approved a waiver for annual training for the Air Force for a 2 year period in order to allow small group, 90-minute "Bystander Intervention" training.

- New SAPR 'crisis' cards – hard plastic information cards which can be attached by clip to the cadet's proxy cards (to have them on hand at all times); will be issued to each basic cadet during BCT

Increase outreach to stakeholders in the local and base communities

- Shared training venues, collaboration on outreach/prevention events (YMCA, TESSA, MAAD, local universities/high schools, local hospitals, etc.)

Continue to enhance efforts regarding DoD SAPRO 2009 Report recommendations

- The USAFA SAPR program has increased efforts to both communicate and collaborate with community partners, to include local investigative and law enforcement (Colorado Springs, El Paso County, Denver metro), judicial, colleges/universities, and sexual assault victim service providers
- The USAFA ART team continues to work with leadership both individually and collectively to enhance victim support in regard to collateral misconduct. Collectively, through new AF Bystander Intervention leadership training graduate school program, New AOC Orientation program, AMT school, and AOC/AMT Leadership Training; from national experts in victimology (Dr. Janine D'Anniballe) and in offender behavior (Mr. Russell Strand, CID/Army trainer) which explain how/why victims and offenders behave as they do as related to collateral misconduct. As well: the DoD "Lighter and Later" policy is stressed at these trainings and during Annual SAPR training. Individually, SAPR, via SARC and Victim Advocates, consult with squadron commanders, first sergeants, AOC and AMT regarding their specific cases where victims have engaged in collateral misconduct in terms of lighter and later.

1a. Unrestricted Reports (A-E)

Sexual Harassment and Violence at the US Military Service Academies APY09-10 US Air Force Academy	
A. APY09-10 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen	APY09-10 Totals
# VICTIMS in APY09-10 Unrestricted Reports	7
# Cadet/Midshipman victims	5
# Non-Cadet/Midshipman victims	2
# Unrestricted Reports in the following categories	7
# Cadet/Midshipman on Cadet/Midshipman	3
# Cadet/Midshipman on Non-Cadet/Midshipman (includes other Service Members or Civilians)	2
# Non-Cadet/Midshipman (includes other Service Members or Civilians) on Cadet/Midshipman	2
# Unidentified Subject on Cadet/Midshipman	0
# Unrestricted Reports of sexual assault occurring	7
# On Academy Grounds	3
# Off Academy Grounds	4
# Unidentified location	0
# Investigations Initiated (From APY2009-2010 Unrestricted Reports)	7
# Investigations pending completion as of 31-May-10	1
# Completed Investigations as of 31-May-10	6
# Restricted Reports	16
# Converted from Restricted Report to Unrestricted Report*	3
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	13
B. DETAILS OF UNRESTRICTED REPORTS IN APY09-10	APY09-10 Totals
Length of time between sexual assault and Unrestricted Report	7
# Reports made within 3 days of sexual assault	2
# Reports made within 4 to 30 days after sexual assault	2
# Reports made within 31 to 365 days after sexual assault	3
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
Reported Time of sexual assault	7
# Midnight to 6 am	2
# 6 am to 6 pm	1
# 6 pm to midnight	4
# Unknown	0
Reported Day of sexual assault	7
# Sunday	1
# Monday	0
# Tuesday	0
# Wednesday	1
# Thursday	0
# Friday	3
# Saturday	2
# Unknown	0
C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN APY09-10)	APY09-10 Totals
# Investigations initiated and completed during APY09-10	6
# Investigations with more than one victim, subject, or both	0
# SUBJECTS in the completed investigations	6
# Cadet/Midshipman subjects	4
# Service Member subjects	0
# Non-Service Member subjects	2
# Unidentified subjects	0
# VICTIMS in the completed investigations	6
# Cadet/Midshipman victims	5
# Service Member victims	0
# Non-Service Member victims	1
# Unknown	0

1a. Unrestricted Reports (A-E)

D. FINAL DISPOSITIONS FOR SUBJECTS IN APY09-10 INVESTIGATIONS	APY09-10 Totals
# SUBJECTS in APY09-10 completed investigations	6
DoD Action Precluded:	3
# Unknown Subjects	0
# Unfounded by Investigative Agency	0
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ	1
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	2
# Total Command Action Precluded or Declined for Sexual Assault	3
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	2
# Insufficient evidence of any offense	1
# Statute of limitations had expired	0
# Unfounded by Command	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	0
# Subjects awaiting completion of command action as of 31-May-10	0
# Subjects for whom command action was completed as of 31-May-10	0
# Evidence Supports Command Action for the following APY09-10 Sexual Assault Subjects	0
# Courts-martial charge preferred (Initiated)	0
# Honor board actions (Initiated)	0
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	0
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY09-10 INVESTIGATIONS (From prior year investigations completed in APY09-10)	APY09-10 Totals
# Total Number of Investigations, from all reporting periods prior to current APY, pending completion at the end of APY09-10	0
# Pre-APY09-10 Investigations STILL PENDING completion as of 31-May-10	0
# Pre-APY09-10 Investigations completed of 31-May-10	0
# SUBJECTS from Pre-APY09-10 investigations completed as of 31-May-10	0
# Final APY09-10 DISPOSITIONS for SUBJECTS from Pre-APY09-10 investigations that were completed in APY09-10	0
DoD Action Precluded:	0
# Unknown Subjects	0
# Unfounded by Investigative Agency	0
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ	0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	0
# Total Command Action Precluded or Declined for Sexual Assault	0
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	0
# Statute of limitations had expired	0
# Unfounded by Command	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	0
# Pre-APY09-10 Subjects awaiting completion of command action as of 31-May-10	0
# Pre-APY09-10 Subjects for whom command action was completed as of 31 May-10	0
# Evidence Supports Command Action for the following Pre-APY09-10 Sexual Assault Subjects	0
# Courts-martial charge preferred (Initiated)	0
# Honor board actions (Initiated)	0
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	

2. Restricted Reports

RESTRICTED REPORTS OF SEXUAL ASSAULT - MILITARY SERVICE ACADEMIES, APY09-10 U.S. Air Force Academy	
A. APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
# Cadet/Midshipman VICTIMS in Restricted Reports	16
# Converted from Restricted Report to Unrestricted Report*	3
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	13
# Reported sexual assaults AGAINST Cadet/Midshipman victims in the following categories	16
# Cadet/Midshipman on Cadet/Midshipman	11
# Non-Cadet/Midshipman on Cadet/Midshipman	5
# Unidentified subject on Cadet/Midshipman	0
# Reported sexual assaults occurring	16
# On Academy Grounds	4
# Off Academy Grounds	12
# Unidentified location	0
B. INCIDENT DETAILS	APY09-10 TOTALS
Length of time between sexual assault and Restricted Report	16
# Reports made within 3 days of sexual assault	3
# Reports made within 4 to 30 days after sexual assault	8
# Reports made within 31 to 365 days after sexual assault	5
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
Time of sexual assault incident	16
# Midnight to 6 am	4
# 6 am to 6 pm	1
# 6 pm to midnight	11
# Unknown	0
Day of sexual assault incident	16
# Sunday	3
# Monday	0
# Tuesday	2
# Wednesday	2
# Thursday	1
# Friday	6
# Saturday	2
# Unknown	0
C. DEMOGRAPHICS FOR APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY09-10 TOTALS
Gender of VICTIMS	16
# Male	0
# Female	16
# Unknown	0
Grade/Status of VICTIMS	16
# Prep School	0
# 1st Year	5
# 2nd Year	7
# 3rd Year	2
# 4th Year	2
# Other Cadet Year	0
# Active Duty Service Members	0
* The Restricted Reports that converted to Unrestricted Reports are now included in the total number of Unrestricted Reports provided in Worksheet 1a.	

3. Victim Services

APY09-10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT U.S. Air Force Academy	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made .</i>	
A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	2
# Medical	1
# Counseling	1
# Legal	0
# CIVILIAN facilities (Referred by DoD)	1
# Medical	0
# Counseling	1
# Legal	0
# Unrestricted Reports where SAFEs were conducted	3
# Unrestricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making an UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	25
# Medical	6
# Counseling	16
# Legal	3
# CIVILIAN facilities (Referred by DoD)	4
# Medical	1
# Counseling	3
# Legal	0
# Restricted Reports where SAFEs were conducted	0
# Restricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making a RR that received service referrals for an incident that occurred prior to military service	4
C. APY09-10 MILITARY PROTECTIVE ORDERS (MPO)*	APY09-10 TOTALS
# Military Protective Orders issued due to an APY09-10 Unrestricted Report of Sexual Assault	0
# Reported MPO Violations in APY09-10 Completed Investigations	0
# Reported MPO Violations by Subjects	0
# Reported MPO Violations by Victims of Sexual Assault	0
*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim.	

4. Sexual Assault Case Synopses

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
<i>Ex:</i>	<i>Jun-08</i>	<i>1st Year</i>	<i>Male</i>	<i>1st Year</i>	<i>Female</i>	<i>Victim reported being touched on genitals by subject while asleep</i>	<i>Abusive Sexual Contact, Article 120</i>	<i>Pending; Court-Martial scheduled for 10/09</i>	<i>Victim asleep in dorm room and awoke to find subject digitally penetrating her and fondling her breasts. Victim yelled at subject, who fled the room. Victim called police. SAFE kit done by MTF on base. Subject apprehended and confessed. Art 32 held Apr 09. Subject convicted at court martial.</i>
1	Oct 09	2nd Year	M	2nd Year	F	Allegation: Rape	None	No action	Location: On USAFA Alcohol involved: No Allegation legally insufficient in regard to prosecution and Victim did not want to go forward.
2	Feb 10	3rd Year	M	1st Year	F	Allegation: Aggravated Sexual Assault	None	No action	Location: On USAFA Alcohol involved: No Allegation legally insufficient in regard to prosecution and Victim did not want to go forward. Victim resigned from USAFA for non-related reasons.
3	Dec 09	4th Year	M	Civilian	F	Allegation: Aggravated Sexual Assault	2 charges of aggravated sexual assault (third class felony, fourth class felony)	Trial scheduled after closeout of APY 09-10	Location: Off USAFA Alcohol involved: Yes Non-USAFA jurisdiction. Subject arrested by Civilian authorities. Not Guilty Plea.
4	Oct 09	Civilian	F	4th Year	M	Allegation: Aggravated Sexual Assault	None	Debarment given to Subject	Location: Off USAFA Alcohol involved: Yes Non-USAFA jurisdiction. Subject barred from USAFA; civilian authorities declined to prosecute.
5	Feb 10	Civilian	M	4th Year	F	Allegation: Aggravated Sexual Assault	1 charge of sexual assault (third class felony) and 1 charge contributing to delinquency of a minor (fourth class felony)	Debarment given to Subject	Location: Off USAFA Alcohol involved: Yes Non-USAFA jurisdiction. Subject barred from USAFA; pending trial.
6	Sep 09	3rd Year	M	2nd Year	F	Wrongful Sexual Contact	None	No action.	Location: On USAFA Alcohol involved: No Allegation legally insufficient in regard to prosecution. Victim briefed by investigator and aware of inability to prosecute.
Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)									

5. Formal Sexual Harassment Rpts

Formal Sexual Harassment Reports at the US Military Service Academies APY09-10 U.S. <Service> Academy	
A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.	APY 09-10 TOTALS
A. Formal Sexual Harassment Complaints (total)	0
# Cadet/Midshipman Victims	0
# Non-Cadet/Midshipman Victims	0
B. Location of Incident	0
# On Academy Grounds	0
# Off Academy Grounds	0
# Unidentified location	0
C. # Total Sexual Harassment Investigations opened during APY09-10	0
# Investigations pending completion as of 31 May 10	0
# Completed investigations as of 31 May 10	0
D. Sexual Harassment Details - Length of time between incident and formal report	0
# Reports made within 60 days of the sexual harassment	0
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
E. # Reports forwarded to General Court Martial Convening Authority	0
# Reports forwarded to GCMCA within 72 Hours	0
# Reports forwarded to GCMCA beyond 72 Hours	0
F. Time of Sexual Harassment Incident	0
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
G. Day of Sexual Harassment Incident	0
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
H. # APY09-10 COMPLETED INVESTIGATIONS	0
# Investigations with more than one victim, more than one subject, or both	0
# of Subjects in Completed Investigations	0
I. APY08-09 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS	0
# Subjects with Unsubstantiated Complaints	0
# Pending command action as of 31 May 10	0
# Subjects for whom command action was completed of 31 May 10	0
J. # Commander Actions (APY09-10 Subjects)	0
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Honor board actions	0
# Other administrative actions	0

6. SH Case Synopses

Synopsis of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen									
Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
Ex:	Jun-08	Captain	Male	1st Year	Female	Victim's supervisor pressured her to sleep with him in order to get a good rating.	Conduct Unbecoming, Art 134	Pending; Court-Martial scheduled for 10/09	Cadet was working a special project with a staff officer. This was 3rd time officer had made an overt sexual overture. Investigation substantiated misconduct.
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
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16									
17									
18									
19									
20									
21									
22									

Data Dictionary
Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)
Month Closed - the month and year that investigative activity was concluded
Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown
Subject Gender = Male, Female or Unknown
Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian
Initial Allegation Reported = Very short summary of allegation
Misconduct Charged = Offense and Article of UCMJ or other statute as applicable
Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)

Prepared by Office of the Secretary of Defense
Sexual Assault Prevention and Response Office

www.sapr.mil (For Program and Policy)
www.myduty.mil (For Victim Care)

