



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



SAPRO FREQUENTLY ASKED QUESTIONS

OCTOBER 2020

SAPRO General

- **What is SAPRO, when was it established, and what is it responsible for?**

The Sexual Assault Prevention and Response Office (SAPRO) was established in 2005 and serves as the DoD single point of accountability for sexual assault prevention and response policy and program oversight. The goals of DOD's SAPR policy are to specifically enhance and improve:

- Victim care by developing robust support resources and victim-focused professionals.
- Sexual assault prevention by empowering and equipping a prevention workforce and targeting the factors that give rise to sexual assault, particularly among the age group most at risk: 17 to 24-year olds.
- System accountability by ensuring all program elements function as intended, comply with policy, meet legislative requirements, and operate effectively.
- It does not provide policy for legal processes within the responsibility of the Judge Advocates General of the Military Departments provided in Chapter 47 of Reference (b) and the Manual for Courts-Martial (Reference (f)) or for criminal investigative matters assigned to the IG DoD.

- **What behavior does the term “sexual assault” describe?**

The term sexual assault refers to a range of crimes prohibited by the Uniform Code of Military Justice, from penetrative crimes like rape, to contact crimes like abusive sexual contact (e.g., groping of genitalia).

- **Why did DOD create an office to handle sexual assault policy?**

In February 2004, former Secretary of Defense Donald H. Rumsfeld directed The Care for Victims of Sexual Assault Task Force (Task Force) to review all programs related to treatment and care of sexual assault victims among the Services and the DOD. The Task Force was charged with recommending changes to increase prevention efforts, promote reporting, enhance the quality of support provided to victims, and improve accountability of alleged offenders, as appropriate.

In April 2004, the Task Force released a report with a series of findings and recommendations, and also determined there was a need for a single point of accountability within the DOD for sexual assault policy. This specific recommendation led to the establishment of the Joint Task Force for Sexual Assault Prevention and Response in October 2004.

In October 2005, the Department of Defense issued a Department of Defense Directive (DODD 6495.01) that codified DOD policy on sexual assault prevention and response for the Military Services. A permanent Sexual Assault Prevention and Response Office (SAPRO) replaced the Task Force to oversee the policy.

- **Do the Military Services and National Guard have sexual assault program offices as well?**

Yes. All four Services and the National Guard Bureau have permanent sexual assault prevention and response program offices and work closely with the DOD SAPRO.

- **Does each branch of the Military follow the same SAPRO protocol?**

Each Service executes the policy and programs required by Department policy, but customizes them for their specific Service and mission environments. For example, all Services must have sexual assault response coordinators (SARCs) and sexual assault prevention and response (SAPR) victim advocates at their installations around the world. However, the Services must also ensure that their deployed and expeditionary forces have access to these important helping professionals, too. As each Service deploys differently, Services adapt where to station SARCs and SAPR victim advocates and trains Service members on how to contact them when deployed.

- **Are there consistent prevention and response training standards for each of the Military Services?**

DOD policy mandates baseline training requirements to ensure uniformity across the Services. However, minor differences in terminology and procedures exist between the Military Services to accommodate each Service's unique culture and mission. Services are encouraged to expand their training programs beyond the minimum requirements set by the policy and adapt their programs for maximum effectiveness in each Service's particular environment.

- **While everyone in the DOD needs to work together to prevent sexual assault and support victims, aren't there dedicated professionals who do this too?**

The Services have a dedicated cadre of professionals trained to support victims, such as our SARCs, SAPR victim advocates, sexual assault medical forensic examiners, and special victims' counsel (also known as victims' legal counsel in the Navy and Marine Corps). The Services also have a Special Victim Investigation and Prosecution (SVIP) capability made up of military investigators, prosecutors, and other personnel specially trained to handle these challenging cases.

These professionals, along with the installation commander or senior mission commander, come together once a month to discuss the progress on sexual assault cases, address safety concerns, if any, of all parties, and facilitate victim access to care and services, and review allegations of retaliation for reporting a sexual assault, if any.

The Department continues to empower and provide guidance to the Services' prevention workforce to stop this heinous crime from happening in the first place.

- **What is a restricted report versus an unrestricted report, and why are there two sexual assault reporting options?**

An unrestricted report allows the victim to seek medical care and counseling for the alleged incident and results in notification to command. Notification to command includes disclosure of the identity of the alleged victim and the details of the alleged incident. It also triggers an investigation of the allegations by the by the MCIO of the Department concerned and may lead to processes under the Uniform Code of Military Justice. However, privacy concerns are frequently cited as a barrier to reporting sexual assault allegations. Some service members would opt to forego medical care and counseling if it meant becoming involved in a criminal investigation and notification to command that they reported a sexual assault. To overcome this

barrier, DOD instituted, and Congress later enacted, a process for confidential report allegations of sexual assault to enable sexual assault victims to access healthcare, advocacy services, and legal services without notifying their chain of command or law enforcement. This is known as a restricted report. Further, a new program launched in 2019 offers a confidential avenue for individuals making a restricted report to provide information about the alleged offender, if known, and details of the incident to DoD criminal investigators without initiating an investigation. This capability, the [CATCH a Serial Offender Program, connects separate incidents involving the same alleged offender\(s\), thus](#) increasing the ability of the DOD to identify alleged perpetrators of sexual assault.

- **What is the CATCH a Serial Offender program?**

In 2019, the DOD launched a new, confidential way for Service members and their adult dependents who have filed a restricted report of sexual assault to provide information about their incident. Eligible persons making a restricted report of sexual assault can confidentially provide information about the alleged offender, if known, and details of the alleged incident to DOD criminal investigators without initiating an investigation. Investigators assigned to the CATCH program from each Military Criminal Investigative Organization headquarters review entries in the CATCH system and compare them against other CATCH entries and unrestricted reports in other law enforcement databases to identify potential matches. When a potential match of alleged offenders is identified, a specially trained CATCH victim point of contact privately notifies the victim, who is given the option to convert his or her restricted report to an unrestricted report.

Sexual Assault in the Military: The Scope of the Problem

- **How many Service members experience sexual assault?**

In 2018, an estimated 20,500 active duty Service members may have experienced some kind of sexual assault.

- **How did you get that number?**

- Sexual assault is an underreported crime in both the military and civilian sectors of U.S. society. Therefore, sexual assault reports to law enforcement underestimate the extent of the problem. As a result, the Department employs scientific surveys to better understand the “prevalence” of sexual assault in the military population. Prevalence is an estimate of the number of people in a given population who may have experienced a particular act in a specified time frame.
 - The DoD uses “Past Year Prevalence of Sexual Assault” to estimate the **percentage** of Service members who may have experienced some kind of sexual assault in the 12 months prior to being surveyed. DoD surveys are conducted scientifically so that results represent the full military population.
 - In the Department’s most recent scientific survey in 2018, about 6.2% of active duty women and 0.7% of active duty men may have experienced some kind of sexual assault. These rates indicate that about 20,500 active duty Service members (13,000 women and 7,500 men) may have experienced some kind of sexual assault in 2018.

- It is important to note that these numbers do not represent a finding of guilt or innocence, or a determination that the reported experience constituted a sexual assault. Only an investigation into the allegations and an adjudication of the evidence will determine whether an assault actually occurred.

Sexual Assault Prevention and Response Office

- **Which way is prevalence trending, up or down?**

The Department made progress in reducing the prevalence of sexual assault between 2006 and 2016; meaning that, compared to 2006, decreasing numbers of Service members indicated that they may have experienced a sexual assault in scientific surveys. Between 2016 and 2018, the estimated prevalence increased for women ages 17 to 24, but stayed the same for men. To address the prevalence increase for women and continue making progress in reducing and eliminating sexual assault, the Department changed its approach to put increased focus on prevention, addressing problematic culture, improving the skills of leaders at all levels, and evaluating ways to make reporting of sexual assault allegations easier for victims.

- **How many Service members report an incident of sexual assault?**

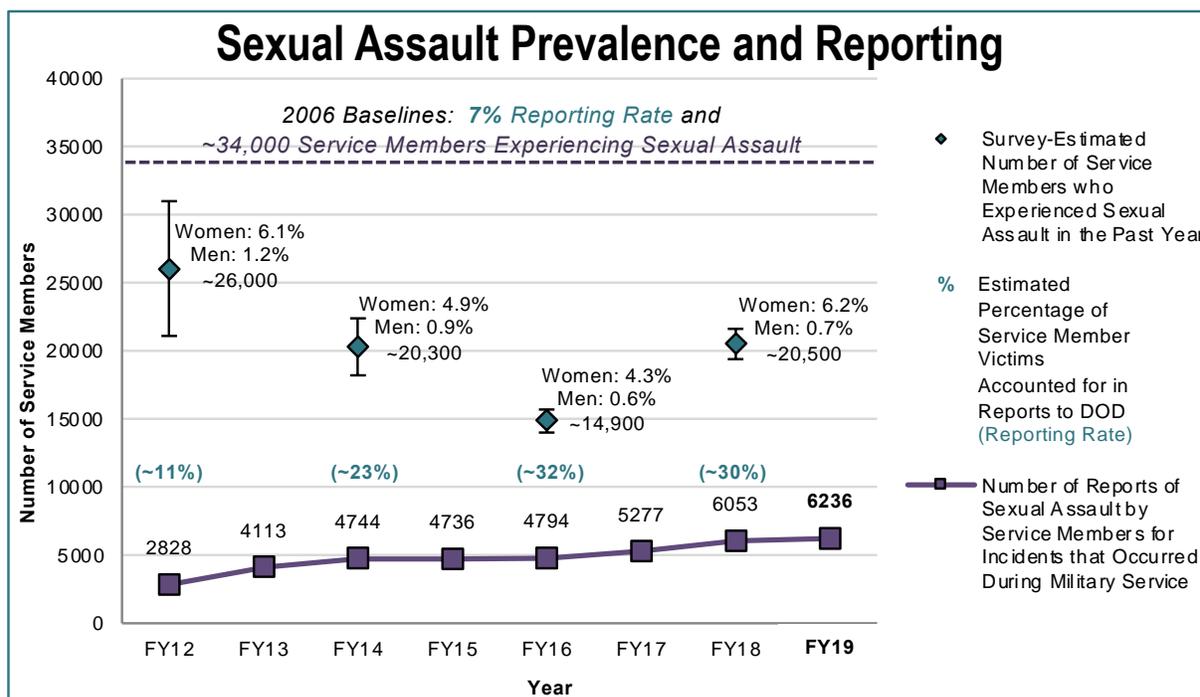
In Fiscal Year 2019, the Department received 6,236 reports of sexual assault from Service members.

- **How did you get that number?**

- There were 6,236 unrestricted and restricted reports received between October 1, 2018 and September 30, 2019 from Service members alleging they were a victim of sexual assault for a matter experienced during military Service. These reports were made to DoD authorities, such as Military Criminal Investigative Organizations, Sexual Assault Response Coordinators, Victim Advocates, and healthcare providers.

- **What is a report of sexual assault?**

A report of sexual assault is an allegation filed with DoD authority. A report alone does not mean that an actual assault occurred. Law enforcement personnel and criminal investigators may only receive unrestricted reports of sexual assault. SARCs, SAPR victim advocates, and healthcare providers may receive both unrestricted and restricted reports. Telling a friend or family member about one's experience of sexual assault is not considered a "report."



- **What options do military members have if they don't want to file a report?**

Service members may speak to SARCs and/or SAPR victim advocates without filing a report to discuss available community resources and medical/mental healthcare and legal assistance. Victims are eligible for an SVC/VLC even if they do not file a report.

In addition, Safe Helpline is the DOD's only 24/7, anonymous, and confidential support to DOD community members affected by sexual assault. Safe Helpline offers a variety of platforms to ensure that no matter where our warfighters are deployed or what time zone they are in, they have access to help. Platforms currently include resources such as telephone contact numbers, online helpline assistance, the Safe HelpRoom, a mobile app, and self-paced educational courses. For more information on Safe Helpline, please go to www.safehelpline.org.

- **Why is this issue of sexual assault important to the military?**

Sexual assault has no place in the military. No one should have to be concerned about sexual assault when they decide to serve their country in uniform. Sexual assault is a crime that harms our Service members, erodes our readiness, negatively impacts our strategic alliances, and hinders the lethality of our fighting force.

- **Many people (within and outside of the military) expect the military to address societal issues before they are addressed in the civilian population. What are the challenges with this expectation?**

While sexual assault is a shared challenge with the civilian sector, the Department often leads the way in addressing such complex societal issues before they are widely addressed in the civilian population. The challenge is that there is no single solution to sexual assault. Reducing and stopping this crime requires a comprehensive approach on multiple levels. To this end, in 2019 the Department launched the Prevention Plan of Action (PPoA) — a comprehensive plan outlining how qualified people, organizations, and resources need to collaborate at every level of our organization to prevent this heinous crime. Already, the Department and Military Services executed the first phase of the PPoA by assessing their prevention capabilities and will continue efforts to implement the plan, which can be accessed by clicking here: https://www.sapr.mil/sites/default/files/20190426_PPoA_FULLL.pdf

- **What is the Department doing to prevent retaliation against those who experience sexual assault?**

No one should have to fear retaliation because they made a sexual assault report. The Defense Department is committed to eliminating retaliatory behavior, improving resources for reporters of retaliation, and providing tools for commanders, supervisors, and peers to prevent and respond to retaliation. Victims, witnesses, bystanders, or responders who experience retaliation can file a formal report of retaliation with the appropriate authority and be notified of resources. The Department has taken a number of steps to assist and protect members who believe they are experiencing retaliation, including:

- Legal representation. Victims of sexual assault may consult with and be represented by a Special Victims Counsel/Victims Legal Counsel, a military attorney who may help them address their concerns to the appropriate authority.
- Case Management Group Assistance. Victim assistance personnel inquire monthly with sexual assault victims about retaliatory experiences, if any.

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- Special Investigators. The Department of Defense Inspector General fielded a team of reprisal investigators who receive extensive training on sexual assault and the impact it has on victims.
- Senior leader assistance. Victims who reported a sexual assault or sought mental health treatment for sexual assault may have the opportunity to communicate with a G/FO regarding issues related to their military career that the victim believes are associated with the sexual assault.
- Senior leader discharge review.
- Expedited transfer. A victim making an unrestricted report may, at any time, request a transfer to a new duty location or station, which may help them heal and start fresh with a new unit.

- **What type of preparation do SARCs and SAPR victim advocates receive to assist victims?**

To ensure the right people are caring for victims, the DoD Sexual Assault Advocate Certification Program (D-SAACP) was established to standardize sexual assault response to victims and professionalize victim advocacy roles of SARCs and SAPR victim advocates.

- The application process is rigorous; In fact, updates to the D-SAACP instruction in February 2020 strengthens background checks and allows for automated records checks to ensure continued eligibility.
- The updated instruction DODI 6495.03 requires all D-SAACP applicants obtain a Tier 3 background check which includes an FBI fingerprint check and a Defense Central Index of Investigations Check or equivalent.
- Certified practitioners are also enrolled in continuous evaluation (CE), which allows for automated records checks to ensure continued eligibility to hold a Sensitive position.
- D-SAACP recipients must also complete a minimum of 40 hours of training to gain and develop the core knowledge, skills, and ethical foundation needed to serve sexual assault victims in the military community.
- D-SAACP requirements do not end after the initial training; certification holders must complete 32 hours of continuing education every two years. These trainings, which include victim advocacy ethics, are more advanced or cover new developments in the field to ensure SAPR personnel maintain their readiness to serve victims.

Definitions

- **How does the DOD define “sexual assault”?**

DoDI 6495.02, “Sexual Assault Prevention and Response (SAPR) Program Procedures” defines “sexual assault” as a range of sex crimes by adults against adults, ranging from penetrating crimes like rape to contact crimes like abusive sexual contact (e.g., groping of genitalia). Sexual assault is further defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. It includes rape, sexual assault, aggravated sexual contact, abusive sexual contact, and attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim. Under military law, consent cannot be given when a person uses force, threat of force, coercion, or when the victim is asleep, incapacitated, or unconscious.

- **Why doesn't the DoD use the term "military sexual trauma" to describe the crime of sexual assault?**

Military sexual trauma, or MST, is a term used by the Department of Veterans Affairs (VA) to refer to experiences of sexual assault or repeated, threatening acts of sexual harassment throughout the course of one's military career. The term is used for screening and treating the psychological trauma and other mental health problems that stem from sexual assault and/or harassment. VA uses the term MST for treatment purposes of medical conditions associated with an experience of sexual assault or harassment stemming from one's military career. DoD's use of "sexual assault" focuses on the alleged victim (for purposes of rendering care and support services) and the alleged perpetrator (for purposes of holding alleged offenders appropriately accountable).

Chain of Command – Culture

- **Can sexual assault and sexual harassment in the workplace suggest a workplace climate problem?**

Over a decade of research has found that units with higher rates of problems in the workplace (sexual harassment, incivility, gender discrimination) also have higher rates of sexual assault. Military leaders must set the tone for workplaces that value dignity, respect, and inclusion of all members. This means every level of leadership has a responsibility to ensure good order and discipline, and to hold offenders appropriately accountable. Commanders must also ensure that Service members have a clear understanding of what is expected of them and the consequences for misconduct.

To better assist commanders and their leadership teams, the Department has been working to provide improved tools to detect problems, correct misconduct, and promote respect. To better identify workplace problems, the Department is revising the Defense Organizational Climate Survey. In addition, the Department is enhancing leadership training for first-line supervisors and new leaders to help them set the correct tone and address inappropriate behavior.

- **If a victim feels his or her command is not taking a sexual assault report seriously, is there anyone outside the chain of command they can or should report it to?**

Yes. A Service member may always contact their Service Inspector General and the Department of Defense Inspector General. In addition, operators at the DOD Safe Helpline can refer callers to the appropriate resources or Service representative for assistance. Members who feel that they are not being treated fairly may also contact their representative or senator in Congress for assistance.

Investigations – Prosecution – Victim Legal Assistance

- **Do Service members have to report their sexual assault to their commander?**

It depends. If a Service member makes an unrestricted report, the service member may report the allegations to their commander, or to a SARC who will then refer the matter to the commander. If the alleged perpetrator is the commander, the victim may seek to report the allegations to another superior official within the chain of command or report the allegations outside their chain of command. If the victim seeks to make a restricted report, then only those eligible to receive restricted reports may receive the details of the allegations and the commander is not notified.

- **Do military commanders investigate sexual assault?**

NO! Federal law and Department policy require commanders to provide all reports of sexual assault to the Military Criminal Investigative Organizations (Army Criminal Investigations Command, Naval Criminal Investigative Service, Air Force Office of Special Investigations) for investigation. These organizations are responsible for conducting a thorough and impartial investigation.

- **Doesn't having a commander involved in military justice decisions pose a conflict of interest?**

The ability to impose proper standards of behavior and take disciplinary action has always been viewed as a command responsibility. Inherent in that responsibility is the authority to address misconduct and offenses by subordinates and impose discipline, as appropriate, according to the available evidence in each case. Removing discipline from the commander's purview jeopardizes the commander's ability to achieve mission success because it deprives the commander of the disciplinary tools needed to maintain good order and discipline. The military justice system recognizes the distinct role of commanders and their unique ability to create a climate of mutual respect and support within their units. To do this, commanders must be given the tools to address this challenge head on.

- **Is there anyone assigned or available to accompany the victim through the judicial process other than the prosecutor?**

Personnel from the Victim-Witness Assistance Program assists the victim through the court process. The SAPR victim advocates may also assist the victim. In addition, victims of sexual assault may consult with and be represented by a Special Victims Counsel/Victims Legal Counsel, a military attorney.