



PERSONNEL AND  
READINESS

## OFFICE OF THE UNDER SECRETARY OF DEFENSE

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WASHINGTON, D.C. 20301-4000

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### MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS CHIEF OF THE NATIONAL GUARD BUREAU

SUBJECT: Revisions to the Sexual Assault Prevention and Response Program's Expedited Transfer Policy

The Expedited Transfer policy in the Sexual Assault Prevention and Response (SAPR) Program has been in place since December 2011. Due to the enactment of section 536 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which expanded the Expedited Transfer policy, Department of Defense Instruction (DoDI) 6495.02, "Sexual Assault Prevention and Response (SAPR) Program Procedures," is hereby amended to expand the Expedited Transfer Policy and incorporate other changes as reflected in this document. This policy revision will be incorporated in the next update of the SAPR DoDI 6495.02.

#### **Commanding Officer (CO) notification to Sexual Assault Response Coordinator (SARC) and related duties to support SAPR-related Expedited Transfer Requests of Service members who make an unrestricted report of sexual assault**

The requesting Service member victim's CO will continue to review, approve/disapprove, and track requests for Expedited Transfers. However, upon receipt of the Expedited Transfer request from a Service member, the CO must now immediately notify the SARC of the Expedited Transfer request. Service member victims not working with a SARC will be referred to the Installation or U.S. Marine Corps (USMC) Command SARC. Once notified of the Service member victim's request, the SARC will immediately do the following:

- Inform the requesting Service member victim of the Expedited Transfer process, to include information about services and support, and the mandatory "intake meeting" with the gaining Installation SARC, or for USMC the Command SARC ("gaining SARC"), upon arrival at a new installation, if the request is approved. The SARC will also inform the requesting Service member victim that at the conclusion of the "intake meeting" with the gaining SARC, the Service member victim may elect to continue or discontinue SAPR program services.
- Advise the Service member victim of the requirement to have an "intake meeting" with the gaining CO, if the Service member victim seeks continued advocacy, legal, or healthcare (mental health or other medical) services at the new location, OR if the investigation or legal proceeding involving the Service member victim's report is ongoing at the time of the transfer.
- Verify to the CO that the Service member victim has filed an Unrestricted Report through a DoD Form (DD Form) 2910, "Victim Reporting Preference Statement," and that it has been input into the Defense Sexual Assault Incident Database (DSAID). If a DD Form 2910 is not on file, the SARC will assist the Service

member victim to file an Unrestricted Report through a DD Form 2910 or refer the Service member victim to the appropriate organization (i.e., Family Advocacy Program (FAP) for domestic abuse sexual assault victims or Victim Witness Assistance Program, if not otherwise eligible for SAPR services). The SARC will not provide a copy of the signed DD Form 2910 to the CO; oral confirmation to the CO that a DD Form 2910 was filed is sufficient.

- Advise the Service member victim of the requirement to have an outbrief meeting with the losing Installation SARC, or for USMC the Command SARC (“losing SARC”), if the Expedited Transfer request is approved.
- Annotate the Expedited Transfer request and decision in DSAID, ensuring all fields are completed, upon receipt of the final decision.

### **Losing CO responsibilities for approved Expedited Transfers**

In addition to the current procedures in policy, if the request for an Expedited Transfer is approved, the losing CO will:

- Notify both the losing SARC and the Service member victim in writing when the Expedited Transfer decision is made to ensure continuity of advocacy services and capture of required data in DSAID. The Services will provide additional guidance on what constitutes written notification to the losing SARC.
- Immediately send notification to the appropriate personnel assignments entity to begin processing the transfer.
- Assign personnel, within the command (if possible), to assist Service members with approved Expedited Transfers with any out-processing required for Permanent Change of Station moves, to include facilitating transportation, as necessary.
- Ensure Service members with approved transfers receive a detaching evaluation, fitness report, or other evaluation in accordance with Service policy.
- Advise the Service member victim of the requirement to have an “intake meeting” with the gaining CO if the Service member victim seeks continued advocacy, legal, or healthcare (mental health or other medical) services at the new location, or if the investigation or legal proceeding involving the Service member victim’s report is ongoing at the time of the transfer.
- Notify the Service member victim of the requirement to have a single “outbrief meeting” with the losing SARC and an “intake meeting” (to be arranged by the losing SARC) with the gaining SARC. After the “intake meeting” with the gaining SARC, the Service member victim can decide whether to continue advocacy services at the new location.
- Ensure the Service member victim is scheduled for an “outbrief meeting” with the losing SARC, so that the losing SARC can answer any remaining questions the Service member victim may have about the transfer process or facilitate any further scheduling.

## **Losing and gaining SARCs' responsibilities after the approval of an Expedited Transfer**

- The losing SARC shall meet with the Service member victim to “outbrief” and address any SAPR questions about the transfer process. During the outbrief meeting, the losing SARC will inform the Service member victim that:
  - The Service member victim’s case will be transferred to the Installation or for USMC the Command SARC, SARC at the gaining location for a mandatory “intake meeting.” At installations with more than one SARC, the “Lead SARC” shall be designated as the gaining SARC for the purposes of the Expedited Transfer and the “intake meeting.” Explain that the purpose of the “intake meeting” with the gaining SARC is to help the Service member victim understand the full range of support options at the new installation, facilitate appointments with mental health, medical, advocacy, legal services, or other response personnel at the new location, and help answer any questions the Service member victim may have. Also explain that after the “intake meeting” with the gaining SARC, Service member victims may decline any further SAPR services.
  - The Service member victim may also be required to have an “intake meeting” with the gaining CO, if the Service member victim seeks continued advocacy, legal, or healthcare (mental health or other medical) services at the new location, or if the investigation or legal proceeding involving Service member victim’s report is ongoing at the time of the transfer.
  - The “intake meeting” with the CO and the “intake meeting” with the gaining SARC will not occur at the same time without explicit victim consent, in which SARCs will inform the Service member victim in advance that the communications with the gaining SARC and gaining CO in a joint meeting will not be privileged under Military Rule of Evidence 514.
- The losing SARC will facilitate the scheduling of the “intake meeting” with the gaining SARC, taking into account the Service member victim’s leave and transfer/travel time. The losing SARC will provide the Service member victim with the gaining SARC’s name and contact information, to include the address of the gaining SARC’s office, as well as an appointment date and time.
- The losing SARC will follow existing procedures to transfer the case in DSAID to the gaining SARC after all information on the Expedited Transfer has been annotated. Losing SARCs are not required to obtain Service member victim consent to transfer the case on the DD Form 2910 and will leave Section 7, “Victim Consented to Transfer of (RR/UR) Case Documents to Another SARC,” of the DD Form 2910 blank.
- The gaining SARC will follow up with the Service member victim regularly to ensure the “intake meeting” occurs. During the “intake meeting,” the gaining SARC will explain the full range of support options at the new installation, facilitate appointments with mental health, medical, advocacy, legal services, or other response personnel, and help answer any questions the Service member victim may have. The gaining SARC will also explain that after the “intake meeting,” Service member victims may decline any further SAPR services.

- The gaining SARC will coordinate with the gaining CO for a separate CO “intake meeting,” if required (criteria explained above).
- The gaining SARC will ensure the Case Management Group (CMG) at the gaining installation reviews the Service member victim’s case at the CMG meeting in accordance with existing DoD policy.
- The gaining SARC will update the Service member victim’s case in DSAID in accordance with the Service member victim’s decision for continued services.

**New SAPR Program provisions for the transfer of a Service member whose adult dependent filed an Unrestricted Report of a sexual assault**

- The SAPR policy regarding Expedited Transfers will now be expanded to allow the transfer of a Service member whose adult military dependent makes an allegation of sexual assault that is not domestic abuse related. Situations that fall within the purview of domestic abuse pursuant to DoDI 6400.06, “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel,” will be handled by FAP.
- Service members must request the Expedited Transfer on behalf of their adult military dependent victims.
- These adult military dependent sexual assault victims of non-domestic abuse are eligible to request Expedited Transfers if:
  - The victim has filed an Unrestricted Report through a DD Form 2910 in the SAPR Program, and
  - The sexual assault suspect is a Service member or if the suspect has a military nexus (e.g., adult military dependent, works for DoD as a civilian employee (appropriated and non-appropriated fund employees) or is a government contractor), or the alleged sexual assault occurred on a DoD installation or facility.
- The Expedited Transfer will include the Service member and the Service member’s dependents, even if they are geographically separated. However, the Service member can request that:
  - Only the Service member’s dependents be transferred, or
  - The dependents be transferred expeditiously and the Service member’s transfer be delayed (e.g., the Service member may be deployed and wants to finish the deployment term, or the Service member is in training and wants to complete the training).
  - However, the Service concerned will ultimately determine whether Service member will be transferred at the same time as the dependents.
- Service members who request an Expedited Transfer because their adult dependent was the victim of an alleged sexual assault will submit the request to their CO, who will follow policy guidance outlined in this memo and DoDI 6495.02 to make Expedited Transfer determinations. The Service member’s CO will:
  - Assign personnel, within the command (if possible), to assist Service members with approved dependent Expedited Transfers with the out-processing required for Permanent Change of Station moves, to include facilitating transportation, as necessary.

- Ensure Service members with approved dependent transfers receive a detaching evaluation, fitness report, or other evaluation in accordance with Service policy.
- While adult dependents are not required to meet with COs, the Services shall follow the other procedures described above to ensure that the losing SARC and gaining SARC coordinate the transfer of the adult dependent's case, as well as facilitate the "intake meeting" with the gaining SARC at the new installation.

These new procedures underscore our responsibility to ensure that service members and their adult dependents who elect an Expedited Transfer have the best chances for success and recovery at their new location. Please provide me, through the Director of the DoD Sexual Assault Prevention and Response Office (SAPRO), your updated guidance. The guidance is due to the SAPRO Director within 180 calendar days of this memorandum. Thank you for your efforts, and I look forward to seeing your updated policies and regulations.



Matthew P. Donovan  
Performing the Duties of the Under Secretary of  
Defense for Personnel and Readiness

cc:  
Chairman of the Joint Chiefs of Staff  
Chiefs of the Military Services  
Commandant of the Coast Guard  
Director, Family Advocacy Program