



PERSONNEL AND
READINESS

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

NOV 23 2021

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHIEF OF THE NATIONAL GUARD BUREAU
DIRECTORS OF DEFENSE AGENCIES
DIRECTORS OF DoD FIELD ACTIVITIES

SUBJECT: Authorization to Provide Sexual Assault Prevention and Response Program
Advocacy Services to Department of Defense Civilian Employees

I authorize Department of Defense (DoD) Components, at their discretion, to provide Sexual Assault Prevention and Response (SAPR) services from a Sexual Assault Response Coordinator (SARC) or Victim Advocate (VA) to DoD civilian employees who allege a sexual assault. The attached March 2021 memorandum directed DoD components to implement Component-specific policy that allows DoD civilian employees who have experienced sexual assault to obtain advocacy, support, and referrals available through workplace violence prevention and response programs. This memorandum allows DoD components to offer an additional avenue to report allegations of sexual assault for DoD civilian employees if resources and other considerations permit.

DoD components exercising this authority may permit DoD civilian employees to file an unrestricted report through the SAPR program and receive advocacy services of a SARC and SAPR VA.

The following procedures are applicable to the use of this authority if implemented:

- DoD civilian employees seeking such services will be asked to complete a DD Form 2910 "Victim Reporting Preference Statement." Based on the employee's election of whether and how to report, the civilian employee will be offered the appropriate available referrals for which they are eligible.
- The Component will appropriately track the Unrestricted Report in the monthly SAPR Case Management Group (CMG) meetings attended by the DoD civilian employee's supervisor.
- If the DoD civilian employee declines to complete a DD Form 2910 or make an Unrestricted Report, a SAPR-Related Inquiry (SRI) will be entered into the Defense Sexual Assault Incident Database (DSAID) by the SARC and will not be discussed at the monthly SAPR CMG meetings. The SRI does not collect Personally Identifiable Information, thus honoring an individual's wishes to remain anonymous.

- If the DoD civilian employee signs a DD Form 2910, electing an Unrestricted Report, the SARC (or the DSAID-authorized SAPR VA) must open a DSAID case and upload the DD Form 2910. DSAID shall reflect:
 - the status of the victim: DoD civilian employee, DoD civilian employee who is also a military dependent, **or** DoD civilian employee who is also a Reservist/National Guard personnel;
 - whether the sexual assault was related to the employee's place of employment, or had a workplace nexus; and
 - whether the alleged perpetrator is a Service member, DoD civilian employee, military dependent, or other, if known.

SARCs and SAPR VAs must also be trained in the relevant civilian personnel policies.

This SAPR memorandum does not create an entitlement to medical services for which the DoD civilian employee is not already eligible. Components who elect to implement this Exception to Policy (ETP) will comply with all collective bargaining obligations, as applicable.

The ETP will remain in effect until December 31, 2025 or upon the reissuance of DoD Instruction 6495.02, Sexual Assault Prevention and Response Procedures, or DoD Directive 6495.01, Sexual Assault Prevention and Response Program, whichever occurs first.

Thank you for your continued commitment to meeting the needs of sexual assault victims within the Department.



Gilbert R. Cisneros, Jr.

Attachment:
As stated

cc: Assistant Secretary of Defense for Manpower and Reserve Affairs



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MAR 11 2021

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHIEF OF THE NATIONAL GUARD BUREAU
ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND
RESERVE AFFAIRS
DIRECTORS OF DEFENSE AGENCIES
DIRECTORS OF DOD FIELD ACTIVITIES

SUBJECT: Requirement to Implement Ability for DoD Civilian Employees Who Have Experienced Sexual Assault to Make Requests for Assistance Through the Federal Workplace Violence Prevention and Response Program

This memorandum requires DoD components to implement Component-specific policy that allows DoD civilian employees who have experienced sexual assault to obtain advocacy, support, and referrals available through workplace violence prevention and response programs. By building on these efforts, DoD can further address the effects of domestic violence, sexual assault, and stalking on its workforce, promoting the health and safety of its employees and improving the quality of its service to the public.

Department of Defense Instruction (DoDI) 1438.06, "DoD Workplace Violence Prevention and Response Policy," identifies the Deputy Assistant Secretary of Defense for Civilian Personnel Policy, under the authority, direction, and control of the Assistant Secretary of Defense for Manpower and Reserve Affairs, as the DoD lead for policy development and ensuring implementation of workplace violence prevention and response programs, including education and training, for civilian employees. DoD Components will, to the extent consistent with Enclosure 3 of DoDI 1438.06, utilize the following two documents to assist in the development of an effective workplace violence prevention and response program: Office of Personnel and Management, "Guidance for Agency-Specific Domestic Violence, Sexual Assault, and Stalking Policies," located at <https://www.opm.gov/policy-data-oversight/worklife/reference-materials/guidance-for-agency-specific-dvsas-policies.pdf>; and the Interagency Security Committee, "Violence in the Federal Workplace: A Guide for Prevention and Response", updated 2019 version located at <https://www.cisa.gov/publication/isc-violence-federal-workplace-guide>. In developing your policies, please ensure that the policies do not hinder your ability to comply with applicable legal obligations, including the requirements of title VII of the Civil Rights Act of 1964, as amended (42 U.S.C.A § 2000e-16), 10 U.S.C. § 1561, and 29 CFR § 1604.

Components will comply with any applicable labor management obligations, including national consultation with unions that hold national consultation rights. The point of contact for this questions on national consultation rights is Mr. Harry Robinson, Defense Civilian Personnel Advisory Service, at 703-447-9613 or harry.w.robinson.civ@mail.mil.

I commend you in advance for your efforts to provide additional services for DoD civilian employees.

Virginia S. Penrod

Virginia S. Penrod
Acting

cc:

Chairman of the Joint Chiefs of Staff
Chiefs of the Military Services

Deputy Assistant Secretary of Defense for Civilian Personnel Policy

Director, Defense Civilian Personnel Advisory Service

Director, Office for Diversity, Equity, and Inclusion