

**ENCLOSURE 4:**

**National Guard Bureau**





## NATIONAL GUARD BUREAU

1636 DEFENSE PENTAGON  
WASHINGTON DC 20301-1636

04 MAR 2015

### MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

SUBJECT: 2014 National Guard Sexual Assault Prevention and Response (SAPR) Program  
Review for Department of Defense (DoD) SAPR Office Annual Report to Congress

As requested, the attached National Guard SAPR program review is provided for inclusion in the DoD Annual Report on Sexual Assault in the Military. The Fiscal Year (FY) 2014 SAPR program review details National Guard efforts to sustain and enhance program initiatives along the five lines of effort for Title 32 Service members.

The National Guard Bureau, in collaboration with The Adjutants General of the fifty states and three territories, and the Commanding General of the District of Columbia National Guard (the states) removed barriers to deliver multi-dimensional SAPR programs that are dynamic and responsive. Each state took deliberate steps to strengthen the range of their SAPR program and increased stakeholder confidence.

SAPR is an integral part of the National Guard's overall effort to support soldiers and airmen and to make available a healthy force in defense of our Nation. Leaders at every level acknowledge their collective responsibility and are fully invested in their roles to fuel the charge until we realize a National Guard free from sexual assault.

Your point of contact is Brigadier General Ivan E. Denton, Director of Manpower and Personnel, National Guard Joint Staff, at (703) 604-9540.

A handwritten signature in black ink, reading "Frank J. Grass".

Frank J. Grass  
General, U.S. Army  
Chief, National Guard Bureau

Attachment:  
As stated

## **FY14 Annual Report on Sexual Assault in the Military Executive Summary: National Guard Bureau (NGB)**

Members of the National Guard (NG) fight side-by-side in combat with the active Services; the same is true in the fight to combat sexual assault. The Chief of the National Guard Bureau (CNGB), as a member of the Joint Chiefs of Staff, is tasked with similar responsibilities as the Service Chiefs for program development and implementation. In addition to executing Federal policies and directives mandated by Headquarters, Department of Army (HQDA) and United State Air Force (USAF) for Title 10 (T10) Guardsmen, the NG incorporated the Services' guidance concurrently into its own Sexual Assault Prevention and Response (SAPR) program for members in Title 32 (T32) status.

The NG has executed a stand-alone SAPR program since 2005; the only Reserve Component (RC) to do so. Each of the fifty states, three territories, and the District of Columbia (DC) (hereinafter referred to as the "states") operates a T32 SAPR program under the authority of the governor or the mayor of DC and The Adjutant General (TAG) or the commanding general (CG) of DC (hereinafter referred to as "TAGs"). The TAG serves as the CG of the Army and Air NG units within his or her own state.

The CNGB, in coordination with Department of Defense (DoD) SAPR Office (SAPRO) and TAGs, established and implemented the following SAPR policies and procedures for T32 Guard members:

- CNGB Instruction 0400.01, 30 July 2012, and CNGB Manual 0400.01, 08 November 2012, "*Chief, National Guard Bureau Office of Complex Administrative Investigations*" (Interim Revision CNGBN 0400, 16 April 2014)
- CNGB Memorandum, 19 November 2013, "*National Guard Command Climate Assessment Policy*"
- CNGB Memorandum, 27 November 2013, "Implementation of the Joint National Guard Special Victims' Counsel (NGSVC) Program"
- CNGB Instruction 6400.01, 14 November 2013, "*Use of Defense Sexual Assault Incident Database (DSAID)*"
- CNGB Notice 0401, 24 April 2014, "*National Guard Implementation of Defense Sexual Assault Advocate Certification Program*"
- CNGB Notice 1004, 08 July 2014, "*2013 Sexual Assault Prevention and Response (SAPR) Strategic Plan*"
- CNGB Instruction 1303.01A, 06 August 2014, "*Expedited Transfer, Reassignment, or Removal of National Guard Members Due to an Unrestricted Report of Sexual Assault*"

- CNGB Information Memorandum, 02 September 2014, “*National Guard Implementation of 2014-2016 Sexual Assault Prevention Strategy*”

Policies and procedures currently being staffed include CNGB Instruction, “*Sexual Assault Prevention and Response Program*,” and CNGB Notice, “*National Guard Implementation of Sexual Assault Incident Response Oversight Report*.” Additionally, the Army National Guard (ARNG) and Air National Guard (ANG) adhere to their respective Service requirements when applicable to T32 duty status. Other factors which have an effect on factions of the NG SAPR program include the state Code of Military Justice (CMJ) and civilian law enforcement (CLE).

The CNGB’s SAPR Office falls within the Manpower and Personnel Directorate, J1, NG Joint Staff and is led by the NG-J1-SAPR Chief, who serves as the principle SAPR program advisor to the CNGB, NG-J1 Director, DoD SAPRO, and key leaders on all SAPR related issues. The office consists of nine personnel (two military, three civilian, and four contractors) and is divided into four functional areas: Strategy and Policy; Prevention and Outreach; Data Collection and System Management; and, Accountability and Assessment. Although a Judge Advocate (JA) is not assigned to the SAPR Office, a strong association exists with the Office of the Chief Counsel (NGB-JA) on matters involving the Office of Complex Administrative Investigations (NGB-JA/OCI) and the Special Victims Counsel (NGB-JA/SVC) program.

The ARNG Sexual Harassment/Assault Response and Prevention (SHARP) and ANG SAPR programs reside within the Human Resource Directorate (ARNG-G1) and Manpower, Personnel and Services (NGB/A1), respectively. The ARNG SHARP office consists of seven personnel who include: five military personnel, the SHARP Section and Assistant Section Chiefs, SHARP Non-Commissioned Officer in Charge (NCOIC), and two SHARP Instructors; and, two contractor personnel employed as the Incident Coordinator and SHARP Program Analyst. The ANG SAPR office consists of five personnel: a Branch Chief/program manager (PM); and, four military personnel to include Training Manager, Management Analyst, Incident Coordinator, and Analyst NCOIC.

At each Joint Force Headquarters-State (JFHQ-State), there is a full-time (FT) Sexual Assault Response Coordinator (SARC), who serves as the state SAPR PM and is responsible for reporting all ARNG and ANG sexual assault reports within the state to TAG. Each state is authorized a FT JFHQ-State Victim Advocate Coordinator (VAC). These positions fulfill the National Defense Authorization Act (NDAA) Fiscal Year (FY) 2012 requirement for the assignment of at least one FT SARC and FT SAPR Victim Advocate (VA) at the brigade or equivalent unit level as applicable to the National Guard structure with TAG as the Senior Commander. A collateral duty SARC and two SAPR VAs are located at each ARNG brigade and battalion level command respectively. At each wing, the ANG maintains a FT technician, whose position description includes SARC duties. This Wing SARC reports to the Wing or Vice Wing Commander and is supported by a minimum of two volunteer SAPR VAs.

When placed on T10 duty status for over 30 days, SAPR program implementation and management is assumed by the Active Component (AC). If the JFHQ-State SARC deploys, the state may hire a temporary technician, or utilize the JFHQ-State VAC to backfill the position until the SARC returns.

In order to provide the services, support, and resources necessary to meet the needs of the sexual assault victim, the NG SAPR Program collaborates with various organizations within and outside the Guard. In addition to NGB-JA, NGB-JA/OCI and NGB-JA/SVC, as mentioned previously, other partners in this effort include NG Family Programs, Office of Equal Opportunity, Director of Psychological Health and Well Being (DPH), Joint Surgeon, Joint Chaplain, and Public Affairs, along with their internal functional areas. By leveraging the Guard's unique position as a community-based organization, relationships are also forged at the state and local levels to assist in helping the victim as well as advancing the mission to educate, heighten awareness, and empower individuals to take action.

**1. Line of Effort (LOE) 1—Prevention—The objective of prevention is to “deliver consistent and effective prevention methods and programs.”**

**1.1 Summarize your efforts to achieve the Prevention Endstate: “cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault or sexual harassment is not tolerated, condoned, or ignored.”**

Major initiatives at multiple levels were implemented within the NG during FY14 in support of the prevention line of effort. The emphasis on sexual assault prevention and awareness within the NG is both top-down and bottom-up driven, and has been since the inception of the NG SAPR program. The NG fully supports the premise that education and training are essential factors in the prevention of sexual assault and endeavor to:

- Enhance awareness of the unit cohesiveness damage and victim trauma caused by sexual assault.
- Maximize prevention efforts to reduce and eliminate incidents of sexual assault.
- Train Guard members to use safe bystander intervention techniques (BIT) to help prevent offenders from committing assaults.
- Hold those who commit sexual assault appropriately accountable for their crime as a preventative measure to deter others from offending.

To meet program goals, the NG focused efforts on both unit and leader prevention training, first responder (SARC, JFHQ-State VAC, and SAPR VA) training, T32 specific curriculum review, and establishing coalitions and networks with the Services, and civilian agencies and organizations. Some of the most significant enhancements made



as a result of these efforts are described below:

- Regularly scheduled Senior Leader engagements integrated SAPR presentations and discussions into the agenda. These engagements included Guard Senior Leadership Conferences (GLSCs), Guard Senior Leader Updates (GSLUs), and Senior Enlisted Leader Forums.

These forums offered a venue for NG senior leaders to engage each other on ideas to address the unique SAPR program implementation challenges that face NG members in a T32 status. They also reinforced senior leaders' responsibility for creating a command climate of dignity and respect and to establish and sustain an environment where victims feel empowered to report sexual assaults. During the past year, other benefits gleaned from the conferences and updates included:

- Receiving National-level best practices on sexual assault prevention and intervention methods from DoD and non-DoD subject matter experts (SMEs) to decrease incidents of sexual assault.
- A forum to discuss strategies to meet the goals and training requirements for the ARNG and ANG.
- Identifying opportunities to promote SAPR social marketing and media initiatives, and community education.
- Information on how to foster prevention-related coalitions and networks resulting in memorandums of agreement (MOAs) and memorandums of understanding (MOUs) for interaction, resources, and response capabilities in an attempt to cover all regions within the states.
- Stimulating state senior leaders to conduct their own senior leader and commander engagements.

Aside from the CNGB policies, procedures and plans published, the NG's greatest assets in the prevention of sexual assault are the SAPR personnel, commanders, senior leaders, and enlisted members who reside within the states. The training, training support, activities, and events initiated and sustained by SAPR personnel within the states play a tremendous role in helping to establish a positive environment that discourages an offender from attempting to commit a sexual assault. The end state is focused efforts at multiple levels to prevent sexual assault. These efforts included, but were not limited to, active bystander intervention to help avert potential sexual assaults; Guard members willing to engage in discussions on the effects a sexual assault may have on the individual, family, friends and coworkers; and, commands developing and implementing measures to identify and remedy environmental factors that may facilitate an act of sexual assault, and to eliminate high risk behaviors.

While a greater emphasis is placed on the development of primary prevention methods and initiatives as part of the overall NG strategy to align with DoD's Prevention Initiatives, NG's current efforts to achieve the prevention end state focus on training and awareness campaigns, such as activities conducted during the 2014 Sexual Assault Awareness Month (SAAM). Many of these efforts are identified below:

- Training

- NGB T32-specific Initial SARC and SAPR VA training provided for newly assigned SARCs, JFHQ-State VACs and SAPR VAs contains a segment on Male Victimization cited by DoD SAPRO as a DoD best practice.
- The NGB T32-specific Initial SARC and SAPR VA training also includes a training block that is specific to understanding the differences between traditional risk reduction methods of sexual assault prevention and bystander intervention methods. Although risk reduction methods encourage at risk populations to be aware of potential situations that may be perceived as dangerous, the emphasis for command responsibility for reducing environmental and climate risk must be the primary focus of any risk reduction methods taught.
- Rather than relying on state SAPR Staff to conduct annual refresher training, senior leadership facilitated the training using small group instruction and open discussion based training. Emphasis was placed on commander led sexual assault prevention training, while using the SARC, JFHQ-State VAC, and SAPR VAs as SMEs.
- Individual states have developed innovative approaches to training.
  - ✓ The Alaska (AK) JFHQ-State SARC adapted a child's game to help SAPR training in the state become lively educational events with willing audience participation. During the training, the SARC asked the attendees to write down on a sheet of paper, "How sexual assault has impacted their lives." They were asked to scrunch the paper into a ball and toss it randomly around the room. One by one, these balls of paper were opened and read by the person closest to it. As these personal, anonymous writings were shared, a change in the atmosphere occurred and the participants were more willing to discuss and express empathy about the impacts of sexual assault on people's lives. This training approach helped create a level of comfort that encouraged participants, who otherwise would have remained silent during the class, to engage in a discussion about sexual assault.
  - ✓ The Colorado (CO) JFHQ State SARC and state SAPR Staff partnered with the CO Coalition Against Sexual Assault (CCASA) and conducted a two-day course, "*Strengthening Military/Civilian Partnerships*" for more than

12 CO community organizations committed to responding to elements of sexual assault. This training helped to prepare the SAPR VAs to respond effectively to many possible situations that they may face in helping victims.

✓ The Ohio (OH) ARNG, Assistant Adjutant General (AAG), took additional steps to make certain adequate sexual assault response capability was available, by increasing the number of deployable SHARP personnel to three times the state's requirement. Additionally, the state developed an aggressive state-specific leadership training curriculum to better inform leadership at each echelon. The result was the "*OHARNG Sexual Assault Prevention and Response Two-Day Leader Course*." The instructors are a mix of civilian and military sexual assault prevention and response experts, senior leadership, former company commanders, JA general officers, and sexual harassment and sexual assault survivors. The training is interactive, video and scenario-based, and structured to facilitate discussion rather than dictate and download policy.

✓ In direct support of the Iowa (IA) TAG Campaign Plan, "*Care for Soldiers, Families and Survivors*," the JFHQ-State SARC developed a Sexual Assault Training and Prevention program. The program includes policies on Officer and Non-Commissioned Officer Evaluation Reports, a "position of special trust" screening process, state sexual assault standard operating procedures (SOP), and policy tracker that provide IA ARNG leadership with an operational picture of the evolving enforcement strategies within the DoD, NGB, and IANG. This program is a collaborative effort by a Prevention Team of practitioners from the Equal Opportunity (EO) and Substance Abuse Offices.

✓ The newly hired Massachusetts (MA) JFHQ-State VAC made significant improvements in the area of awareness. The MA SAPR website was established, a SAPR distribution email, and SAPR logo was created. An awareness prevention training, "*In Her Words*," was provided for all E-7 and above to help create the sense of urgency for prevention of sexual assault and to increase risk identification and mitigation. Nationally recognized SMEs were invited to speak at the base on sexual assault.

- Awareness

- Public Service Announcements (PSAs). In FY14, more than 15 PSAs were produced and released in an effort to raise the awareness of sexual assault and availability of the DoD Safe Helpline and SafeRoom website. Below are some of the organizations who participated in this endeavor:

- ✓ Minnesota National Guard Sexual Assault & Harassment | Mentorship Moment, November 1, 2013



- ✓ Make It Safe, 108<sup>th</sup> Wing, New Jersey Air National Guard, February 22, 2014
- ✓ Alaska Adjutant General Tom Katkus Address the Alaska National Guard on Sexual Assault, March 4, 2014
- ✓ Army National Guard Command Sergeant Major discussing the new SHARP Buddy card, March 4, 2014
- ✓ North Dakota National Guard, We Believe You, March 10, 2014
- ✓ North Dakota National Guard Sexual Assault & Harassment Awareness, March 20, 2014
- ✓ Nebraska National Guard Sexual Assault Awareness Month, April 1, 2014
- ✓ NGB - On Every Front (Episode 15) – Sexual Assault Prevention and Response program, April 2, 2014
- ✓ Army NG Sexual Assault Awareness Month kickoff event, April 3, 2014
- ✓ NGB SAPR Program Chief Recognizes Sexual Assault Awareness Month, April 16, 2014
- ✓ South Carolina TAG SAPR Message, April 23, 2014
- ✓ Senior Enlisted Advisor, National Guard Bureau, addressing SAAM, April 25, 2014
- ✓ Director of the Air National Guard, National Guard Bureau, May 12, 2014
- ✓ Air National Guard Readiness Center Commander's Call and SAPR Stand Down, June 19, 2014
- ✓ National Guard Soldiers attached to the 218th Maneuver Enhancement Brigade held a "Walk a Mile in her Shoes" event, July 19, 2014
- ✓ 108<sup>th</sup> Wing, New Jersey, addressing Sexual Assault Prevention and Response Training, August 2, 2014
- ✓ Delaware Air National Guard, addressing SAPR 2014 Stand Down Day, September 7, 2014
- ✓ GX, The Guard Experience, Magazine included a full-page PSA for the

Safe Helpline Chat Room and Safe Helpline resources in three issues

- NGB and State SAAM Initiatives. To show solidarity in the goal to eliminate sexual assault within the Guard, the NGB memorandum declaring April as SAAM was signed by the CNGB, and Directors of the ARNG and ANG. The ARNG-G1 SHARP and NGB/A1 SAPR programs also held initiatives specific to their component to support SAAM. SAPR personnel at the unit and wing level within the states designed activities and special events to raise awareness and promote the prevention of sexual violence. To list all supporting events would be too exhaustive. However, events routinely supported by all states include: International Denim Day; Clothing Drives, (in many states, the clothing and toiletry items are donated to the Rape Crisis Centers throughout the states); SAAM proclamation signing by the Governor; SAAM Awareness Banners (displayed at various locations, to include state Capital Buildings); “Walk a Mile in her Shoes;” and, 5K Race to Eliminate Sexual Violence.
- The Wisconsin (WI) NG SAPR Service Dog initiative was a new concept devised to help increase outreach, approachability and awareness and to bring attention to the SAPR program within the WING. Falcon, a black Labrador Retriever, trained as a Post Traumatic Stress Disorder service dog was placed on loan from Custom Canines Service Dog Academy (CCSDA), a nationally known 501(c)3 not-for-profit organization. A MOA was established with CCSDA to provide a fully credentialed service dog to the WING full-time JFHQ-State VAC as his handler to support Guard members who were victims of sexual assault and their families. As good will ambassadors, Falcon and his handler helped raise awareness, promote outreach and served as advocates in support of victims of sexual assault.

**1.2 Describe your progress in enhancing and integrating SAPR Professional Military Education in accordance with National Defense Authorization Act (NDAA) Fiscal Year (FY) 2012 requirements.**

Members of the NG participate in their respective Service’s Professional Military Education (PME) and subsequently receive training consistent with the AC.

Responding to the unique structure and requirements for Guard members on T32 duty status, NGB is developing T32 specific SAPR training modules as a supplement to the T10 SAPR PME. With completion scheduled in FY15, the objective is to offer this training at NG training facilities, and during other special events as required and requested. The design of the T32 specific SAPR PME modules will meet the core competencies and learning objectives as specified by the requirements of the NDAA.

**1.3 Describe your progress in implementing core competencies and learning objectives for all SAPR training to ensure consistency throughout the military. If already implemented, describe how you are monitoring and assessing outcomes.**

To make certain NG SAPR personnel obtain essential knowledge of the unique requirements and specific issues surrounding SAPR procedures for NG member on T32 duty, the NG T32-specific 40-hour Initial SARC and SAPR VA Training was developed and is updated regularly to keep abreast with issuance of new policies and procedures. This course was submitted to the National Advocate Credentialing Program and DoD SAPRO in FY12 for review to determine if the curriculum met pre-credentialing requirements. The training was approved and a process was established to begin credentialing approval effective in FY13. This course was recently reviewed and approved in May 2014 by DoD SAPRO for consistency and compliance with the DoD SAPR core competencies and learning objectives promulgated by the Under Secretary of Defense for Personnel and Readiness USD(P&R), and the training standards contained in DoD Instruction 6495.02.

Outcome: This course was cited for its focus on the complexities and challenges in assisting SAPR personnel learn the nuances of executing their unique roles and responsibilities. A few of the specific benefits are listed below and reach across all LOEs.

- Better support to the victim of a sexual assault based on an understanding of resources available, and benefits for which victims are eligible based on the status of the Guard member at the time of incident. A thorough understanding of the importance of community outreach to provide additional resources and support to the victim.
- Improved “marketing” of the NG SAPR program. With an understanding of the challenges of reaching NG members who perform duty just one weekend a month and 15 days of annual training, SARCs exercised different approaches to ensure messaging was distributed using numerous forms of media.
- Improved investigative procedures with knowledge of the jurisdictional requirements based on the location in which the sexual assault occurred; the military or civilian status of the victim and subject; and, the duty status of the victim and subject at the time of the sexual assault.
- Improved legal support for the victim of sexual assault during the investigation process, and judicial proceedings with the help of the Special Victims Counsel (SVC) specific to T32 NG members.

This SARC and SAPR VA initial training program was offered on a quarterly basis at the Professional Education Center at Camp Robinson, Little Rock, Arkansas during FY14. The primary audience consisted of SARCs, JFHQ-State VACs and SAPR VAs. Trainers included staff members from the NG-J1-SAPR office, NGB-JA, selected SARCs from the states, and SMEs from various functional DoD and NGB organizations. After each day of training, the students assessed all aspects of the training conducted that day. Members of the NGB SAPR staff from the Joint, ARNG

and ANG directorates are also present to assist in evaluating the training. The critiques and recommendations are used in the re-evaluation and modification, if necessary, of the content, delivery, and overall execution of the training.

To meet the training requirements for SAPR VAs across the states, there were a number of options for Guard members. SARCs conducted the NG T32-specific 40-hour Initial SARC and SAPR VA Training as needed at the local, state or regional level. Prospective SAPR VAs enrolled in their respective Service SAPR or SHARP training as available. These options ensured SAPR personnel received training consistent with their Service requirements and in compliance with the established core competencies and learning objectives.

To meet the unit level Service-specific SAPR training requirements as specified by HQDA and USAF, the ARNG and ANG within each state executed SAPR unit level training program consistent with TAG and Service direction.

- ANG-specific training during FY14 included, but was not limited to, the following:
  - Annual SAPR training conducted in accordance with the USAF training plan.
  - Using hand-picked facilitators to conduct the specially developed training plans and materials.
  - Command Chief and Wing SARC personally spoke with airmen individually and in small groups to ask them SAPR related questions covered in training.
  - Videotaped SAPR training. All unit commanders received a copy of their training video; members who were not able to attend were required to view the training video.
  - Training rosters were recorded by the training Non-Commissioned Officers (NCOs) into a common location on SharePoint site and entered into the Advanced Distributed Learning System (ADLS) for accountability and data tracking.
  - Unit level training tracking reports were listed as a metric for quarterly reports to CNGB, TAG, and NGB leadership via the NGB SAPR GKO Dashboard.
  - Feedback was provided through numerous avenues:
    - ✓ Group facilitators were required to provide feedback on the status of small group sessions and the effectiveness of training along with any concerns or issues to include how the message was delivered.

✓ Outcomes were constantly monitored and assessed by the SARC through continual discussions with wing members, supervisors and commanders.

○ Monthly case management group (CMG) meetings presided by TAG, were held at JFHQ-State to monitor and assess case progress or concerns, and to assess training outcomes.

○ ANG Wing SARCs presented training objectives at their quarterly wing Integrated Delivery System working group and sought feedback on their compliance with DoD core competencies and learning objectives.

○ States formulated a strategic SAPR plan. SARCs supported the plan by reviewing lesson plans to ensure the training was conducted using an interactive format (role play, discussion, and exercises) and would improve the audience's knowledge base, impart a skill, and influence attitudes and behaviors. SARCs also ensured the curriculum included bystander intervention, victim empathy, consent, acceptable behavior, and healthy relationships.

• ARNG-specific training during FY14 included, but was not limited to, the following:

○ New JFHQ-State SARCs and VACs attended the 80-hour initial SHARP training in 2014, in addition to the *Joint NG T32-specific 40-hour Initial SARC and SAPR VA Training*

○ New collateral duty SAPR VAs attended the 80-hour initial SHARP training and refresher training offered in various regional locations throughout the country.

○ Online T10 training was made available for continuing education for ARNG SAPR personnel.

○ Conducted annual SHARP Refresher training for all soldiers and civilians in accordance with Army Regulation 350-1. This training incorporated the following:

✓ Bystander intervention as a standard method for primary prevention.

✓ Best practices and holistic approaches to prevention techniques.

**1.4 Describe your progress in ensuring commanders receive training on sexual assault prevention and response during pre-command courses.**

NG officers designated for a command may take the Pre-command or Commander's Course of their respective Service. SAPR training received in this course is currently consistent with program implementation within the AC.

Some officers may take the Service-specific Commander's Course, if their status as a traditional, part-time Guard member allows for more extensive course work. Currently, a T32 specific SAPR lesson is under development to ensure Guard Officers receive SAPR training on procedures and resources relevant to the T32 Guard member.

In the interim, the state leadership and SARCs communicate expectations and procedures to foster a climate free of sexual assault. State EO personnel communicate procedures and guidance on addressing any type of discrimination, including sexual harassment response and prevention. Additionally, commanders are briefed by the SARC and provided with resource materials, policy guidance and SAPR Commander's Checklist electronically, for future reference and referrals. One-on-one training is offered by the SARC for newly assigned commanders as part of their immersion training. New Commanders are encouraged to participate in any state or wing SAPR leadership course offered to further their awareness and understanding of the SAPR program.

Some states formulated their unique strategic SAPR plans, which included the development of short (five minutes or less) SAPR related messages, and presentation at formation on drill weekends. Other state specific endeavors included implementing SAPR training programs for new commanders (such as a narrated video and slide presentation) accessible through web link. This training included test questions and certificates, which were loaded into the Digital Training Management System (DTMS).

**1.5 Describe your progress in incorporating specific SAPR monitoring, measures, and education into readiness and safety forums (e.g., quarterly training guidance, unit status reports, safety briefings).**

Identified below is a list of activities to demonstrate the progress made by units within the NG in incorporating specific SAPR monitoring, measures, and education into readiness and safety forums.

- SAPR talking points were incorporated into unit events.
- ANG Recruiters received the Air Force's revised training program *Inspire, Dissuade, Detect, Deter, and Hold Accountable (ID3A)*, which emphasizes the service's core values. Many of the ANG Recruiters also participated in local SAPR VA training to stay current on trends.
- Deploying personnel and those going on temporary duty (TDY) were required to complete pre-deployment and TDY SAPR training.
- SARCs provided specific SAPR training to new recruits in the student flight and



recruit sustainment programs on available resources, procedures for reporting a sexual assault, and whom to contact if there are safety concerns.

- New commanders received a Commanders' Guide to SAPR. This guide includes a checklist to help reduce climate and environmental risks that may allow for increased sexual assault perpetration.
- Direct access to SAPR information on unit websites and educational materials were readily available and offered to all members.
- Newly assigned members received SAPR information during in-processing and quarterly newcomer briefs.
- SAPR discussions, trainings and briefings were common and integrated into weekly, monthly, and quarterly meetings as appropriate.
- SARCs provided SAPR updates to Commanders on techniques and actions to increase safety, and reduce risk within their command.
- CMG meetings were held at both the state and some wings to ensure continuum of care for NG victims.
- Some state SAPR programs instituted a risk analysis process, and developed a video that included messages on personal safety measures, personal wellness, SAPR, and resiliency.
- Multiple wings held an ANG SAPR Commander's Call during FY14 in conjunction with Safety Down Day.
- EO and SAPR programs used the "Continuum of Violence" model to illustrate how sexual violence may escalate from lesser to greater forms of sexual, such as sexual harassment to sexual exploitation to rape.
- By expanding Brigade Combat team positions to include women, increased safety training was provided to those units gaining women in those roles.

**1.6 Describe your progress in exploring expansion of SAPR training to include Recruit Sustainment Programs, Student Flight Programs, and for National Guard prior to arrival at Basic Training.**

Within the NG, recruiters are included in all education and awareness programs and are encouraged to participate in the SAPR VA training or attend their recruiting-specific SAPR training. Each month, NG SARCs conduct SAPR training to newly assigned recruits at the Newcomers' Orientation, and to recruits in Student Flights and the Recruit Sustainment Program (RSP). This training raised awareness and provided the

definitions of sexual harassment and sexual assault, reporting options, prevention techniques, bystander intervention, victim assistance options, NG SAPR policy and their respective Service SAPR policy. All new recruits meet with their SARC and receive additional SAPR training prior to leaving for Basic Military Training (BMT).

**1.7 Describe your efforts to establish and implement policies that prevent individuals convicted of a Federal or State offense of rape, sexual abuse, sexual assault, incest, or other sexual offenses, from being provided a waiver for commissioning or enlistment in the Armed Forces.**

Per FY14 NDAA, a person who has been convicted of a felony (Federal or State) may not be processed for commissioning or enlistment in the Armed Forces. This information was distributed to states by NGB-JA. The ARNG and ANG follow the AC Army and Air Force regulations that prohibit individuals convicted of a Federal or State sexual offense felony from enlisting or commissioning in the NG. Recruiters follow those policies that prohibit convicted offenders from becoming a member of the NG.

The ANG recruiters adhere to ANG Instruction 36-2002, *“Enlistment and Reenlistment In The Air National Guard and as a Reserve of the Air Force.”* If convicted by civilian court of law for a felony or a Category 4 offense, potential recruits are ineligible to enlist in ANG. Waivers are not granted for these offenses. All enlistees are required to complete the NGB Form 3621, *“ANG Eligibility Checklist for Enlistment, Reenlistment, or Extension.”* All ANG applicants must provide a legal history in addition to the background check.

ARNG Recruiters follow established guidelines per AR 601-210, which do not allow convicted sex offenders from joining the unit. ARNG recruiters conduct police background checks using DD Form 369 *“Police Record Check”* to determine if an individual has been charged or convicted of any violations. Waivers are not granted for these offenses.

**1.8 Describe your progress in establishing a transition policy that ensures Service member sponsorship, unit integration, and immediate assignment into a chain of command. If already established, describe findings and recommendations.**

The NG is often described as the “Guard Family.” Whether the individual is a brand new recruit, or a member who is transitioning from one unit to another, both the ARNG and ANG have specific measures in place to provide sponsorship and ensure new members are fully integrated into their unit and chain of command. These measures help reduce possible vulnerability from being new to a unit, and aid in establishing a secure and safe integration into the unit.

Within the ANG, the Wing SARC briefs new recruits at Student Flight training as a way of introducing the SARC and the SAPR program. New ANG members are paired with a more senior individual within their gaining section to provide support and assist in

increasing comfort in the new unit and answer questions. The ARNG unit readiness NCO assigns a sponsor for each new member entering the unit after completing initial entry training. The relationship is fostered from initial enlistment and continues through BMT and, in some cases, well into the member's career. Meeting the unit's chain of command is included as part of an In-Processing checklist for the new member for both the ARNG and ANG. Both programs are highly successful, allowing incoming members to be fully engaged with the unit prior to training and when transitioning back to the wing after completing BMT. Each new ANG member is required to attend SAPR training at newcomer's briefing. The Newcomer's briefings provide information on where to find support, such as the DPH, SARC, Airmen and Family Readiness Program, and Chaplains. The briefings also provide a forum for personnel new to the installation, such as transfers, to ask questions and receive guidance.

**1.9 Describe your progress in ensuring commanders conduct an organizational climate assessment within 120 days of assuming command and annually thereafter. Include policy for providing results to the next level in the chain of command.**

CNGB Notice, 08 July 2014, *"2013 Sexual Assault Prevention and Response (SAPR) Strategic Plan,"* identified commanders, first line supervisors at all levels, and Equal Opportunity Practitioners (EOPs) as the offices of primary responsibility to develop, conduct and assess command climate surveys within 120 days of assuming command and annually thereafter. Further, CNGB Memorandum, *"National Guard Command Climate Assessment Policy,"* November 19, 2013, directs EOPs to provide the results and analysis of command climate assessments to the commander or leader requiring the assessment and the commander or leader at the next level in the chain of command within 30 days after receiving the assessment results.

CNGB Instruction, *"Sexual Assault Prevention and Response Program,"* currently in staffing, establishes TAGs responsibility to verify that commanders conduct a command climate assessment within 120 days of assuming command. This instruction also establishes the policy for the results of the command climate survey to be provided to the next level in the chain of command.

- Within the National Guard the climate assessment program is managed by the component-specific military EO Officer. The organizational climate assessments are conducted by EO within 120 days of the new commander's assumption of command. Providing results of the climate survey to the next level of command is handled slightly differently within the two components.
- Within the ANG, areas identified as challenges for a functional organization in the Wing are given as action items to the Community Action Information Boards (CAIB). Incorporating the CAIB into the action plan to address the findings of the climate assessments has been beneficial in helping leadership address concerns. The Wing SARC collaborates with EO when referring cases of Sexual Harassment complaints, per NG Regulation (NGR) 600-21, *"Equal Opportunity Program in the*

*Army National Guard*", and NGR 600-22, "*National Guard Military Discrimination Complaint System*." The SARC receives SAPR data collected on completed climate assessments.

- Within the ARNG, results of the survey are addressed in an action plan that helps leaders identify areas of concern within a unit. The JFHQ-State SARC and the State Equal Employment Manager work together to assess and address results of the ARNG climate surveys.

Using the Command Climate Survey, some states' SAPR personnel collaborated with numerous NG functional offices within their state to include Suicide Prevention Program Manager, Alcohol and Drug Coordinator Officer, DPH, Financial Management Awareness program, Resiliency Officer, Chaplain, Staff Judge Advocate (SJA) and command staff to develop a commander feedback process that included wrap-around services to Guard members in units identified as those with challenges. Additionally, services such as Strong Bonds, Strong Choices (a researched-based drug and alcohol prevention program), and customized training led by the SARC, were scheduled for the unit. A group of trained and specially selected NCOs and SMEs, "boots on the ground," conducted a "walk-through" on unit training assembly weekends to give Guard members the opportunity to speak to them and to receive assistance as needed.

**1.10 Describe your progress in establishing a clear policy to reduce the impact of high-risk behaviors and personal vulnerabilities to sexual assaults and other crimes against persons (e.g., alcohol consumption, barracks visitation, transition policy). Include efforts to collaborate with law enforcement, alcohol and substance abuse officers, and etc.**

CNGB Notice, 08 July 2014, "*2013 Sexual Assault Prevention and Response (SAPR) Strategic Plan*," identified the commanders, and first line supervisors at all levels as the offices of primary responsibility to establish and implement policies to reduce the impact of risk behaviors and personal vulnerabilities to sexual assault and other crimes against persons.

CNGB Instruction, "*Sexual Assault Prevention and Response Program*," currently in staffing establishes TAGs responsibility to hold commanders responsible for developing and implementing policy for mitigating high-risk behaviors, reducing personal vulnerabilities, and establishing a safe environment.

- TAGs are the senior commander within each state responsible for establishing policy to mitigate high-risk behaviors and personal vulnerabilities. Policies are posted on every bulletin board and online websites for each Service.
- Examples of additional efforts: Wing and Brigade commanders published alcohol policies regarding safe consumption of alcohol and zero tolerance on driving under the influence. ANG policies were supported by the Airman Against Drunk Driving and Wingman programs. SARCs collaboration with Force Protection

Officers to determine areas of high-risk or off-limits areas in their community; and, additional member training opportunities through use of the Air Reserve Component Network (ARCNet) system.

- Guard members were also provided education from Strong Bonds, JFHQ-State SARC, JFHQ-State VACs, Wing and Brigade SARCs, Victim Advocates, Commanders, and Supervisors on healthy relationships, mutual dignity and respect, and obtaining consent for sexual activity.

#### **1.11 Describe your progress in implementing the 2014 Department of Defense Sexual Assault Prevention Strategy.**

In response to the 2014 DoD Sexual Assault Prevention Strategy, the CNGB Information Memorandum, 02 September 2014, “*National Guard Implementation of 2014-2016 Sexual Assault Prevention Strategy*” was developed.

Outcome: The information memorandum identified the steps taken toward integration of accountability, community involvement, communication, deterrence, incentives, training, education, and harm reduction within the NG SA prevention strategy. These steps included:

- *Dedicating* a NGB-level SAPR staff member to align the Guard’s prevention approach to the DoD Prevention Strategy.
- *Improving* training delivered to NG leaders, SAPR and SHARP personnel. The NG is in the process of developing T32-specific Commander SAPR training for its Brigade, Battalion and Company level commanders for the ARNG and Wing, Group and Squadron level commanders for the ANG. Specific prevention training is also being reviewed and updated for presentation at the quarterly GLSCs.
- *Training* all Guardsmen on BIT, tactics, and procedures. The NG is in the process of reviewing and updating its BIT training taught originally as a part of the *NG T32 Initial SARC and SAPR VA course*. This training will be incorporated into policy as required annual training for all Guard members.
- *Improving* Male Victimization-Prevention and Response. NG SAPR has engaged contracted SMEs to create prevention and outreach materials targeting male victims of military sexual trauma (MST) to increase reporting and reduce incidents. The total support package will include public service announcements, training material and command messaging. The ultimate goal is to compile and share current best practices for messaging and outreach to men regarding sexual assault victimization.
- *Increasing* the dissemination of NG “best prevention practices” across the States. The NG is engaging the states regularly, through the use of the Sexual

Assault Prevention and Response Advisory Council (SAPRAC), located at the regional and national levels, to identify sexual assault prevention promising practices for elevation to the federal level for nation-wide implementation. A specific site was dedicated on Guard Knowledge Online (GKO) for states to upload information on all of their existing practices. This information, in turn, can be viewed by all others who have GKO access, such as SARCs, JFHQ-State VACs and SAPR VAs. Other avenues to share these practices are being explored.

- *Improving* NG investigation and accountability LOEs. The NG is developing Guard-specific investigation metrics to provide state-level visibility on offender accountability with the intent to deter the occurrence of incidents through accountability actions. Through coordinated efforts with TAGs, key state leaders, NGB-JA, and State SJAs, the NG is developing a process to capture the outcome of sexual assault cases involving Guard members. GKO is the venue that will be utilized to capture and provide visibility of investigative measures.
- *Soliciting and incorporating* professional civilian and military expertise into the development of unique research-based prevention methods and program enhancements. The NG Prevention Lead will be the point of contact for this effort.
- *Analyzing* data on SAPR program effectiveness to target areas for improvement. The NG will continue the detailed analysis of the multiple data sources to better identify SAPR related trends, inform the effectiveness of their efforts, and to serve as a guide to target areas for improvement.
- *Addressing* sexual assault issues in a holistic approach, relying less on isolated training events and moving toward adapting SAPR messages into other organizational programs and areas of responsibilities.
- *Partnering* with local and county agencies and organizations, and institutes of higher education to lead SAPR initiatives in our communities. The SAPRAC will be the vehicle to compile and disseminate the best practices regarding partnerships, MOUs and MOAs with community agencies, and colleges and universities in the States. They will operate through its regional representatives to identify trends and elevate best practices regarding college engagements. The goal is to strengthen the NG leadership role in their communities and encourage partnership with colleges and universities to reduce, with the goal of eliminating, incidents of sexual assault.
- *Reviewing and recommending the creation of new policies* regarding alcohol use and other substance abuse concerns as they relate to sexual assault prevention.



### **1.12 Describe your efforts to increase collaboration with civilian organizations to improve interoperability.**

The citizen-military duality is the essence of the National Guard and is the foundation for our success. As a community-based organization with wings in every state and armories in over 3,000 communities, the NG is able to establish innumerable relationships in the fight against sexual assault along all five lines of effort. Identified below is a sampling of the relationships developed within the states. Many of these relationships include endeavors that cover several LOEs.

- Kentucky (KY) National Guard SAPR Office has established relationships with the following:
  - Kentucky Association of Sexual Assault Programs (KASAP) - a coalition of 13 Rape Crisis Centers across Kentucky.
  - KY Sexual Assault Response Team (SART) Advisory Committee – The KY SART advisory committee was established by KY Revised Statute 403.707. This multidisciplinary committee is made up of Executive Directors from a variety of agencies across the state (State Police, Rape Crisis Centers, State Crime Lab, Directorate of Nursing, Crime Victims Compensation Board, Victim Information and Notification Everyday (VINE), etc). It works to develop a model protocol for operation of SART teams in the state, recommends changes in statute, administrative regulation, training, policy, and budget to promote a multidisciplinary response to sexual assault. The KYNG SARC is part of the committee.
  - Additional relationships made within Kentucky include: Victims of Crime Act, Grant Review Committee; KY Office of the Attorney General; KY Crime Victims Compensation Board; KY SART Violence Against Women Act Grant Review Committee; and, KY VINE.
  - KY Universities and Colleges.
    - ✓ KY State University – Provided training to future service providers at the request of the professor.
    - ✓ Morehead State University – Provided the plenary speaker at the 2<sup>nd</sup> Annual Prevention Conference in Morehead, KY, discussing the KYNG SAPR program initiatives for improved services for military survivors of sexual assault and their family members.
    - ✓ Lindsey-Wilson College – Participated in “Take Back the Night” event to raise awareness in their community and on campus.
    - ✓ Asbury University – Presented a 90 minute workshop entitled “*Sexual*

*Trauma Impacting Military Families: Programs, Services, Challenges and Considerations*” for the inaugural “*Collaborations Impacting Traumatized Youth*” conference sponsored by KASAP.

✓ Murray University – Participated in events during SAAM and provided information to the cadets at the Reserve Officer Training Corps program.

- California Military Department (CMD) Sexual Assault Review Board (SARB) collaborated with the California state legislative liaison and participated in hearings to educate the state legislature on MST. The result was a bill recently signed into law that mandates referral of sexual assault allegations for investigation to the civilian law enforcement.
- Delaware (DE) SARC became a member of the Sexual Assault Network of Delaware (SAND). Coordinating with local, state and federal agencies, the DE SARC, MAJ Estelle Murray, provided uniformed training, resources and support for survivors of sexual assault. As a member of SAND, she works with other agencies such as the Sexual Assault Nurse Examiner committee, Criminal Justice Council, Delaware Department of Justice, Delaware Department of Corrections, Delaware Police Departments, local crisis organizations and other public and private organizations whose collaborative efforts help to raise awareness of sexual assault.
- Illinois (IL) SAPR staff supported the Health and Disabilities Advocate sponsored MST Behavioral Health Workshops. Conducting two workshops previously in FY12, the SAPR staff helped to conduct three workshops in FY14 in the Chicago area, Shiloh Armory and Camp Lincoln. These workshops were open to everyone, with members of the military attending free. Coordination is underway to conduct three workshops in the upcoming FY, to include one at Camp Lincoln on 3 April 2015 in conjunction with SAAM.
- The “*Strive to Thrive in Your College Years*” event was an effort coordinated by the Department of Social Services (Youth and Family Services), with the support of the Town of East Hampton, Connecticut Board of Education, the Connecticut NG SEEM, the East Hampton Chief of Police, and the Connecticut JFHQ-State SARC. The “*Strive to Thrive*” initiative was created to promote awareness among incoming freshmen. The JFHQ-State SARC’s presentation included the following topics:
  - Individuals most at risk for sexual assault.
  - Getting comfortable about having uncomfortable conversations.
  - Those most at risk are young people between the ages of 18 and 24.
  - The prevalent use of alcohol in sexual assaults.
  - Most sexual assaults are committed by someone you know.

- The Five “Is” of sexual assault - Invasion, Ignoring, Intoxication, Instincts and Isolation.
- Barriers to intervening, pluralistic ignorance, diffusion of responsibility, the importance of stepping up, the use of a buddy system and having an exit plan.

School districts in Portland and Newfield; University of Connecticut, Quinnipiac University and Southern Connecticut State have all requested the JFHQ-State SARC to present a similar presentation to their students.

- Idaho (ID) Coalition Against Sexual & Domestic Violence coordinates and organizes services and resources throughout the state. JFHQ-State SAPR personnel frequently partnered with them to provide training, outreach, and project collaboration.
- Idaho Victim Advocate Academy – This local resource provided training to members of the IDNG SAPR staff.
- New Hampshire (NH) National Guard SAPR office staff has established relationships with the following:
  - NH Department of Justice
  - NH SART - Based on their growing relationship, the JFHQ hosted the 2014 New Hampshire SART Summit. Members of the SAPR Staff are sitting members on five county SARTs.
  - NH Attorney’s General Office – The SAPR office staff has worked with this office for the past three years. The NH SAPR Office presented at the annual Conference on Child Abuse, Sexual Assault, and Human Trafficking.
  - University of NH, Prevention innovations – SAPR Office Staff collaborated with the university to present a lesson on bystander intervention strategies.
  - NH Coalition against Domestic and Sexual Violence
- North Carolina (NC) National Guard has established relationships with the following organizations: NC Coalition Against Sexual Assault; NC Coalition Against Domestic Violence; and, NC Victim’s Assistance Network’s Practitioner’s Certification program.
- Rhode Island (RI) National Guard SAPR relationships:
  - Rhode Island Day One Collaboration. The RING SAPR Staff established an MOU with RI Day One in 2010 and is invited to present at all Law

Enforcement Advocate In-Service Training classes. This training provides community advocates with an awareness of the NG SAPR program. Similarly, Day One SMEs are invited to conduct classes for the RING.

- RI Coalition Against Domestic Violence (RICADV). RING SAPR Staff established a MOU with RICADV in 2010. Members of the Coalition help in presenting the 40 hour initial training, joint refresher training classes, and annual training classes for the RING.

- Coalition partners, RI Vet Center MST, Veterans Administration Hospital MST and RING SAPR staff continuously collaborate and assist each other in treatment, best practices and knowledge sharing to increase advocacy and support for victims

- RING JFHQ-State SARC was invited to participate in Grand Rounds at Memorial Hospital, Providence RI in partnership with doctors from the Veterans Administration Hospital to brief on Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF) and Operation New Dawn veterans: Grand Rounds are an important teaching tool that consists of presenting a medical problem and discussing treatment options so healthcare professionals can keep up to date on evolving areas.

- RING JFHQ-State SARC participated in numerous “Lunch and Learn” sessions to help update Veteran Affairs Regional Office personnel, specifically Raters, on the current SAPR initiatives within the military. This forum was also used to gain insight on the information and documentation they would need to process a victim’s claim. Additionally, RING SAPR Program staff was made available for support to survivors who have compensation and pension benefits appointments.

- South Carolina (SC) SAPR Program relationships include:

- Supported the Sexual Trauma Services of the Midlands in hosting a golf tournament to raise awareness for victims of sexual trauma in the Midlands.

- SC SART local agencies in the Columbia SC area. Composed of agencies to include: Richland County Sheriff’s Department, Columbia Police Department, Ft Jackson SHARP, Palmetto Richland Sexual Assault Nurse Examiners, and Campus Police from various colleges and universities within Columbia, etc.

- SC Coalition Against Domestic Violence and Sexual Assault. The JFHQ-State SARC along with Shaw Air Force Base SARC conducted MST training with the agency.

- Texas (TX) National Guard SAPR Program relationships include:

- An MOU with TX Department of Public Safety to store Sexual Assault Forensic Exam (SAFE) kits for 5 years.
- TXNG is collaborating with Governmental Affairs for a change in Texas law that recognizes privileged communication in a civilian court between Military Victims and Military Victim Advocates.
- Rape Crisis Centers throughout the country – SAPR staff have helped to raise awareness and to provide local information.
- State Coalitions Against Sexual Assault
- State and regional SART meetings – Opened doors and cooperation with SANEs, law enforcement, District and US Attorney’s offices, Victim Witness Specialists and other VAs.

**1.13 Describe your future plans for delivering consistent and effective prevention methods and programs, including how these efforts will help your Service plan, resource and make progress in your SAPR program.**

The NG is aligning its prevention approach with the DOD Prevention Model to reach all of the spheres of influence to provide the means and ways to detect, influence, and deter sexual assault. Specific joint and service component efforts will include:

- Increasing the focus on training prevention methods, developing strategies for cultural change, enforcing standards, and defining how leaders may align command climate with NG cultural values to create a culture of prevention.
- Exploring the increased use of “Green Dot” violence prevention training and using the methods and processes from this training to increase the primary prevention efforts to deter violence before it occurs. The “Green Dot” training uses surveys to document measureable prevention techniques, which are shared as best practices.
- Continuing the integration of prevention methods through communication of the techniques during the Air National Guard Ancillary Training Program.
- Implementing the components of the “I. A.M.” campaign that leverage Army values and Warrior Ethos to drive soldiers to Intervene, Act, and Motivate. The strategy is to achieve cultural change for preventing sexual harassment and sexual assault.
- Increasing the use of small group discussion to educate Guard members, guide leadership, and discourage offenders in an effort to reinforce a positive climate.

- Partnering with all first responder functional elements within SAPR to conduct a needs assessment. Possible use of external SMEs to provide perspectives and understanding about how offenders operate and how victims process the trauma as a result of being assaulted.
- Encouraging SARCs to continue to reach out to local rape crisis centers and other resources to help provide relevant VA skill development and information on local resources available for victims of sexual assault.
- Ensuring certified individuals are serving as SARCs, JFHQ-State VACs, and SAPR VAs.
- Promoting command emphasis on the SAPR program by conducting Commander's Call prior to all SAPR training, providing commander briefs, newcomer briefs, and continuing to complete required annual SAPR training.
- Continuing the delivery of SAPR messages in a personal manner - Face-to-face and frequent interaction with all members.
- Discharging members of the National Guard convicted of a sexual assault promptly.
- Reviewing training updates to ensure all changes and additions are incorporated as appropriate into the *NG T32 Initial SARC and SAPR VA* training program.
- Increasing the collaboration with Public Affairs to deliver consistent and effective messages.
- Maximizing the use of social media to increase awareness and promote effective and diverse SAAM activities.

## **2. LOE 2—Investigation—The objective of investigation is to “achieve high competence in the investigation of sexual assault.”**

### **2.1 Summarize your efforts to achieve the Investigation Endstate: “investigative resources yield timely and accurate results.”**

As a T32 entity, the NG does not operate a military criminal investigative organization (MCIO). Therefore, in July 2012, NGB established NGB-JA/OCI under the NGB-JA as an investigatory resource. The primary mission of this office is to investigate sexual assaults that occur within the States, but outside the jurisdiction of MCIOs, declined for investigation by CLE, or are not sufficiently investigated by CLE. NGB-JA/OCI investigations were typically conducted by three-person investigative teams, which included at least one lawyer. For FY 15 the OCI teams will be reduced to two, with one investigator of the same gender as the victim. The NGB-JA/OCI investigative reports



yield thorough results and provide the state leadership with actionable findings and evidence.

In FY14, 36 investigations were initiated pursuant to TAG requests for assistance. Investigations were conducted as soon as possible, based partly on the availability of witnesses and investigators. In April 2014, to improve reporting and handling of reports of sexual assaults, NGB mandated the referral of all Unrestricted Reports of sexual assault involving non-federalized members of the NG to the appropriate investigative agency. This policy required NG commanders to first refer such reports to law enforcement with jurisdiction over the crime, and if law enforcement declined to investigate, then to NGB-JA/OCI. The policy also allowed referrals of cases to NGB-JA/OCI, which law enforcement did investigate, but not sufficiently for the Command's purposes (for example, law enforcement did not prosecute or did not conduct a thorough enough investigation for the State Command to use for appropriate administrative action).

One-hundred and sixteen specially recruited NGB-JA/OCI investigators have been trained at the Special Victim Unit Investigator Course at the U.S. Army Military Police School at Fort Leonard Wood, Missouri. To maintain currency, these investigators also participate in annual refresher training at NGB. To enhance its investigative capabilities and to achieve consistency in the procedures conducted by the AC MCIOs, NGB-JA/OCI is currently in the process of purchasing special investigative equipment similar to that used by MCIOs to facilitate its investigations.

## **2.2 Describe your progress in implementing Special Victim Capability for MCIO's.**

Sexual assaults that occur while NG members are in a T32 status do not typically fall under the jurisdiction of an MCIO. As a result, the Guard cannot fully implement the Special Victim Capability as defined in 10 U.S.C. § 1561.

Nevertheless, NGB-JA/OCI was built to provide TAGs with a similar capacity of specially trained professionals to investigate sexual assaults within the NG. NGB-JA/OCI investigators are hand selected by the Chief Counsel's staff. The investigators are chosen for their prior experience or expertise as a judge advocates, paralegals, or civilian law enforcement or special investigative backgrounds. NGB-JA/OCI has grown rapidly since its creation in August of 2012, from the original staff of three to a FT staff of 22 personnel, which includes 17 investigators, and an available pool of over 100 specially trained NG investigators.

## **2.3 Describe your progress in implementing Special Victim Capability case assessment protocol for open and closed sexual assault, child abuse, and serious domestic violence cases.**

As stated above, NGB-JA/OCI investigates adult sexual assault, not child abuse or domestic violence. Cases are assessed by determining first whether the victim or the reported perpetrator is a NG member. If so, did the event occur while in T10 status

(i.e. will the MCIO take jurisdiction)? If no MCIO jurisdiction, was the case referred to civilian law enforcement? If so, was the CLE action sufficient for DoD's purposes? Closed cases are not re-assessed automatically; however, they could be if the referring State requested it. To date, no such requests have been made.

Cases involving child abuse and serious domestic violence cases are investigated and handled by state and local child protective authorities and civilian law enforcement.

**2.4 Describe your progress in enhancing training for investigators of sexual violence. Include efforts to establish common criteria, core competencies, and measures of effectiveness, and to leverage training resources and expertise.**

All NGB-JA/OCI investigators must complete core training at the Sexual Assault Unit Investigations Course at the US Army MP School at Ft Leonard Wood, MO and annual refresher training at NGB, which is refined every year based on lessons learned and new policies and procedures. As additional funds become available, selected investigators will attend other training events and conferences. In terms of measuring effectiveness, all investigations are reviewed and approved by NGB-JA/OCI leadership. Issues raised during the review stage are addressed directly with investigators. NGB-JA/OCI leverages expertise inherent in the National Guard by recruiting investigators who already have relevant legal backgrounds (including civilian prosecutors and defense counsel) and those with investigative experience (including police and detectives).

**2.5 Describe your progress in developing joint doctrine for investigations to incorporate Service interoperability and command independence consistent with authorities of MCIOs in the operational/institutional environment.**

CNGB Instruction 0400.01 and CNGB Manual 0400.01, which cover NGB-JA/OCI authorities, requests and procedures, are joint publications applicable to both the ARNG and ANG. NGB-JA/OCI also developed internal SOPs for its investigators, who are members of the ARNG and ANG.

**2.6 Describe your progress in sustaining the Defense Enterprise Working Group of Military Criminal Investigation Organizations and Defense Criminal Investigative Service to assess and validate joint investigative technology, best practices, and resource efficiencies benched against external law enforcement agencies.**

As a T32 entity without MCIOs, the NG has no experience with the Defense Enterprise Working Group of Military Criminal Investigation Organizations and Defense Criminal Investigative Service. However, NGB-JA/OCI, Air Force Office of Special Investigations (AFOSI), and Army Criminal Investigation Command (CID) have plans to stand up a working group to explore ways to maximize resources and enhance information sharing. This will allow the MCIOs to pass information regarding NG-related incidents directly to NGB-JA/OCI.

**2.7 Describe your progress in assessing and coordinating with the United States Army Criminal Investigation Laboratory to improve investigative support and facilitate evidence processing.**

When forensic evidence is available and identified, NGB-JA/OCI will first attempt to coordinate with state or local law enforcement to collect and analyze. When the state is unwilling or unable to accommodate the request, NGB-JA/OCI may coordinate directly with the Army Criminal Investigative Division for investigative analysis. Additionally, NGB-JA/OCI, AFOSI and CID are standing up a working group to share forensic expertise.

**2.8 Describe your progress in ensuring that all sexual assault crimes are immediately reported to MCIOs to establish investigative oversight and coordination.**

CNGB Notice 0400, 16 April 2014, "*Interim Revision to CNGB Series 0400.01*," established the mandate for all NG sexual assault incidents to first be reported to MCIOs, if applicable, then to CLE. When required, based on lack of jurisdiction or declination to investigation by the MCIO and CLE, TAG will request investigatory assistance from NGB-JA/OCI. This policy was briefed to senior leaders during the GSLU and will remain a topic of interest in future training venues.

Additionally, in response to the DoD 2013 SAPR Strategic Plan task to "Establish NGB measure for tracking referrals for investigation of Unrestricted Reports of sexual assault to an MCIO, CLE, or NGB-JA/OCI," NG-J1-SAPR and NGB-JA identified investigation and accountability measures. These measures are being developed for reporting and display on GKO SAPR Dashboard. NG-J1-SAPR collaborated with the NGB Strategic Management Systems staff members to develop the system processes for these metrics. Process instructions are being established to ensure consistency in reporting. Once these processes are established, the NG will begin collecting state investigation and accountability-data. This will enable our ability to ensure all reports of sexual assault are being processed and followed through to their completion.

**2.9 Describe your progress in ensuring prompt MCIO investigative notification to commanders and SARCs concurrent with initiating an investigation of a sexual assault crime.**

In the absence of a MCIO in the NG, this is not applicable.

However, TAGs refer cases to NGB-JA/OCI, which closely coordinates with the State Command prior to and during the investigation process. Pursuant to CNGB Manual 0400.01, each NGB-JA/OCI investigation into a sexual assault includes a read-in with TAG (or designee), State Chief of Staff, JFHQ-State SARC, State JA Point of Contact (POC), State Public Affairs (PA), and select staff as needed, upon arrival at JFHQ.

**2.10 Describe your continuing efforts to foster early coordination between investigators and judge advocates when initiating a sexual assault investigation.**

As a community-based organization, the NG relies heavily upon MOUs and MOAs to establish the relationship between the NG and a specific organization. Although differences may exist within each state and locality, the use of MOUs and MOAs with civilian and military agencies and organizations are strongly encouraged. This specifically includes CLE, state attorney generals, and other investigative or judicial entities. Additionally, SARCs maintain a relationship with State JA personnel to assist in monitoring an investigation conducted by CLE or MCIO. In the event, NGB-JA/OCI is requested by TAG to investigate the sexual assault, NGB-JA/OCI investigators coordinate directly with the State SJA POC prior to and during the sexual assault investigation.

**2.11 For Unrestricted and Restricted Reports, describe your efforts to ensure sexual assault documentation (DD Forms 2910 and 2911) is retained for 50 years in accordance with Section 1723 of the NDAA for FY14.**

Consistent with the requirement as established in Section 1723 of the NDAA for FY14, NG SARCs were instructed to maintain sexual assault documentation under double lock and key security measures at the JFHQ-Stat and Wing levels, as appropriately required by TAG policy guidance. A signed DD Form 2910 is scanned and maintained in DSAID when an Unrestricted Report is elected. All DD Forms 2910 electing a Restricted Report are maintained under double lock by the SARC. In all cases, a copy of the DD Form 2910 is provided to the victim and maintained for 50 years.

For those cases involving an investigation by NGB-JA/OCI, the originals of these forms are kept at the State level, while copies are maintained by NGB-JA/OCI. Special servers with limited access are being purchased for NGB-JA/OCI to assist in complying with the required recordkeeping.

Typically, NG sexual assault victims are referred to civilian medical treatment facilities, where DD Forms, specifically DD Form 2911 "*DoD Sexual Assault Forensic Exam Report*" is not used.

**2.12 Describe your efforts to increase collaboration with civilian organizations to improve interoperability.**

As stated previously, the NG relies heavily upon MOUs and MOAs to establish relationships with agencies, organizations, and facilities for specific purposes. These MOUs and MOAs are always reviewed by the State SJA for legal sufficiency, and may be initiated by the SARC, State SJA, medical personnel, JFHQ-State VAC, or other SAPR related personnel between the NG and a specific organization. These MOUs and MOAs are always reviewed by the State SJA for legal sufficiency.

As it relates to investigations, when CLE is initially involved in a case that NGB-JA/OCI is investigating, the NGB-JA/OCI investigators and State SJA POCs routinely collaborate with them to obtain police reports and other evidence. When NGB-JA/OCI uncovers evidence that may impact how law enforcement might handle a case, it encourages the State to provide that evidence to help ensure criminal accountability where appropriate.

### **2.13 Describe your future plans for the achievement of high competence in the investigation of sexual assault.**

NGB is working to establish NGB-JA/OCI as the program of record to ensure it is properly staffed and resourced with fully qualified investigators to meet the needs of the sexual assault victims. Additional management and oversight structures are being implemented within NGB-JA/OCI, including the establishment of mid-level managers and dedicated legal reviews, to ensure high quality investigations and reports. NGB-JA/OCI leadership is also seeking additional training opportunities to augment the current required training for NGB-JA/OCI investigators and is actively recruiting investigators and judge advocates with demonstrated experience in the field of sexual assault investigation and prosecution.

At the state level, SAPR personnel will continue to conduct outreach operations and establish relationships through MOUs and MOAs with CLE agencies. SARCs will continue to cross-feed information with the State SJAs on new developments and best practices within the SAPR community.

### **3. LOE 3—Accountability—The objective of accountability is to “achieve high competence in holding offenders appropriately accountable.”**

#### **3.1 Summarize your efforts to achieve the Accountability Endstate: “perpetrators are held appropriately accountable.”**

The NG is faced with unique challenges to achieve the goal of holding sexual assault perpetrators appropriately accountable for their actions. The first challenge, being able to properly investigate a report of sexual assault, was overcome with the creation of the NGB-JA/OCI. Thorough investigations conducted by the NGB-JA/OCI investigators and the resulting report, offer state leaders the information necessary to initiate administrative action in order to hold the offender appropriately accountable.

The Uniform Code of Military Justice (UCMJ) is not applicable for Guard members in a T32 duty status. Consequently, the NG must rely on CLE to investigate and prosecute offenders under existing state criminal statutes covering sex crimes for its cases that occur when the member is not in a federal status. Each state has its own CMJ, which may vary considerably from state to state. Many SARCs have become interested in their state’s CMJ and working are with State JA and state legislative liaison staff to examine and review any proposed state sexual assault legislation that may involve actions or legal issues related to the NG’s SAPR program within the state. A number of states have revised their legislation or mandated a more extensive review. For

example:

- The CMD SARB worked with state legislative liaisons and participated in hearings to help educate the state legislature on MST. The team collaborated on California Military Sexual Assault legislation Senate Bill 1422, signed by Governor Edmund G. “Jerry” Brown Jr. on 21 August 2014. This bill:
  - Removes investigations and prosecutions of military sexual assault cases from the Chain of Command and requires cases of sexual assault involving Guard members of the CMD to be subject to the jurisdiction of local civilian authorities. The CMD includes the NG, State Military Reserve, the California Cadet Corps, and the Naval Militia.
  - Prohibits a convening authority from overturning a conviction for a qualifying sexual assault offense issued by a general court-martial.
  - Requires the convening authority to dispose of cases on appeal in accordance with the decision of the Courts-Martial Appellate Panel. Under the bill, no statute of limitations would apply for a member of the active militia to be charged with a qualifying sexual assault offense when subject to the jurisdiction of the military court.
  - Requires the punishment for a conviction of any of the specified offenses to be issued as directed by the general court-martial, and to include, at a minimum, dismissal or dishonorable discharge.
  - Requires the CMD to report on or before 1 July of each year to the Governor, the Legislature the Senate Committee on Veterans Affairs, the Assembly Committee on Veterans Affairs, the Attorney General, and the United States Attorneys in California regarding the federal government’s activities relating to sexual assault prevention and response.
- The IA state Legislature passed a bill that prohibits IANG commanders from interfering with sexual assault victims’ right to report incidents involving members of the Guard to civilian law enforcement officials. After passing the Senate on a 47-0 vote and the House on a 94-0 vote, the bill was signed by IA Governor Terry E. Branstad on 3 April 2014. This bill:
  - Makes it a state court-martial offense if a member of the state military interferes with or retaliates against a member who makes or intends to make a report of certain serious crimes (murder, robbery, sex abuse, etc.) that are under the exclusive jurisdiction of civilian courts to civilian law enforcement. This offense takes place if the accused and victim were subject to the IACMJ at the time of the offense.
  - Makes it a court-martial offense if a member of the state military fails to

cooperate with or obstructs a civilian law enforcement investigation based upon a report of an offense mentioned above.

- Requires a commander, who is made aware of an allegation that a crime the civilian courts have exclusive jurisdiction over has been committed by a member of the state military forces against another member, to report it without delay to civilian law enforcement. In a case of an allegation of sexual abuse, the commander's obligation to make this report to civilian law enforcement does not apply in the case of a restricted report as defined by federal military regulations.
  - Details that if the allegation is of sexual abuse, the commander is required to provide the person making the allegation with written notice of the person's right to notify local civilian law enforcement independently (but the commander is still required to notify civilian law enforcement if the report was unrestricted).
  - State's military members retain the right to notify civilian law enforcement of crimes that civilian courts have primary or exclusive jurisdiction over.
  - Requires TAG to submit an annual report to the Governor and the Veterans' committees in each chamber of the number of offenses that are under the primary or exclusive jurisdiction of civilian courts that were reported to civilian authorities.
- Maine (ME) Revised Statutes - Title 37B: Defense, Veterans and Emergency Management – Chapter 5: Maine Code of Military Justice – added subsection on Sexual Assault.

In 2012, the MENG identified the need for sexual assault offenses to be specifically included in Title 37-B Chapter 5, the MECMJ. Language similar to Articles 120, 125 and 134 of the UCMJ were drafted for submission and enacted by the legislature in 2013. Unrestricted Reports of sexual assault are referred to the civil authorities for investigation and adjudication; however, the Maine NG maintains capabilities in addition to or in lieu of a District Attorney's actions.

- Maine Chapter 66, Legislative Document 1504, 126th Maine State Legislature, Resolve, Directing TAG of the State to Ensure the MECMJ Addresses Sexual Trauma in the Military.

As requested in Legislative Document 1504, TAG's Office conducted an assessment of the MECMJ and the provisions of the FY13 NDAA in order to determine if there are gaps in adequate prosecution and proper treatment of sexual assault victims.

- Review of Kentucky Code of Military Justice (KYCMJ).

During a review of the KYCMJ, all statutes pertaining to sexual assault within Title V –

Military Affairs, Chapter 35, Military Justice were identified as being repealed in 1970. The JFHQ-State SAPR Office worked with the State SJA office to add new statutes covering this during an update of the KYCMJ. Two sections, 681 and 690, "*Rape and sexual assault generally*" and "*Other sexual misconduct*" respectively, were introduced into the legislative process and approved with zero dissenting votes and became effective on 25 June 2013. Section 681 clearly defines the act of each type of sexual assault, removing any possible ambiguity. It also defines "consent" and the conditions under which it can or cannot be given.

During CMG meetings, every effort is made to ensure CLE are included in the meeting to discuss the ongoing investigation. Attendance by the State SJA is also critical for the proper management of cases which many go to prosecution.

The remaining factor in achieving this end state of holding perpetrators appropriately accountable is gaining the trust and confidence in the sexual assault victim. Without the election of an Unrestricted Report, there is no investigation. The NG continues to raise awareness of everyone's responsibility to help eradicate sexual assault and to hold the subject appropriately accountable for their actions.

### **3.2 Describe your progress in implementing a special victims' advocacy/counsel for victims.**

The NG SVC Program was developed to institute legal support available to T32 NG victims of sexual assault. Per FY14 NDAA, eligibility to receive SVC services was limited to NG members sexually assaulted while in a federalized status. Consequently, most NG members and eligible dependents did not meet the requirements to receive SVC services from active duty Service SVC Programs.

CNGB recognized this inequity and in November 2013, directed the NGB-JA to establish a NG SVC Program. The intent of the program is to ensure all NG members and eligible dependents, who are victims of sexual assault, receive the same level of legal support as the AC. The SVC program consists of a cadre of specially-trained JAs, who represent a client's interests on issues arising as a result of the sexual assault.

With funding for the resource authorized by DoD SAPRO, the NGB-JA/SVC was quickly created and tasked with the responsibility to stand up the NG SVC Program. In light of the complexity of establishing a national SVC program to support NG sexual assault victims in the States, a phased approach was developed. This approach allowed the program to immediately respond to existing SVC requests, and to design a sustainable plan to gradually grow the NG SVC Program.

- Policy Development (December 2013 to June 2014).

During Phase I and II of program development, one of NGB-JA/SVC's priorities was to develop SVC policy and practice documents that addressed the unique challenges



facing NG members and NG SVC. They closely coordinated its training, policy and programmatic development with the Service SVC Programs and The Judge Adjutant Generals (TJAGs) throughout the phases of program development. Through this coordination, the Services modified policy to ensure Guard members and eligible dependents who are victims of sexual assault could receive SVC services provided by NG SVCs.

The CNGB Instruction and CNGB Manual for the NG SVC Program, providing fundamental policy statements and SVC rules of practices, respectively, are currently undergoing internal review. Until their approval, NGB-JA/SVC continues to provide policy guidance to practicing NG SVCs with SOPs on areas such as client consultation, legal trainings, and template documents on issues concerning privacy protection, record requests, and requests for expedited transfer. They also host weekly conference calls with Regional NG SVCs as a forum for peer-to-peer learning, professional development, and accountability checks.

- Manpower Development.

NGB-JA/SVC coordinated and met its training requirements by partnering with the Army and AF SVC certification courses. To address the NG policies and unique challenges facing the T32 Guard member, they provided an NG curriculum and instructors for the NG JAs participating in the certification course. Following successful completion of this course, NGB-JA/SVC coordinates with the Army or AF SVC PM to ensure the Service TJAG properly certifies the NG JAs as SVCs.

To date, 94 trained NG SVC are present in 43 of the States. Of the 94 trained SVC, 11 were selected to serve as NG Regional SVCs on full-time, NG duty (T10, and Active Duty Operational Support (ADOS)-RC orders). The full-time Regional NG SVCs provide sustained legal support to allow sexual assault clients to focus on recovery. NGB-JA/SVC was able to recruit NG Regional SVCs by leveraging expertise and diverse legal experiences within the NG SVC community. NG Regional SVCs are seasoned attorneys who have served as civil litigators, state prosecutors, or civilian defense attorneys, in addition to being NG JAs. Additionally, NG Regional SVCs have extensive experience in advising individual clients or executive-level leadership in military or civilian settings.

Since the inception of the NG SVC program, NG Regional SVCs have experienced a high volume of cases laden with complicated legal issues. The amount of work to resolve these cases would require a legal assistance attorney to invest work hours extending well beyond a normal drill schedule and annual training days.

- Operational Status.

The NG SVC Program reached its operational status on 15 May 2014. Within two months of this date, NG Regional SVCs were collectively representing 43 cases addressing a myriad of cross-cutting legal issues, such as military criminal investigation

and prosecution (court martial), administrative investigation and case disposition, line of duty determination for NG victims of sexual assault, expedited transfer requests, and protection of privacy. NG SVC program staff was also monitoring seven NG cases supported by Army and AF SVCs.

**3.3 Describe your progress in ensuring those who are affiliated with the special victim capability program (paralegals, JAGs, Judges, special victim counsel/victim legal counsel, and victim-witness assistance personnel) receive specialized SAPR training for responding to allegations of sexual assault.**

The NG special victim capability program primarily includes the NGB-JA/OCI investigators and SVCs. Training programs are established for each of these categories.

NG-JA/OCI investigators must complete their core training at the 2-week Sexual Assault Unit Investigations Course at the US Army Military Police School at Ft Leonard Wood, MO. Annually, the OCI investigators are required to attend refresher training conducted at NGB. This training includes instruction on the appropriate techniques for interviewing victims of sexual assault.

Regional SVCs attend initial certification and child advocacy trainings provided by the Service SVC Programs. During the initial months of assuming their duties, Regional SVCs participate in the NG 40-hour initial training for SARCs and SAPR VAs, to become fluent with DoD and NGB SAPR policies, programs, and resources. Furthermore, Regional SVCs will be attending legal assistance training at the Army Judge Advocate General's Legal Center and School. Regional SVCs are also provided with opportunities and funding to attend legal trainings conducted by State NG judge advocates, SARCs and SAPR VAs, and regional trial defense counsels.

The NG SVC Program further provides Regional SVCs with a three-day, intensive legal training focusing on legal issues that are unique to NG members. The legal training sessions are led by military and civilian victim attorneys who are subject matter experts in the area of Federal and State criminal and administrative disposition of sexual assault cases. Regional SVCs also participate in weekly conference calls with NG SVC program staff and SMEs to discuss challenging legal issues, professional responsibilities, best practices and lesson learned. Regional SVCs routinely receive policy guidance on the provision of SVC services and professional consultation from NG SVC program staff.

**3.4 Describe your progress in ensuring that if a service member is convicted by court-martial or receives a non-judicial punishment or punitive administrative action for a sex-related offense, a notation to that effect shall be placed in the service personnel record.**

The ARNG and ANG adhere to their respective Service administrative publications for placing a notation in a Guard member's personnel record to document the member's

conviction by court martial or receipt of non-judicial punishment or punitive administrative action for a sex-related offense.
<b>3.5 Describe your progress to expand the availability, sequencing, and scope of commanders' legal courses (e.g., range of command legal authorities and options). Include how you are assessing course outcomes.</b>
Relevant courses are made available by the active duty Services JAG schools. The NG is provided quotas to attend.
<b>3.6 Describe your effort to ensure the withholding of initial disposition authority in certain sexual assault cases from all commanders who do not possess at least Special Court Martial Convening Authority and who are not in the grade of O6 or higher.</b>
Not applicable to NG on T32 duty status.
<b>3.7 Describe your efforts to ensure SAPR first responder knowledge of MRE 514 (Victim Advocate-Victim Privilege).</b>
Not applicable. MRE 514 does not apply to Title 32 NG, although some States may have a corollary privilege for SAPR VAs under individual state statutes and therefore may be included as part of their State Military Codes. Those states, if they conduct courts martial, would need to train as necessary for SAPR VAs.
<b>3.8 Describe any treatment or rehabilitation programs implemented by your Service or Component for those members who have been convicted of a sexual assault. Include any pertinent referrals such as drug and alcohol counseling, or other types of counseling or intervention.</b>
<p>The NG does not possess the capabilities to offer specific treatment or rehabilitation programs for those T32 members convicted of a sexual assault.</p> <p>However, it is the responsibility of the Commander to ensure the welfare of the subject. Resources within the NG may include the Chaplain, DPH, and SAPR personnel. These individuals will be able to provide the Guard member with a list of community, county or state programs which may be able to offer them assistance.</p> <p>If the Guard member is also a Federal Technician, assistance may be obtained from the Employee Assistance Program, which may result in a referral to drug and alcohol counseling and other intervention programs.</p>
<b>3.9 NGB, describe how you are ensuring that all investigations are being referred to the NGB-JA/Office of Complex Investigations.</b>
CNGB Notice 0400, signed in April 2014, established the mandate for all NG sexual

assault incidents to first be reported to MCIOs, if applicable, then to CLE. When required, based on lack of jurisdiction or declination to investigation, by the MCIO and CLE, TAG will request investigatory assistance from NGB-JA/OCI. This policy was briefed to senior leaders during the GSLU and will remain a topic of interest in future training venues.

**3.10 Describe your efforts to increase collaboration with civilian organizations to improve interoperability.**

As in the case of the collaboration between NGB-JA/OCI investigators and State SJAs with CLE and the civilian judicial system, members of the NG SVC program also maintain a close working relationship with these organizations. MOUs and MOAs may be developed as appropriate to establish specific roles and responsibilities.

SAPR personnel play a tremendous role in community outreach to improve interoperability. Many states have established MOUs and MOAs with various organizations in support of different facets of the SAPR program. In many states, SAPR personnel have collaborated in community efforts, which included CLE and members of the judicial system, as well as support agencies, to raise awareness of sexual assault within the community. The extent of the NG's collaborative efforts and relationship building with the community, local, regional and state, is unmatched within the military. Although sexual assault prevention and victim advocacy may be the primary focus areas when establishing relationships, such as local rape crisis centers, Victim Witness Assistance Programs, domestic abuse organizations, and local hospitals and clinics that will perform sexual assault forensic exams, efforts focus on those areas where there is an indication of a specific need.

**3.11 Describe your future plans for the achievement of high competence in holding offenders appropriately accountable.**

Accountability rests with the individual States under available state legal authorities. However, NGB-JA/OCI will highlight the special training received by the NGB-JA/OCI investigators and demonstrate the effectiveness of the program. State SJA trainings to enhance their understanding of the NGB-JA/OCI program will be maintained. Additionally, utilizing case or potential case investigations to help in the socialization process between NGB and the states will be maintained. The efforts of the NGB-JA/OCI will be a focus at GSLCs to ensure TAGs and the command are aware of the requirement to request an investigation by NGB-JA/OCI investigators when CLE do not investigate or when their investigation failed to lead to prosecution. Instead of just closing a case because CLE may have, the States can assess the value of having NGB-JA/OCI administratively investigate the report of sexual assault. The ensuing investigative report may potentially provide additional information that would enable the commander to take administrative action. An action that might not have been an option if based solely only on a CLE report or position, may be available through findings from an NGB-JA/OCI investigation. Additional training of NGB-JA/OCI investigators will continue annually and intended to result in better investigations.

Better trained investigators and more thorough investigations may lead to stronger cases and thus, a greater level of accountability as appropriate.

Within the states, each TAG follows established policy and laws which include clear direction on offender accountability. Commanders and senior leaders support the policies of the CNGB and TAGs. Additionally, in many states, SAPR personnel and State SJA provide briefings on the precedence set on the conviction of offenders of sexual assault or the administrative actions taken upon them based on the state CMJ.

The strong emphasis from senior leaders to ensure sexual assault offenders are held appropriately accountable for their actions, demonstrates the importance of working closely with the investigators, whether military or civilian, throughout the judicial process. Using the CMG effectively to manage each report of sexual assault is critical to the success of the SAPR program. The CMG meeting minutes are captured on the restricted NG SAPR GKO website.

**4. LOE 4—Advocacy/Victim Assistance--The objective of advocacy/victim assistance is to “deliver consistent and effective victim support, response, and reporting options.”**

**4.1 Summarize your efforts to achieve the Advocacy/Victim Assistance Endstate: “high quality services and support to instill confidence and trust, strengthen resilience, and inspire victims to report.” Include responsibilities established in DoDI 6400.07, enclosure 2.**

The NG is committed to providing the best care and support possible for victims of sexual assault. To accomplish this objective, the NG takes a multi-dimensional approach. At the grass roots, SAPR personnel are provided with T32-specific Initial SARC and SAPR VA training developed by NGB to address the unique requirements for providing care and support within the states’ T32 construct. This course meets the core competencies and objectives as developed by DoD and pre-credentialing requirements of National Organization for Victim Assistance (NOVA), addresses the standards for victim assistance personnel specified in enclosure 2, DoD Instruction 6400.7, November 25, 2013, and equips NG SAPR personnel with the knowledge and tools necessary to function in the T32 community-based environment. As a result of this T32-specific training, NG SAPR personnel are better prepared and more competent in providing the care and support to victims of sexual assault who may have fewer resources available to them than their active duty counterparts. To compensate for these resources inherent to the AC, the NG relies upon the relationships built with its community partners. These relationships are extremely important as many assets and resources available to the AC are only available to NG members when they are federalized. The end result is the victim of a sexual assault feels confident in the response to their needs and more comfortable in knowing they are being provided the highest level of care and support available to them.

The ARNG SHARP and ANG SAPR PMs systematically monitor and track the initial training and credentialing of their SAPR personnel, as well as the fulfillment of the

annual refresher training requirements necessary for maintaining certification. All states are required to track the status of required annual SAPR training within every unit in their state and report data to their respective Service PMs.

The NG continued to establish partnerships with state, county and local community resources to help provide qualifying events and training opportunities that can be utilized for recertification of SAPR personnel. These collaborative efforts not only provide opportunities for high quality, specialized victim advocate skills training, but often help to identify and establish additional resources available for NG victims of sexual assault. An example is the partnership created with the ID Coalition Against Sexual and Domestic Violence and the ID Victim Assistance Academy.

- Members of the ID SAPR Office frequently partner with the Coalition to provide training, outreach and project collaboration. The Coalition coordinates and organizes services and resources throughout the state to provide comprehensive care to victims.
- Members of the ID SAPR team are trained members of the Academy. The Academy is a unique academic opportunity involving multi-disciplinary professionals learning and leading together to better serve the needs of ID crime victims and is held every two years.

One of the major initiatives to come to fruition in FY14 was the establishment of the NG SVC program. In November 2013, the CNGB directed the NGB-JA to establish a NG SVC Program. During the December 2013 GSLC, NGB Chief Counsel briefed senior leaders on the SVC Program available in the AC, explaining how the program provides legal representation and advice to Guard members facing legal issues arising out of reported sexual assault. As this program was unavailable for T32 NG members, Chief Counsel presented information on the NG SVC Program that was under development. The briefing included a discussion on the requirement to establish this capability in the NG as mandated by the NDAA for FY13 and the 14 August 2013, Secretary of Defense (SecDef) Memorandum, *"Sexual Assault Prevention and Response."* The ideal structure for the SVC program, SVC requirements and qualifications, and scope of responsibilities were also reviewed. Further, senior leaders were briefed that the Joint NG SVC representation will be available to all NG victims of sexual assault. At the time of this presentation, Minnesota and Wisconsin were in the process of developing their own state's SVC program.

- **Wisconsin National Guard Special Victims' Counsel Program, October 2013.**

Wisconsin's TAG, Major General Donald P. Dunbar, was determined to make the message clear, "There is no place for sexual assault in the Wisconsin National Guard." The WI TAG was also adamant about extending the services and support provided to WING members serving on T32 or state active duty who are sexually assaulted by another Service member. Based on a program that was piloted by the

AF, WI became the first state in the nation to implement the SVC program for its Guard members. The program provides a JA licensed to practice law in WI to help the victims, who file an Unrestricted Report, navigate the investigatory and military justice processes. Both the WI Army and Air NG assigned a senior JA to serve as a SVC. The SVC advocates for the victim's best interests, and as such, may help empower the victim to continue cooperating with the investigation and prosecution of the alleged assailant.

- **Minnesota (MN) National Guard Special Victims' Counsel Program, December 2013.**

The MNNG became the second state to provide special legal counsel for victims of sexual assault. The MNNG hired a JA to serve as an SVC. The individual possessed experience in both military and civilian trial practice to help guide victims through the often time long and difficult process to bring an offender to justice.

- **Establishment of NG Special Victims' Counsel Program, May 2014.**

- Although the establishment of a SVC program was a mandate for the Military Services, the CNGB directed like services be available to Guard members who were victims of sexual assault. Through additional funding support from DoD SAPRO, NG SVCs are now available for eligible victims of sexual assault to provide confidential legal representation related to issues that may arise as a result of being sexually assaulted. A *"Notification of National Guard Special Victims' Counsel Services"* was distributed to inform the states of the following services the SVC may provide:

- ✓ Legal representation and advocacy on issues related to the military criminal or administrative disposition of the sexual assault, such as attending interviews with military investigators and military trial and defense counsels, participating in courts martial and assisting with drafting victim impact statements.
- ✓ Referral to Trial Defense Service or Area Defense Counsel for collateral misconduct, if necessary.
- ✓ Advice to client on personal civil legal affairs that have a direct nexus to the sexual assault.
- ✓ Advice to client on filing an expedited transfer requests, requesting military and/or civilian protection orders and obtaining records related to the sexual assault investigation or case disposition.
- ✓ Traditional legal assistance services.
- ✓ Individuals eligible for NG SVC assistance include: NG members on

T10 or T32 duty status, on SAD with a NG Nexus, not in a duty status but with a NG Nexus, Dual-Status Technician with a NG Nexus, and dependents of NG members if either the Service or the NG has jurisdiction over the alleged perpetrator.

- The SVC program consists of a cadre of specially-trained JAs, who represent a client's interests on issues arising out of the sexual assault. The NGB-JA/SVC was quickly created and tasked with the responsibility to stand up the NG SVC Program. In light of the complexity of establishing a national SVC program to support NG sexual assault victims in the States, they developed a phased approach. This approach allowed the program to immediately respond to existing SVC requests, and to design a sustainable plan to gradually grow the NG SVC Program.
- The NG SVC Program reached its operational status on 15 May 2014. Since then, NGB-JA/SVC has received positive feedback from many senior leaders, military prosecutors and investigators, and clients. The Regional SVCs were commended on their excellent legal acumen, quality of legal representation, and professional, yet unyielding, legal advocacy. Since becoming fully operational, the NG SVC Program has experienced a 47 percent monthly case increase, equating to 20 new cases per month. This rate of increase is indicative of the strong confidence in the legal services provided by Regional NG SVCs and their positive reputation.
- In order to build the appropriate program infrastructure, NGB-JA/SVC conducted a series of assessments. To project the manpower needs for the phased approach, they evaluated the number and characteristics of NG sexual assault reports from FY09 to FY13, against Army and Air NG force strength. Based on information gleaned from the assessments, it was determined that a regional breakdown of the States, comparable to the Federal Emergency Management Agency and defense counsel regions, would support the most effective use of human and financial resources. These regions include Northwest, West, Midwest, South-Central, Upper Midwest, Southeast, East and Northeast.
- NGB-JA/SVC studied the characteristics of the NG sexual assault cases, focusing on the duration and intensity of legal support required, lessons learned and best practices reported by Service SVC programs, and feedback from the NG JA community. Based on this information, a centralized SVC program, similar to the AF SVC program structure, was developed to serve the States. In this structure, the full-time NG Regional SVC is situated within a state of the assigned region under the direction of the NGB-JA/SVC. This program infrastructure properly addressed potential challenges in resource support, SVC service accessibility, utilization, and programmatic accountability, as well as preserving the independence of the SVC legal representation.



- **Improvements to Victim/Survivor Services and Resources Available.**

Members of the NG SAPR Staff within the states continued to be creative, innovative and resourceful in their quest to provide quality support and resources for victims of sexual assault.

- Colorado SARC was instrumental in the creation of the CO NG Joint Services SART. This is a partnership between three DoD programs and include Buckley Air Force Base, the 140<sup>th</sup> Fighter Wing, CO ANG and JFHQ-CO ARNG. Through this team, military members receive care and services of seven SARCs, Alternate SARCs, and JFHQ-State VAC and 75 (AC, NG and Reserves) D-SAACP certified civilian and military victim advocates.
- CMD SARB initiative: CMD SAPR VAs are provided support kits containing references, resources, checklists and forms necessary for a rapid response.
- State specific SA Response Checklist. Idaho developed a state specific checklist for the SARCs and SAPR VAs to use when working with a survivor of sexual assault. The checklist helped to assure survivors are provided the best care possible.

Although the NG possesses organic medical assets, their availability and capability to respond to victims of sexual assault in a timely manner is very limited while in T32 status. Capitalizing on the available assets within the community, many of the states have established MOUs or MOAs with local medical treatment centers, local hospitals, college and university medical clinics, rape crisis centers, and other facilities already prepared to respond appropriately to a victim of sexual assault. Every attempt is made to include the requirement for a SAFE conducted by a SANE or a member of the medical staff trained to conduct a SAFE in the MOU or MOA.

#### **4.2 Describe your progress in allowing Reserve Component Service members who are victims of sexual assault while on active duty to remain on active duty status to obtain the treatment and support afforded active duty members.**

NG members who are sexually assaulted while on T10 duty status fall under the responsibility of the AC Service. Procedures to retain the Guard member on active duty for the purpose of obtaining treatment and support are executed by the Service.

However, at the victim's request, the ARNG and ANG will coordinate with the respective Service and follow policies and procedures as specified to ensure that Guard members, who were victims of sexual assault while on active duty, are afforded the opportunity to remain on active duty orders to receive the appropriate medical care and support.

Through coordination between the AC SARC and appropriate FT JFHQ-State SARC or Wing SARC, the NG takes every measure to ensure continuity of care is provided to

Guard members returning to T32 duty status from active duty status.

**4.3 Describe your progress in ensuring that a member of the Reserve Components who is a victim of sexual assault by another member of the Reserve Components has timely access to a Sexual Assault Response Coordinator.**

NG SARCs follow the processes and procedures outlined in DoD Instruction 6495.02. As the only RC with its own stand-alone SAPR program, the NG established policies and procedures for responding to victims of sexual assault in the NG. To ensure knowledge of resources available, each state developed its own communication plan to disseminate specific information on its program, identification of SAPR personnel, contact information, basic procedures for reporting a sexual assault, and other relevant information, as well as posting the Safe Helpline number through multiple media.

Specific instructions are provided in CNGB instructions and manuals regarding the responsibilities for the commander of the victim and the subject. Checklists are also provided for commanders in these specific roles. Additionally, all unit members are provided annual SAPR training, and pre-deployment and post-deployment SAPR briefs, which include information on who to contact in the event of a sexual assault.

When a sexual assault occurs while the Guard member is on T10 status, the applicable Service will establish the procedures to ensure the victim has timely access to a SARC. NG SARCs work closely with all Service SARCs as necessary to ensure continuity of care for Guard members returning from active duty. All NG members are provided the cellular telephone number of the SARC to ensure a timely response is provided to the victim of a sexual assault.

**4.4 List the total number of full-time SARC/SAPR VAs serving at brigade or equivalent level. If not at 100%, describe your efforts to achieve 100% fill.**

Each of the states has a FT JFHQ-State SARC. This position may be filled by a member of the ARNG or ANG. Each JFHQ-State is now authorized a FT JFHQ-State VAC to assist the JFHQ-State SARC in a number duties. FT SAPR personnel currently assigned to the JFHQ-State positions include:

JFHQ-State SARCs (Technician) = 46  
JFHQ-State SARCs (AGR) = 4  
JFHQ-State SARCs (ADOS) = 2  
JFHQ-State SARCs (Civilian) = 0

VACs (Technician) = 42  
VACs (AGR) = 2  
VACs (ADOS) = 3  
VACs (Civilian) = 0

The ANG currently has (84) personnel assigned as FT SARCs and (84) additional duty

Alternate SARCs at the wing level. In most cases, the primary wing SARC is the Wing Executive Support Officer (WESO) and performs their SARC duties in addition to other assigned duties. Additionally, there are at least two SAPR VAs assigned at each wing. FT SAPR personnel currently assigned within the ANG include:

Primary SARCs (Technician) = 67  
Primary SARCs (Active Guard Reserve [AGR]) = 15  
Primary SARCs (Drill-Status Guardsmen [DSG]) = 2  
Primary SARCs (Civilian) = 0

Alternate SARCs (Technicians) = 50  
Alternate SARCs (AGR) = 11  
Alternate SARCs (DSG) = 16  
Alternate SARCs (Civilian) = 7

VAs (Technician) = 137  
VAs (AGR) = 169  
VAs (DSG) = 79  
VAs (Civilian) = 7

**4.5 Describe what measures have been taken by your Service to ensure that Service members are informed in a timely manner of the member's option to request a Military Protective Order (MPO) from the command of assignment. Include documentation that requires law enforcement agents to document MPOs in their investigative case files, to include documentation for Reserve Component personnel in title 10 status.**

All NG SAPR personnel receive instruction during the T32 Specific Initial SARC and SAPR VA training on how to interview a victim of sexual assault and the completion of the DD Form 2910, "*Victim Reporting Preference Statement*". When explaining the items in section 1d, "*Other Important Considerations for Unrestricted and Restricted Reports*," SAPR personnel are trained to provide additional information to the victim on requesting a MPO, Civilian Protective Order (CPO), or both. Some states and wings have established checklists or internal Standard Operating Procedures for their SAPR personnel to use while they are interviewing the victim to ensure all items are discussed and processes described.

Within the CNGB Manual currently being developed, procedures are provided regarding the issuance of a MPO and CPO. As part of these procedures and during the CMG meetings, the appropriate law enforcement agency is provided with the MPO and CPO documentation to include in the investigative case file. In most cases, this will either be CLE or NGB-JA/OCI, as previously indicated, a MCIO does not exist in the NG.

**4.6 Describe your efforts to establish processes for reviewing credentials,**

**qualifications, and refresher training for victim-sensitive personnel positions. Describe your Service's process to address inappropriate behavior demonstrated by those in victim-sensitive personnel positions. Include process for revocation of certification if appropriate.**

As part of the NG SAPR metrics maintained on GKO, ARNG and ANG SAPR PMs submit a monthly report to NG-J1-SAPR on the status of SAPR personnel relating to mandatory initial and refresher training and Defense-Sexual Assault Advocate Certification Program (D-SAACP) certification. These reports are a compilation of the reports sent to the applicable PM from the JFHQ-State and Wing SARCs.

CNGB Notice 0401, 24 April 2014, "*National Guard Implementation of Defense Sexual Assault Advocate Certification Program*," provides the procedures and requirements for obtaining, renewing, and revoking D-SAACP certification. NG-SAPR staff reviews all D-SAACP certifications of NG personnel and interacts with NOVA, if needed to suspend or revoke certifications based on inactivity, change in eligibility to serve as a SARC or SAPR VA, or misconduct through the process described in the CNGB Notice 0401. The process as described in CNGB Notice 0401 is as follows:

b. Revoking D-SAACP Certification. Before revoking certification, a commander (defined as the first O6-level officer in the SARC, JFHQ-State VAC, or SAPR VA chain of command; or supervisor at the grade of GS-15, for SARCs, JFHQ-State VACs, or SAPR VAs in technician status) must meet these NG standards:

(1) On receipt of a complaint, the appropriate commander will:

(a) Ensure a timely and appropriate inquiry is conducted.

(b) Notify the SARC, JFHQ-State VAC, or SAPR VA in writing that a complaint has been received, an inquiry has been initiated, and their authority to perform SARC, JFHQ-State VAC, and SAPR VA duties is suspended until reinstated by the responsible commander.

1. Complaints Made Against Technicians. Consult the Human Resources Office (HRO) and State JA before notifying the SARC, JFHQ-State VAC, or SAPR VA, to ensure any additional procedural requirements are appropriately addressed prior to and during the inquiry.

2. Complaints Made Against Non-technicians. Consult State JA before notifying the SARC, JFHQ-State VAC, or SAPR VA to ensure procedural requirements are appropriately addressed prior to and during the inquiry.

(c) Notifying appropriate stakeholders.

1. Inquiries Involving SARCs. Notify the ARNG or ANG SAPR PM; the SAPR program office then notifies NG-J1-SAPR.

2. Inquiries Involving JFHQ-State VACs or SAPR VAs. Notify the supervisory SARC; the SARC then notifies the ARNG or ANG SAPR PM, and the SAPR program office then notifies NG-J1-SAPR.

(d) Report any and all allegations of unrestricted reports of sexual assault (to include attempts) to the appropriate MCIO or civilian law enforcement agency.

1. Inform TAG or the CG of the District of Columbia NG of all unrestricted reports declined by the MCIO or local law enforcement for considered referral to the NGB-JA/OCI.

2. Refrain from conducting internal command directed investigations on sexual assault (specifically, referrals to appointed command investigators or inquiry officers) or delaying immediate contact of the responsible law enforcement agency while attempting to assess the credibility of the report.

(2) The inquiry process will follow established adverse action, administrative inquiry, or investigative NG procedures (for example, NGB-JA/OCI or command-directed investigation for non-sexual misconduct allegations, or technician inquiries in accordance with reference d) to determine whether the D-SAACP certified SARC, JFHQ-State VAC, or SAPR VA has completed one or more of the actions outlined in Attachment 4, paragraph b, of reference a, or otherwise failed to maintain suitability requirements in accordance with NG-specific guidance.

(3) If the commander finds, in consultation with HRO and State JA, there is a preponderance of evidence to support the allegation, the commander will then determine whether to suspend or revoke the D-SAACP certification.

(4) The commander will immediately notify the SARC, JFHQ-State VAC, or SAPR VA in writing when suspending or revoking a D-SAACP certification and provide a copy of the notification to the ARNG or ANG SAPR PM. This letter must include the following:

(a) Effective date of suspension or revocation of certification.

(b) Grounds for suspension or revocation, including the specific misconduct, ethical violation, substandard performance, professional or personal impairment, or the reason the commander lost faith and confidence in the SARC, JFHQ-State VAC, or SAPR VA to perform assigned duties.

(c) Direction for SARC, JFHQ-State VAC, or SAPR VA to surrender their D-SAACP certificate and wallet identification card to the first person in the chain of command or supervisor within 24 hours of receipt of the letter.

(d) Description of the SARC, JFHQ-State VAC, or SAPR VA's right to appeal the decision to suspend or revoke certification in accordance with NG appeals procedures in paragraph 5.e.

(5) Upon receiving the commander's letter, the recipient SAPR PM immediately forwards a request to suspend or revoke the SARC, JFHQ-State VAC, or SAPR VA's D-SAACP certification, as well as a copy of the commander's letter, to NG-J1-SAPR.

(6) Upon receiving the SAPR PM's request, NG-J1-SAPR immediately will:

(a) Notify DoD SAPRO to take appropriate action to suspend or revoke D-SAACP certification.

(b) Take action to suspend or revoke access to DSAID.

(7) The commander provides a written report to the ARNG or ANG SAPR PM, as applicable, within three business days of concluding an inquiry. The report must document:

(a) Complaint received.

(b) Facts surrounding the complaint.

(c) Findings made during the inquiry process.

(d) Commander's decision to sustain, suspend, or revoke the SARC, JFHQ-State VAC, or SAPR VA's D-SAACP certification.

(8) Upon receiving the commander's written report, the SAPR PM will forward the report to NG-J1-SAPR.

(9) NG-J1-SAPR may initiate or continue the revocation process when the commander fails to seek revocation once a violation is identified; NG-J1-SAPR must coordinate with TAG or CG. If necessary, TAG or the CG may request an investigation by NGB-JA/OCI.

c. Non-Punitive Certification Closure. SARC, JFHQ-State VAC, or SAPR VA certification may be closed in a non-punitive manner by command when the SARC, JFHQ-State VAC, or SAPR VA:

(1) Submits a written request for closure.

(2) No longer serves in the role of SARC, JFHQ-State VAC, or SAPR VA.

(3) No longer is supervised in the role of SARC, JFHQ-State VAC, or SAPR VA.

d. SARC, JFHQ-State VAC, and SAPR VA Self-Reporting. NG personnel performing the duties of a SARC, JFHQ-State VAC, or SAPR VA will immediately self-report if involved in an incident that would invalidate their current National Agency Check (NAC), Service suitability, or commander or supervisor recommendation.

(1) SARCs. SARCs report to their respective:

(a) TAG, CG, or Wing Commander.

(b) SAPR PM.

(2) JFHQ-State VACs and SAPR VAs. JFHQ-State VACs and SAPR VAs report to their respective:

(a) Appointing commander.

(b) SARC.

e. Appeal of D-SAACP Certification Revocation. SARCs, JFHQ-State VACs, and SAPR VAs have the right to appeal a decision to revoke D-SAACP certification.

(1) The appeal request is submitted in writing to the next level in the revocation authority's chain of command; the appeal authority must be at the minimum rank of colonel.

(2) The appeal authority will review all documentation, interview pertinent personnel, and render a decision within 30 days of appeal request submission.

(3) The appeal authority's decision is final and not subject to further review.

f. Unfounded Complaint. If a complaint proves unfounded, the following steps are completed:

(1) The commander reinstates the SARC, JFHQ-State VAC, or SAPR VA through re-issuing the appointment letter and submits a request to the SAPR PM for reinstatement of D-SAACP certification and reestablishment of DSAID access.

(2) Upon receiving the commander's request, the program office submits a request to NG-J1-SAPR to reinstate D-SAACP certification and reestablish DSAID access.

(3) Upon receiving the program office's request, NG-J1-SAPR submits a request to DoD SAPRO to reinstate D-SAACP certification. Once reinstated, NG-J1-SAPR reestablishes DSAID access.

Additionally, at the Wing level, the Wing SARC and Commander or Vice Commander

review all qualifications and applications. Inappropriate behavior by members in victim-sensitive positions (such as victim advocates) is immediately handled by the SARC in conjunction with the Commander or Vice Commander and member's supervisor. The procedures identified in CNGB Notice 0401 are followed to ensure the matter is investigated thoroughly and the appropriate measures are taken regarding the individuals certification. Service-specific instructions are followed to meet the requirement for the removal of Special Experience Identifier code following the revocation of the certification.

#### **4.7 Describe your progress in ensuring all SARC and SAPR VAs are D-SAACP certified prior to performing the duties of a SARC and SAPR VA.**

All potential NG SARCs, JFHQ-State VACs and SAPR VAs must follow the procedures as described in CNGB Notice 0401 to obtain D-SAACP certification. These procedures for meeting D-SAACP certification requirements are identified below:

1. Requirements for All Applicants. All NG applicants must complete applicable sections on DD Form 2950. The application includes:

a. Signed D-SAACP SARC or SAPR VA Code of Professional Ethics, as applicable.

b. Two signed letters of recommendations.

(1) SARCs and JFHQ-State VACs.

(a) Letter of recommendation signed by the commanding officer in the SARC or JFHQ-State VAC's chain of command at a minimum rank or grade of O-6 or GS-15. This letter includes the date the applicant's NAC background check was completed. ARNG and ANG commanders must comply with all additional suitability requirements of their respective Service.

(b) Letter of recommendation signed by the supervisor in the SARC or JFHQ-State VAC's chain of command at a minimum rank or grade of O-3, E-7, CW2, or GS-11.

(2) SAPR VAs.

(a) Letter of recommendation signed by the supervisory SARC.

(b) Letter of recommendation signed by the supervisor in the SAPR VA's chain of command at a minimum rank or grade of O-3, E-7, CW2, or GS-11. This letter includes the date the applicant's NAC background check was completed and Service-specific suitability requirements were met.



2. Requirements for New Applicants. In addition to the requirements in 5.a.(1), the application includes:

a. Documentation of 40 hours of National Guard Bureau SARC and SAPR VA Course, National Advocate Credentialing Program pre-approved training.

b. Memorandum verifying required hours of sexual assault victim advocacy experience for applicants to Levels II, III, and IV.

3. Requirements for Renewing Applicants. In addition to the requirements in 5.a.(1), the application includes:

a. Documentation of 32 hours of D-SAACP related continuing education, completed every two years.

(1) Prevention and Advocacy Training. NG applicants complete 30 hours of training in topics relevant to their role as a SARC, JFHQ-State VAC, or SAPR VA.

(a) SARCs and JFHQ-State VACs receive refresher training from Sexual Assault Prevention and Response in the Directorate of Manpower and Personnel, National Guard Joint Staff (NG-J1-SAPR); the Department of Defense (DoD) Sexual Assault Prevention and Response Office (SAPRO); the Services; or qualified civilian agencies and organizations.

(b) SAPR VAs receive refresher training from SARCs or SARC-identified approved alternative instruction.

(2) Ethics Training. NG applicants receive two hours of victim advocacy ethics training provided or approved by NG-J1-SAPR.

b. Memorandum verifying required hours of sexual assault victim advocacy experience for applicants seeking a higher level of certification.

Oversight of this process includes NG-J1-SAPR, ARNG and ANG SAPR PMs, Commanders and SARCs, as appropriate. To obtain D-SAACP certification, all necessary forms must be submitted to the NG-J1-SAPR NOVA liaison for submission. Communication remains open during this process until certification is obtained from NOVA.

As part of the NG SAPR metrics on GKO, the number of SARCs, JFHQ-State VACs and SAPR VAs that are D-SAACP certified are tracked. The PMs are responsible for sorting the NOVA list by state. This information is collected and updated on a quarterly basis and is used to create the Quarterly Reports available to each TAG and instrumental in identifying trends within the program.

To ensure ANG SAPR personnel receive and maintain their D-SAACP certification prior to performing their duties, all certification requirements information is maintained on the ANG SAPR website. Updates are made as necessary and reviewed on a regular basis to confirm that all SAPR personnel are properly certified prior to performing in their SAPR role.

The ARNG has the JFHQ-State SARC track the D-SAACP certification process for all SARCs and SAPR VAs assigned to them. Once certification is obtained, the SAPR personnel report their certification number to the JFHQ-State SARC for monitoring purposes and as a trigger to allow the individual to be assigned to provide victim advocacy.

A SARC will not assign a SAPR VA to a case until the certification process is complete and the individual has obtained D-SAACP certification.

SARC and SAPR VA D-SAACP identification numbers are included in DSAID for those personnel assigned cases. Tracking of certification renewal dates can be monitored in DSAID by NG-J1-SAPR and the JFHQ-State and Wing SARC.

**4.8 Describe your continued efforts to ensure that the 24/7 DoD Safe Helpline has accurate contact information for on-base SAPR resources (i.e., Chaplains, SARCs, Military Police, Medical Personnel).**

NG-J1-SAPR staff has the responsibility to update information for all NG JFHQ-State SARCS on the 24/7 DoD Safe Helpline website. This information is updated regularly when contact information for SAPR personnel changes.

The JFHQ-State SARC is the point of contact for their state NG (ARNG and ANG). The ARNG SAPR PM provides state personnel updates required for the Safe Helpline contact information. The NG-J1-SAPR office point of contact makes all updates required on the Safe Helpline website.

**4.9 Describe your efforts to publicize various SAPR resources, such as DoD Safe Helpline, to all Service Members.**

From the NGB level to state and unit level, various methods were used to disseminate information on SAPR resources available to the Guard member. NG-J1-SAPR and NGB-PA coordinated efforts and developed a SAPR communication plan to establish standardized SAPR messaging and to identify how best to distribute the information. At the NGB level, PSAs were widely used and often broadcast on NGB's "On Every Front" and the Pentagon Channel. Taking advantage of an online publication to help advertise the DoD Safe HelpRoom, NG-J1-SAPR coordinated for a full page advertisement in three issues of the "GX", The Guard Experience Magazine.

Both the ARNG and ANG used a variety of efforts to publicize SAPR resources.

- Links to varying SAPR resources were placed and updated on every state NG website, NG Wing website and SharePoint sites. These links included the DoD Safe Helpline, DoD SAPRO, ARNG SHARP, ANG SAPR and NG SAPR homepage, and a host of local resources available based on the state or locality.
- Annual flyers, tri-folds and wallet cards were distributed at special events, activities, and varying times throughout the year to provide pertinent information on SAPR resources for a specific Wing, unit or location. Other material offered at these events included locally purchased items such as magnets, coffee cup holders and other similar merchandise to help publicize websites and other SAPR resources available to the NG member.
- During weekend drills, display tables were often set up and loaded with SAPR materials for Guard members to take. SAPR focused posters were exhibited on unit bulletin boards and around the base, armory, and facilities. These posters included information such as contact information on the DoD Safe Helpline, local crisis center line, Chaplain, DPH, SAPR VAs, Wing SARCs and JFHQ-State SARCs. Occasionally, SAPR posters were e-mailed to all wing members.
- To help publicize the DoD Safe Helpline, brochures were distributed at customer help desks, removable “pull-tabs” on the wing’s SAPR posters were available for unit members to pull and take with them, and phone and e-mail message systems provided relevant contact information.
- Facebook was another medium used to help inform Guard members of SAPR resources available, especially within local communities or regions.

#### **4.10 Describe your progress in ensuring victims are afforded their legal rights, protections, and services.**

The assigned SARC or SAPR VA who makes the initial contact with a victim of sexual assault often uses that meeting to explain DD Form 2910 and to inform the victim of all medical, legal, and reporting options available to them. These options include requesting an expedited transfer, initiating an MPO and CPO, and requesting an SVC. To ensure SAPR personnel are well versed on these topics, detailed information is provided and discussed during NG T32-specific Initial SARC and SAPR VA training. Checklists are also provided at the initial training to assist SARCs and SAPR VAs in providing the victim with all the resources and options available to them. These types of best practices are routinely shared during the Regional SAPRAC meetings.

During SARC and SAPR VA Refresher training, these topics, along with other updates are presented to adequately prepare NG SAPR personnel to provide the best support possible to the victim.

#### **4.11 Describe your progress to improve the victim care services at Joint Bases,**

## **in Joint Environments, and for the Reserve Components.**

By virtue of its unique structure as a state joint-service organization, the NG routinely demonstrates the collaboration and cooperation between the ARNG and ANG in varying operations and activities at home and abroad. The SAPR program is no exception. The SAPR Staff located within any state to include the JFHQ-State SARC, Wing SARCs, JFHQ-State VAC and all NG SAPR VAs are experts at maximizing limited state resources and accentuating the cross-service joint response capability for a victim of sexual assault. A situation unique to the NG is having a Soldier or Airmen that drills away from his or her home of record, sometimes driving many hours on drill weekends. At least three states are addressing this situation to ensure sexual assault victims and survivors receive timely support. These states have established a locator map which includes the home locations of all ARNG and ANG SAPR VAs within the state. Examples include:

- The CMD SARB mapped the geographical locations of over 115 credentialed VA's and developed an area coverage methodology to ensure border-to-border, cross component advocacy.
- The ID SAPR Office is developing a map of the state that documents the home of record of each of the SAPR VAs in order to ensure there is good coverage throughout the state. This will help in assigning a victim advocate to a survivor, ensuring they live in close proximity to each other for easier access.
- Nebraska NG posted a map of the state on their GKO website that identifies the locations of their victim advocates. It also includes the following disclaimer: "Although each SAPR VA is represented in a certain geographical or unit specific location, any SAPR VA is able to assist and refer a victim of sexual assault or domestic violence anywhere in the state to the appropriate resources."

In order to enhance the ability to respond promptly to the needs or wishes of a sexual assault victim, the victim advocate assigned to respond may be based on location rather than service affiliation.

Where applicable, such as at Hanscom Air Force Base in Massachusetts (MA) and Buckley Air Force Base in Colorado, the NG SARC, JFHQ-State VAC, and SAPR VA work to create or enhance existing relationships with other SAPR personnel located on the base. Although the precise manner and degree to which these relationships may grow are dependent upon the joint base or joint environment, provided below are several examples of how victim care services were improved at a joint base, joint environment and within a State Military Department.

- After having served as the MANG JFHQ-State Alternate SARC and years of experience at the joint level, the newly hired JFHQ-State VAC at the 66th Air Base Group immediately established new written policy to professionalize victim advocacy roles of the SARC and SAPR VA assigned to Hanscom AFB. The result

was standardized sexual assault response to victims, which improved the management and facilitated the coordination of care process for at-risk Guard members. The base also saw an increase in SAPR VAs by 200 percent by increasing the availability of the 40-hour mandatory initial training courses. The JFHQ-State VAC delivered a constant and effective training and response program by hiring six new facilitators to provide annual prevention training and mandatory unit level training. The JFHQ-State VAC also integrated community resources into the SAPR program, including Home Base Program, Jane Doe, Inc., and Project New Hope. These partnerships helped to offer additional services to the victims of sexual assault.

Improvements were also made in the area of awareness. The Hanscom SAPR website was established, along with a SAPR distribution email, and the creation of a Hanscom SAPR logo. An awareness and prevention training, "In Her Words," was provided for all E-7s and above to help create the sense of urgency for prevention and to increase risk identification and mitigation. Nationally recognized SMEs were invited to speak at the base on sexual assault. Every effort was made by the SAPR staff to offer a number of initiatives to engage the five SAPR LOEs.

- The CMD is a diverse, community-based organization composed of four pillars: the California Army National Guard, the California Air National Guard, the California State Military Reserve and the California Youth and Community Programs. The CMD SARB is an organization that not only excelled at meeting the requirements according to regulation, but through innovative ideas and collaborative efforts with the civilian community and throughout the State Military Department, expanded prevention efforts, assured compassionate victim response, and ensured perpetrators faced justice. These efforts, along with their SAAM events, resulted in a 69 percent drop in reported assaults, with reports in the last nine months involving cases older than seven years. The program's prevention successes demonstrate the trust inspired by the members of the CMD. Listed below are some of the initiatives they established.

- Appointed a full-time, trained sexual assault investigator in the Provost Marshall's Office (PMO) to track cases, expedite civil investigations, and obtain timely and accurate updates for victims.
- The PMO is instituting Live Scan for the SAPR VAs and SARCs. This system will provide continuous monitoring for persons in positions of trust, expanding the current process of checking for past improprieties.
- The team strengthened program services by producing a confidential client evaluation and incorporated a member feedback system as an essential element for program improvement.
- To increase victim support, three SJAs completed the SVC training and are now fully qualified and prepared to fulfill this role.

- The SARB mapped the geographical locations of the more than 115 credentialed SAPR VAs and developed an area coverage methodology to ensure border-to-border, cross component advocacy.
- Upon appointment, State SAPR VAs are provided response kits containing references, resources, checklists, and forms necessary for a rapid response.
- Working hand-in-hand with the California state legislative liaison and participating in hearings, the SARB helped to educate the state legislature on MST. The team also collaborated on Senate Bill 1422 language, which was recently signed into law by the governor. This bill mandates the referral of sexual assault allegations for investigation to the civilian law enforcement.
- Implemented a state award program to recognize the dedicated service of SAPR VAs.
- The Colorado JFHQ-State SARC created the Colorado NG Joint Services SART. This partnership exists between three DoD programs and include Buckley Air Force Base; 140th Fighter Wing, Colorado Air NG; and, JFHQ-CO ARNG. Through this team, military members receive care and services of seven SARCs, Alternate SARCs, and JFHQ-State VACs and 75 (AC, NG and Reserve) D-SAACP certified civilian and military victim advocates.

#### **4.12 Describe your progress in strengthening participation in an integrated victim services network of care.**

State SAPR personnel routinely coordinate with their DPH, Transition Assistance Advisor, State and unit Chaplains, State Surgeon and Medical Detachment, State SJAs among others within the state NG.

Another prime example of integration is the Connecticut (CT) Victim Support Team. In September 2013, the CTNG organized a Victim Support Team to provide military support in civilian courts to Guard members who are pursuing legal action against their assailants. The team consists of a JA, a Special Victims Investigator, JFHQ-State-SARC, SEEM, the JFHQ-State VAC, and the SAPR VA assigned to the case. The team's intent is to demonstrate to their commitment to the well-being of the Guard member, even when off duty. The team only provides moral support; they do not provide legal counsel. Since its inception, this team has supported four CT Guard members.

#### **4.13 Describe your efforts to increase collaboration with civilian victim response organizations to improve interoperability.**

As a community-based organization, the NG is uniquely designed for establishing partnerships with various organizations in virtually every community across this nation.

The strength of NG personnel is enhanced through the collaborative efforts of the numerous military, governmental and civilian agencies and organizations whose goal is to help support sexual assault victims.

- The state of IL is a prime example of the collaborative partnerships established between the NG and various organizations and agencies geared toward assisting the sexual assault victim in the recovery process. These include, but are not limited to, the following:

- Michael Reese Health Trust
- Health & Disability Advocates
- Illinois Coalition Against Sexual Assault and its subsidiaries
- Transitional Living Services Veterans
- Lindenwood University (Belleville), Education and Counseling Division
- The Chicago School of Professional Psychology
- Illinois Family Violence Coordinating Council
- St Louis Veterans Affairs Medical Center (VAMC) (Suicide Prevention Coordinator, OIF and OEF Coordinator, MST Coordinator)
- Hines VAMC (Suicide Prevention Coordinator, OIF and OEF Coordinator)
- Marion VAMC (Suicide Prevention Coordinator, OIF and OEF Coordinator, MST Coordinator)
- Captain James A. Lowell (Suicide Prevention Coordinator, MST Coordinator)
- E. St. Louis, Springfield, Chicago, and Peoria Vet centers
- United States Army, Air Force, Navy and Marine Corps
- NGB Psychological Health Program
- Illinois Connections for Families of the Fallen
- Braveheart Therapeutic Riding Center Lake and McHenry Veterans and Family Services
- McHenry County Mental Health Board

- National Able in Chicago
- Children Home + Aid in Granite City
- Chestnut Health Systems in Granite City
- More specifically, Illinois ARNG and ANG established MOUs to provide insight into the care and advocacy received by an Illinois Guard member. Through this increased communication, the intent is to better assess and support a sexual assault victim's needs. The basis of the MOU includes:
  - ✓ Illinois National Guard will:
    - Provide victims of sexual assault with basic referral information.
    - Notify the organization to arrange for free transportation of the sexual assault victim who agrees to receive support or services from that organization.
    - Provide a listing of resources available from the organization, to include telephone numbers and a general description of the services offered.
    - Provide information to the organization, as needed, on the resources available to victims of sexual assault provided by the ILNG, as well as other programs and agencies within the community.
  - ✓ Supporting Organizations (Growing Strong Sexual Assault Center, Safe Passage, Mutual Ground, Incorporated, The Center for Prevention of Abuse, The Vet Center Readjustment Counseling Services, and Prairie Center Against Sexual Assault) will:
    - Participate in military competence training provided by the ILNG SARCs.
    - Contact the JFHQ-State SARC immediately upon receiving an ILNG member referral and when a staff member identifies a victim of sexual assault as a member of the ILNG.
    - Provide the same services to a NG member who is sexually assault as they would to all other clients, in accordance with the wishes and needs of the victim.
    - Work with the JFHQ-State SARC, when needed, to train ILNG first responders on resources available and processes pertinent to the



effective care and support of victims.

- Maine (ME) SAPR staff opened the doors for additional cooperation with Sexual Assault Nurse Examiners, CLE, District and US Attorney's Offices, Victim Witness Specialist and other Victim Advocates. They also collaborate with ME VAMC's MST program and Vet Center Staff.
- Inaugural Retreat for Survivors of MST in Georgia. The Georgia NG in collaboration with Silver Lining Villages held a one-day retreat for 12 veterans of the Army, Army Reserve, ARNG, Navy, Air Force and Marine Corps. The women victims valued the Emotional Freedom Techniques or "tapping" sessions and the safe environment that was created. Recognizing that the stress of trauma from MST is a life-long battle, the retreat offered tools to reduce stress and a chance to interact with other survivors. The participants found the experience uplifting and life affirming. Receiving positive responses to a questionnaire, a second retreat is scheduled for two days based on recommendations from the participants.
- Collaborations with regional civilian SART. A majority of the States have established a relationship with their state SART. Listed below are several specific examples.
  - KYNG teamed up with the KY SART development committee to develop an SOP for establishing SARTs and Sexual Assault Interagency Committees across the state to ensure a multidisciplinary standard response in each community when responding to a sexual assault. This document was completed in mid-2014 and is now available for use across the state. The goal is to improve services in underserved communities and improve services and response for those Guard members who elect to pursue services outside the military in cases of sexual assault.
  - SCNG has teamed up with the SART in the Columbia SC area, which is comprised of local agencies that serve survivors of sexual assault. It is composed of agencies such as Richland County Sheriff's Department, Columbia Police Department, Ft Jackson SHARP, Palmetto Richland Sexual Assault Nurse Examiners and Campus Police from varying insitutions, among others.

Many of the relationships and collaborative efforts discussed in the Prevention Line of Effort are also relevant under this LOE. These examples identified above are a small sampling of the tremendous accomplishments made the NG SAPR personnel situated in the states. Cooperative agreements have been made with some colleges and universities allowing NG members who are sexually assaulted to receive medical care, to include a SAFE, regardless of their enrollment status at that institution.

**4.14 Provide an assessment of the implementation of your expedited victim transfer request policy. Include measures taken to ensure victims are informed**

<p><b>in a timely manner of their right to request an expedited transfer, and challenges to the implementation of the policy. Documentation should be included as an appendix.</b></p>
<p>All NG SAPR personnel who received the NG T32-specific initial SARC and SAPR VA training are provided with instruction on the timeliness of discussing the option of requesting an expedited transfer with the victim when they review the DD Form 2910 with the victim. No known specific challenges have been identified within the NG as it relates to implementing this program.</p>
<p><b>4.14.1 Pertaining to temporary and/or permanent unit/duty expedited transfers (does NOT involve a PCS), provide:</b></p> <p><b>The number requested</b>  <b>The number approved as the victim requested</b>  <b>The number approved different than the victim requested</b>  <b>The number denied and a summary of why</b>  <b>The number moved within 30 days of approval</b>  <b>The number moved after 30 days of approval</b></p>
<p>Within the ARNG, the following information pertaining to temporary and permanent unit and duty expedited transfers is provided:</p> <p>The number requested: 14  The number approved as the victim requested: 14  The number approved different than the victim requested: 0  The number denied and a summary of why: 0  The number moved within 30 days of approval: 14  The number moved after 30 days of approval: 0</p> <p>Within the ANG, the following information pertaining to temporary and permanent unit and duty expedited transfers is provided:</p> <p>The number requested: 5  The number approved as the victim requested: 4 approved; 1 Pending  The number approved different than the victim requested: 0  The number denied and a summary of why: 0  The number moved within 30 days of approval: 4  The number moved after 30 days of approval: 1</p>
<p><b>4.14.2 Pertaining to permanent requested installation expedited transfers (does involve a PCS move), provide:</b></p> <p><b>The number requested</b>  <b>The number approved as the victim requested</b>  <b>The number approved different than the victim requested</b>  <b>The number denied and a summary of why</b>  <b>The number moved within 30 days of approval</b></p>

<b>The number moved after 30 days of approval</b>
No PCS moves were requested in the National Guard.
<b>4.15 Describe your efforts to implement and enhance first responder training (e.g. sexual assault health care providers).</b>
Although the NG does possess organic medical units, at present, these medical personnel are not trained as sexual assault health care providers. CNGB policy currently in staffing places the responsibility for training Guard healthcare personnel with the NG Joint Surgeon's office in concert with guidance from the active duty Army and Air Force health affairs directives.
<b>4.16 List the number of victims, if any, whose care was hindered due to lack of Sexual Assault Forensic Examination (SAFE) kits or timely access to appropriate laboratory testing resources and describe the measure you took to remedy the situation.</b>
There are no known Guard members whose care was hindered due to the lack of SAFE kits or timely access to laboratory testing.
<b>4.17 Provide the following information about coverage for Sexual Assault Forensic Examinations for all Military Treatment Facilities (MTFs):</b> <b>A list of MTFs with the number and hours of emergency room coverage</b> <b>The number of full-time Sexual Assault Nurse Examiners (SANEs) assigned at each MTF under your respective jurisdiction that operates an emergency room 24 hours per day</b> <b>A list of the number of qualified SAFE examiners by MTF, listed separately by employees and contractors, if any</b> <b>The number and types of providers (i.e. registered nurse, advanced practice registered nurse, medical doctor, physician assistant, independent duty corpsman)</b> <b>The dates of Service-certification to perform these exams (and/or national certification date) by provider</b> <b>The number of full-time equivalents (FTEs) assigned for sexual assault examiner response per facility and the types of providers assigned to those FTEs</b> <b>A listing of all MOU/MOA to provide SAFE services, with the location, distance from the facility, and execution and termination dates for each agreement</b> <b>How many SAFE kits were processed and results used to inform command action</b>
The NG does not possess Medical Treatment Facilities for T32 operations and SANE. Coordination is made with civilian medical facilities, local rape crisis centers and other resources to provide medical care to the victim of sexual assault. All attempts are made to include facilities which perform sexual assault forensic exams. The NG does

not process SAFE kits.
<b>4.18 Provide information about any problems or challenges that have been encountered with MTFs during the previous year and the actions taken to improve the program or services.</b>
N/A to the NG as MTF's do not exist within the structure.
<b>4.19 Describe your future plans for delivering consistent and effective victim support, response, and reporting options.</b>
<p>The NG will continue to assess the effectiveness of the various aspects within the SAPR program. As necessary, courses of actions will be designed using an integrated approach to ensure the NG, as a joint-service entity, provides consistent, reliable, effective, timely, and competent support and resources to the victims of sexual assault.</p> <p>A primary goal is to publish CNGB Instruction, "<i>Sexual Assault Prevention and Response Program</i>," within the first quarter of FY15. This publication will establish NG SAPR policies and define roles and responsibilities. Also expected in the first quarter of FY15 is the release of the "<i>NG 2014 – 2016 Sexual Assault Prevention Strategy</i>". In the second quarter of FY15, the anticipated CNGB Manual, "<i>Sexual Assault Prevention and Response Program Procedures</i>," is expected to be published. This publication will ensure standardization of the existing NG SAPR procedures.</p> <p>A review of the existing training program is ongoing to ensure it continues to meet DoD SAPRO core competencies and learning objectives. As mentioned earlier, another course, T32-specific SAPR Commander's Course, is under development.</p>
<b>5. LOE—Assessment—The objective of assessment is to “effectively standardize, measure, analyze, assess, and report program progress.”</b>
<b>5.1 Summarize your efforts to achieve the Assessment Endstate: “responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of the SAPR program.”</b>
<p>In FY13, the NG developed the series of joint metrics and measurements listed below to monitor and assess the NG SAPR program's effectiveness according to the DoD Strategic Plan 5 LOEs as they are measureable within the NG. Collaborative work with the service directorates produced a dashboard of SAPR metrics with targeted thresholds and performance minimums. By analyzing the dashboard data, NG is able to determine the states that are performing at optimal levels. NGB is able to share the information with the state leadership and support TAG efforts to have an effective program. Criteria are being developed to determine what remedial and corrective action will occur based on whether or not there are repetitive issues or concerns with an individual state. Staff Assistance Visits (SAVs), additional training, or leadership engagement may be possible remedies. This information is collected and updated on a quarterly basis and is used to create the Quarterly Reports available to each TAG</p>

and is instrumental in identifying trends within the program. The NG SAPR Dashboard Requirements include:

#### LOE- Prevention

- Annual unit level SAPR and SHARP Training for ARNG ANG.
- Annual Leadership Training.
  - All training data for the ARNG is entered into, and ANG wings provide training data to ANG PM through GKO website submission.

#### LOE – Investigation

- Number of Investigators on orders with OCI to conduct sexual assault investigations.\*
- Investigators trained to conduct SA investigations.
  - Number of investigators who completed special sexual assault investigator training at Ft. Leonard Wood, MO.
- Number of OCI investigations conducted.\*
- Number of cases vetted by OCI for investigation.\*
- Timeline for investigations to be initiated.\*
- Timeline for investigative report to be sent to the requesting state following collection of all evidence.\*

***\*Data points are tracked by NGB-JA/OCI and not included on the Dashboard***

#### LOE – Accountability

- Unrestricted Cases Investigated.
  - Referral to Investigative Agency entered in DSAID by SARC.
- Unrestricted Cases Not Investigated.
  - No referral to investigative Agency entered in DSAID by SARC.

#### LOE – Advocacy

- All SARCs and SAPR VAs Certified.

- All SARCs and SAPR VAs have applied for D-SAACP. PMs responsible for sorting NOVA listing by state.

### LOE – Assessment

- Unrestricted Cases entered correctly with all available elements complete in DSAID.
  - Cases entered into DSAID within 48 hours of report received.
    - ✓ Victim Demographics include date of birth, gender, race, affiliation, duty status, pay grade, and whether the victim was in the military at time of assault
    - ✓ Subject Data include gender, subject type, and affiliation.
    - ✓ Incident Detail complete with the exception of type of offense investigated
- JFHQ-State SARCs and Wing SARCs are certified, credentialed and have DSAID access
- JFHQ-State SARCs conduct monthly CMG
  - CMG Agenda and minutes are prepared in the proper format and uploaded into GKO Portal by 15<sup>th</sup> of each month.

Other important assessment activities include the regular monitoring of the D-SAACP certification requirements, the number of SAPR personnel assigned, and positions that are vacant due to deployments or turnover.

The NG SAPR program is only as effective as the SAPR programs that exist in the States. Staff Assistance Visits (SAVs) are conducted by NGB staff by invitation from state leadership and are not viewed as inspections, compulsory, or punitive. The intent of the SAV is to provide assistance and guidance before the program becomes dysfunctional or suffers any serious problems. NGB works with the States to strengthen the weakest areas and implement best practice features that might be missing. Over the past three fiscal years, a total of five SAVs were requested and conducted to include one SAV in FY 2014. The criteria for identifying when a SAV will be offered are listed below:

- SAPR Personnel Vacancy
  - Any state that has the JFHQ SARC position vacant more than two months may be scheduled for a SAV.

- Adverse SAPR incidents involving the JFHQ SARC or key SAPR personnel may initiate a SAV.
- Any state which has not met the minimum requirements for SARC or VA appointments for more than three months.
- SAPR Metrics Targets.
  - States that are red in seven or more NG-J1-SAPR Dashboard measurements will be assessed for a SAV. The minimum activity will consist of the SAV Pre-Site Protocol.
  - States that are scoring below expectations on two or more of the DoD SAPR metrics will initiate SAV Pre-Site protocol.
- Program Manager Initiated. The PMs of the Service Directorates may request the assistance of NG-J1-SAPR to conduct a SAV of a state or command. The PM making the request must identify the areas of distress or dysfunction that have been identified and expectations for the visit.
- State Requests.
  - TAG of any state or Commanding General of District of Columbia NG may request a SAV from NG-J1-SAPR. The identified issues will determine the length of the visit.
  - The JFHQ-State SARC may request support from the NG-J1-SAPR, but cannot initiate a SAV request. The state leadership must be aware of and in full support of the onsite activities of the SAV team.
  - Wing SARCs should work through the ANG SAPR PM in order to request a SAV for the Wing. The PM will work with the SARC and the Wing leadership before initiating a request to NG-J1-SAPR. Wing leadership must be in full support of the SAV.

NG-J1-SAPR initiates and participates in all official NGB SAVs. The Service Directorate PMs are invited to participate in as many SAVs as possible. States may request specific activities that may not require PM involvement. To assist the States, NG-J1-SAPR developed a SARC Self-Inspection Checklist. This checklist is used to help assess the overall health of the state SAPR program, as well as identifying areas in compliance and those areas not in compliance with DoD, Service or NGB policy or procedures.

Both ARNG and ANG commanders are required to use the Defense Equal Opportunity Management Institute Equal Opportunity Climate (DEOCS) Survey to assist them in

monitoring the climate and identifying attitudes and behaviors that are damaging within their units. This tool was used to help determine the specific needs of the units and assisted the commanders in developing the strategies to address those needs.

Other assessment steps taken within the states include:

- Ongoing communications with victims' commanders regarding monthly case status updates and review of command responsibilities.
- Ongoing communications with SAPR VAs regarding victim concerns and status.
- Review of After Action Reports and feedback on SAPR Stand Down Training events and unit level trainings.
- Using specific ARNG or ANG self-inspection checklists for the SAPR Program.
- ANG participates in quarterly CAIB with Wing Commander and other CAIB members addressing SAPR data.
- Active participation in the monthly CMGs chaired at the state JFHQ.
- Evaluation of feedback from state Guard members regarding efficacy or suggestions for improving prevention and response.
- Participation in any Service-specific IG program inspections to assess compliance with applicable Service of DoD regulations and instructions.

**5.2 Describe your oversight activities that assess the SAPR program effectiveness. Include frequency, methods used, findings and recommendations, corrective action taken (e.g., program management review and Inspector General inspections), and other activities.**

To meet the intent in the DoD 2013 Strategic Plan to establish NGB measure for tracking referrals for investigation of Unrestricted Reports of sexual assault, NG-J1-SAPR and NGB JA identified investigation and accountability measures. Once NGB leaders, Service components, and NG State leaders vetted these measures, the decision was made to leverage the GKO SAPR Dashboard to report and display the investigation and accountability metrics for the States. NG-J1-SAPR collaborated with the NGB Strategic Management Systems staff members to develop the system processes for these metrics. Additionally, process instructions are being established to ensure consistency in reporting. Once these processes are complete, the NG will begin collecting State investigation and accountability metrics. This will enable our ability to ensure all reports of sexual assault are being processed and followed through to their completion.

- SAPR Metrics Targets.



- States that are red in seven or more NG-J1-SAPR Dashboard measurements are assessed for a SAV. The minimum activity will consist of the SAV Pre-Site Protocol.
- States that scored below expectations on two or more of the DoD SAPR metrics will initiate SAV Pre-Site protocol.

#### NGB-JA/SVC Comparative Study.

Periodically, NGB-JA/SVC conducts comparative studies on the following:

- Number of cases referred to Regional NG SVCs.
- Number of NG sexual assault cases reported through DSAID.
- Number of cases referred to MCIOs or NGB/JA/OCI.

Using these data, they are then able to determine usage of the SVC program by region or case characterization. With the goal of providing NG victims of sexual assault with every resource available to them, steps are then taken to determine why there may be low usage of the SVC. Based on this information, measures are taken to address the factors and to increase awareness of the SVC program and improve victim confidence in this assistance.

The ARNG SHARP PM used the DTMS, Directors Personnel Readiness Overview (DPRO), and DSAID to track training metrics.

ANG Wing SARCs conducted random evaluations of members' knowledge on SAPR program policies such as reporting options, the names of their SARC and SAPR VAs, who can take reports, and who has to report, by going out to the squadrons unannounced to ask questions. The self-inspections conducted using the MICT checklist were monitored and reviewed frequently, and updated as required. Deficiencies identified during this inspection were addressed in a timely manner.

### **5.3 Describe your efforts to ensure integrity of data collected in the Defense Sexual Assault Incident Database.**

Quality control oversight and review of DSAID data is the full time responsibility by the DSAID System Manager. In conjunction with ARNG and ANG PMs, accuracy and completeness of data entry by SARCs is monitored on a daily basis by NG-J1-SAPR. The NG-J1-SAPR office provides oversight for the NG use of the database. Access to DSAID is strictly limited to SARCs who have successfully completed the required training, background checks, and certification requirement; a process closely monitored by the NG-J1-SAPR office. Issues regarding DSAID are coordinated primarily with the ARNG and ANG PMs. Weekly or monthly DSAID updates were provided to the

SARCs or when coming to the attention of the PMs.

The ARNG reported cases are entered into DSAID by the JFHQ-State SARC or JFHQ-State VAC. Case entry is monitored for accuracy and timeliness by both the NG-J1-SAPR DSAID PM and ARNG SHARP PM. If a sexual assault occurs on T10 status, but is not reported until the victim returns to T32 status, the JFHQ-State SARCs will enter the T10 case into DSAID in addition to cases that occur, and are reported on T32 status.

The ANG reported cases are entered into DSAID by the Wing SARC and is closely monitored for accuracy and data entry timeliness by both the SAPR DSAID program manager and the ANG SAPR PM. As the overall SAPR PM for the state NG under the TAG, the JFHQ-State SARC is notified of all ANG sexual assault reports by the Wing SARC to ensure both ARNG and ANG sexual assault reports are reported to state leadership, as appropriate for the type of report made.

Both ARNG and ANG keep HQDA and USAF informed and worked closely to appropriately and accurately track any cases that occurred in T10 status.

#### **5.4 Provide a summary of your research and data collection activities conducted in FY14. Include documentation in the appendix.**

In FY14, in response to the DoD SAPR Strategic Plan, 20 April 2013, the Army and NGB were tasked to “Assess SHARP training applicability for Army National Guard due to state vs. Federal differences, structure, and authorities.” The survey and feedback period began on April 18, 2014 and ended on May 9, 2014. ARNG SAPR personnel and state leadership were asked to participate in the survey. The survey consisted of 21 core competency questions, three “open” questions and one “yes” – “no” question. The platform used was the Joint Services Support (JSS) System. The total number of participants was 451. The breakdown was as follows:

36 = JFHQ SARCs  
24 = JFHQ VACs  
7 = Alternate JFHQ SARCs  
10 = Not a SARC or SAPR VA  
374 = SHARP/SAPR VAs

#### **Survey Summary.**

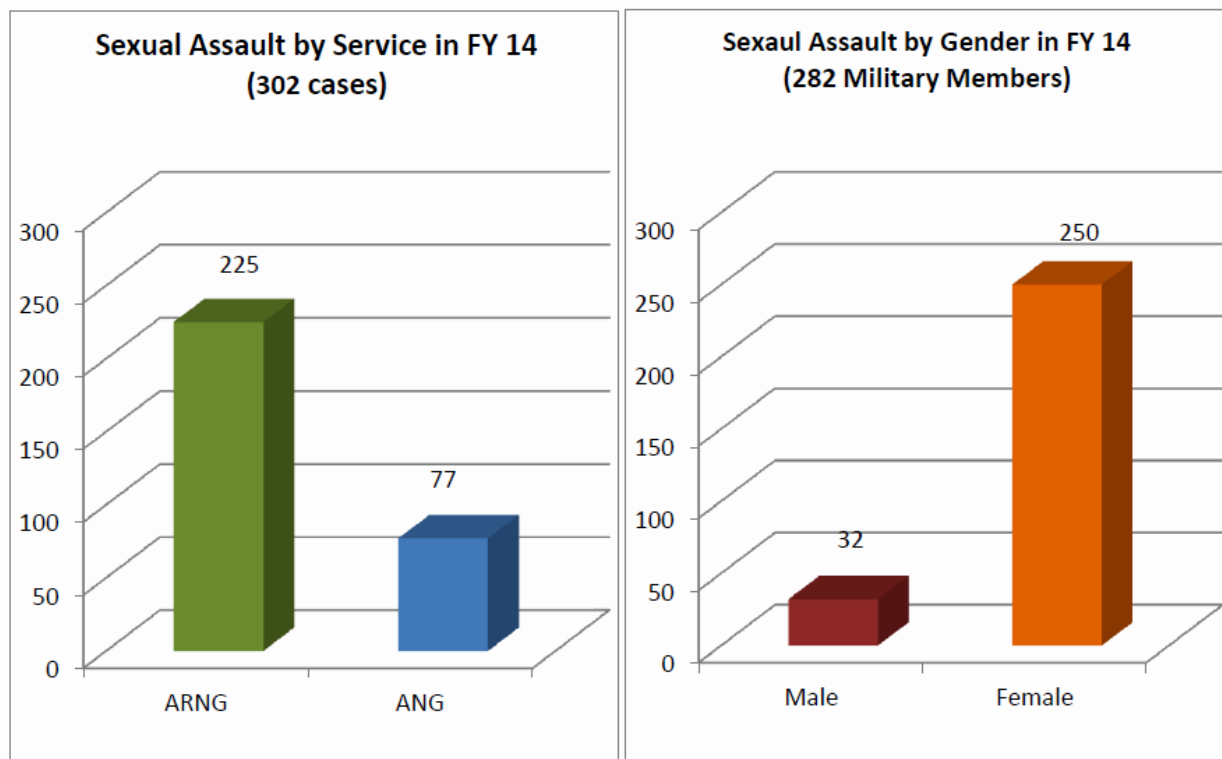
- Survey participant responses and state senior leaders’ feedback were instrumental in gauging applicability of the 80-hour SHARP Training for ARNG SAPR personnel.
- Currently, JFHQ SARCs and JFHQ VACs are required to attend both the 80-hour SHARP training and the NGB 40-hour training. Brigade and Battalion level ARNG SARCs and SHARP/SAPR VAs only attend the 80-hour SHARP training.

- The responses from the survey participants appear to indicate the desire for a more robust emphasis on T32 structure, authorities, and processes within the SHARP training.
- The number of responses to Question #19, which did not contain a specific T32 equity, were significantly higher in the "Extremely Well/Somewhat Well" category, than for any other question that included a T32 focus.

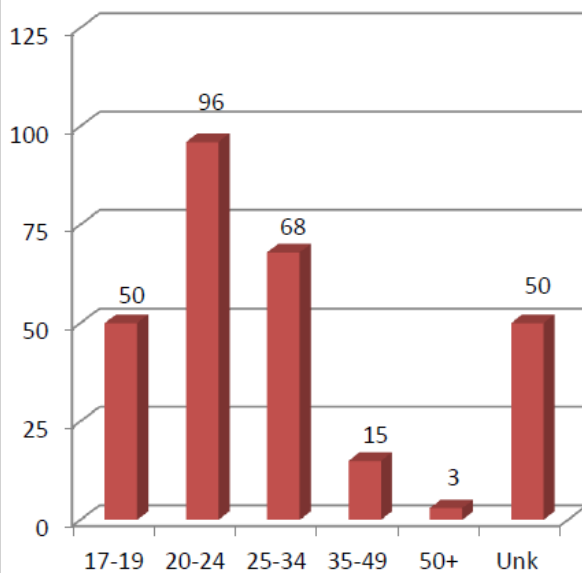
Graphs on the responses to the SHARP Course Survey are provided in Appendix A.

NG sexual assault victim demographics. The charts that follow depict the following demographics of the victims of sexual assault reported to the NG leadership in FY14:

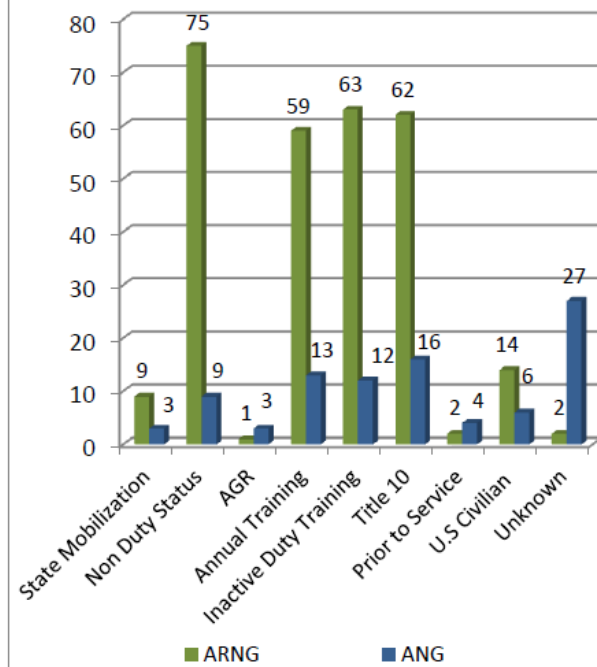
- Sexual Assault by Service
- Sexual Assault by Gender
- Victim Age at Time of Incident
- Duty Status by Service at Time of incident
- Victim Rank at Time of Incident by Service
- Report Type by Service
- Victim's Race by Service
- Latency of Report by Service



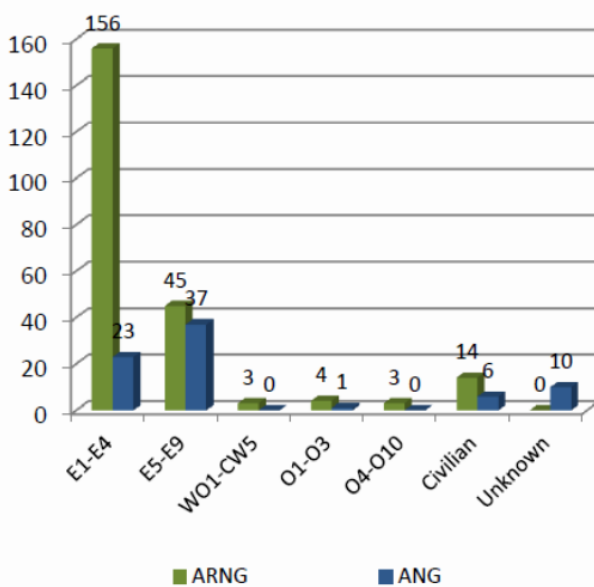
**Victim Age at Time of Incident in FY 14  
(282 Military Members)**



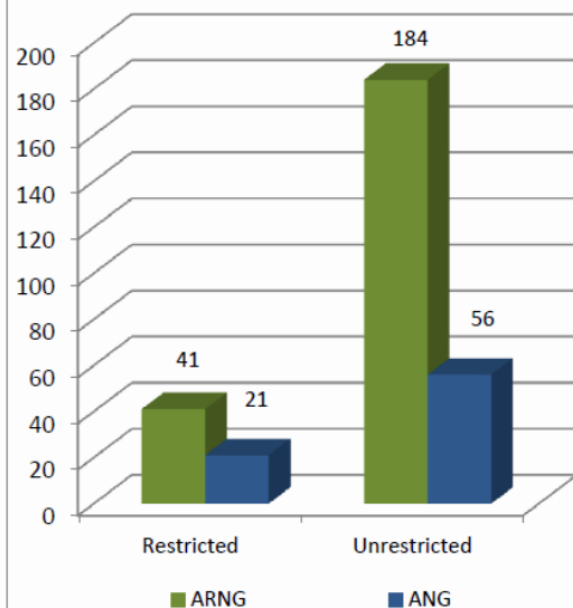
**Duty Status by Service at Time of Incident in FY 14  
(380 Cases)**

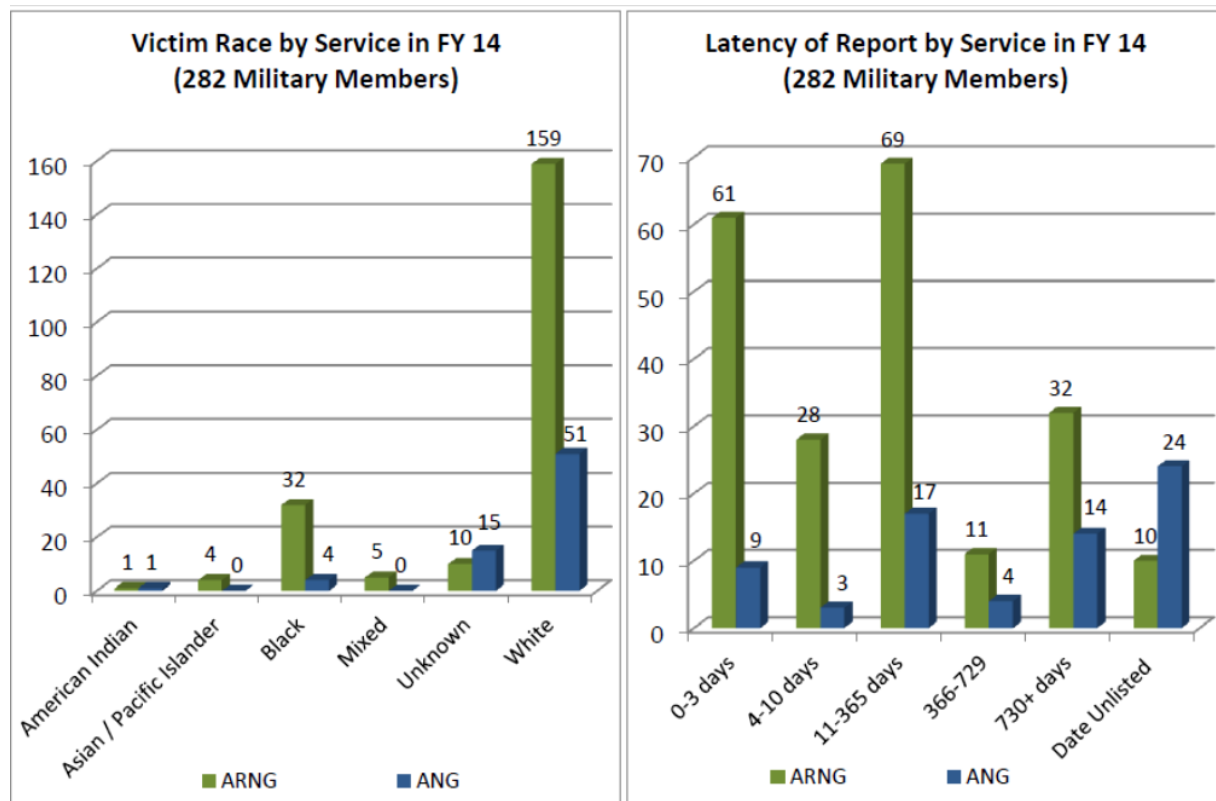


**Victim Rank at time of Incident by Service in FY 14  
(302 cases)**



**Report Type by Service in FY 14  
(302 Cases)**





**5.5 Describe your efforts to explore the feasibility of a SARC Military Occupational Specialty (MOS) or restructuring of military table of organization; addition of skill identifiers.**

Not applicable to the NG. This is a Service function and ARNG and ANG follow Army and Air Force MOS and Air Force Specialty Code requirements for special skill identifiers.

**5.6 Describe your efforts to assess the feasibility of incorporating sexual assault prevention training in Family Readiness, Family Advocacy Program (FAP), and Substance Abuse programs to enhance FAP and SAPR collaboration and training.**

NG-J1-SAPR office recently began dialogue with the NG Family Program Office to discuss the incorporation of SAPR related messaging and training within their program. This would have an overall reaching effect, as information would be made available to families in need at the Family Assistance Centers located throughout each state.

The Family Advocacy Program is specific to active duty, however, many SARCs have collaborated or established relationships with the service-specific substance abuse

programs within their states to examine the relationship to alcohol and drug facilitated sexual assaults.

**5.7 Describe your plans for FY15 that pertain to synchronizing and standardizing the SAPR program across the Joint Force (from Joint/Service basing to forward stationed and deployed units worldwide).**

The NG adheres to DoD policy and procedures and develops policy, procedures and training based on these requirements. In FY15, the goal of the NG is to solidify the NG SAPR requirements as Joint Force standards for all members on T32 duty status. The publication of the CNGB Instruction, defining NGB's SAPR policy and roles and responsibilities, and the CNGB Manual, providing NG SAPR program procedures will play a major role in accomplishing this objective.

The NG will continue to recognize those requirements that are Service-specific with which the ARNG and ANG must comply. These areas include personnel record management and recruiting and retention.

**5.8 Describe your efforts to increase collaboration with civilian organizations to improve interoperability.**

Individual JFHQ-State SARCs and personnel associated with the state SAPR program collaborate with civilian organizations to improve interoperability to assist in the assessment of the NG SAPR program progress within that state. An example is the RI Sexual Violence Prevention Planning Committee which was created by the RI Department of Health. This collaboration, consisting of the RI military (JFHQ-State SARC), institutions of higher learning (all state colleges), Rape Crisis Centers (Day One), RICADV, Homeless Veterans Agencies, focus groups, etc., meet bi-monthly to assess prevention efforts statewide. RI Rape Prevention & Education State System Evaluation Capacity Assessment was conducted last year and action is being taken to increase the impact of prevention training in various venues. Through this collaboration, 40 community partners attended Green Dot training and are using their methodologies throughout the state.

**5.9 Describe your future plans for effectively standardizing, measuring, analyzing, assessing, and reporting program progress.**

The NG will accomplish this task by publishing the CNGB Instruction and CNGB Manual for T32 specific policy guidance, which will establish NG SAPR policy, roles and responsibilities, and procedures for Guard members on T32 duty status.

A greater emphasis will be placed on the role of the SAPRAC to capture best practices on the new section area of GKO for sharing best practices to all the states. These practices, along with identified accomplishments and challenges within the SAPR program will be shared with NG-J1-SAPR, and ARNG and ANG PMs for recommendations.

<b>6. Overarching Tenet: Communication and Policy</b>
<b>6.1 Describe your efforts to post and widely disseminate sexual assault information (e.g., SAFE Helpline, hotline phone numbers and internet websites) to Service members, eligible dependents, and civilian personnel of the DoD.</b>
<p>In a collaborative effort between NG-J1-SAPR and NGB-PA, a SAPR Communication Plan was developed for FY14. The purpose of this plan was to provide an engagement strategy and consistent messages for the NG's SAPR program. This plan communicated the DoD's efforts to enable military readiness by establishing a culture free of sexual assault. It included top line and key messages for the NG SAPR program. It further described five themes, which corresponded to the five LOEs. The PA strategy and tactics were further defined in the categories of command information, public information, community engagement, plans and policy, and NGB-PA Synchronization. This FY14 plan is currently under review for revision as required to meet the requirements for FY15.</p> <p>NG-J1-SAPR provides input and monitors the SAPR section on the NGB's JSS System website. This site is a gateway for Guard members and their families. In addition to SAPR, the programs supported by JSS include:</p> <ul style="list-style-type: none"> <li>• Yellow Ribbon Reintegration Program</li> <li>• Employer Support of the Guard and Reserve</li> <li>• National Guard Family Programs</li> <li>• National Guard Financial Management Awareness Program</li> <li>• Psychological Health Program</li> <li>• Transition Assistance Program</li> <li>• Financial Management Awareness Program</li> <li>• Joining Community Forces</li> </ul> <p>The SAPR JSS website has both a public and restricted site. The public site provides hyperlinks to Safe Helpline, DoD SAPRO website, and to important SAPR and DPH staff contacts, such as the JFHQ-State SARCs, JFHQ-State VACs, and DPHs in each state. Hyperlinks lead the reader to pages that will provide more help, answer frequently asked questions, and describe how the NG SAPR policy protects the Guard member. For the SAPR Staff, pertinent information may be uploaded. This information includes details on upcoming events such as Victim Advocate Training, Post-Deployment briefings; announcements such as monthly webinar schedules; and,</p>

recent blog posts. This site also offers helpful information for the Guard member on:

- Identifying the Common Factors of Sexual Assault
- Bystander Intervention
- Victim Advocacy
- Report an Incident

Another resource maintained at the NGB level is the Joint Staff NG SAPR page on GKO, a US Government Information system built on SharePoint. On the homepage, links are provided to all readers to access DoD SAPRO, Army SHARP, Air Force SAPR, ARNG SHARP, ANG SAPR, NGB SAPRAC, and the newly created State's Best Practices. Although primarily for use by SAPR personnel, DoD employees, and senior leaders in the states, it is available by using the Common Access Card (CAC). The site offers access to a map of the locations and contact numbers for NGB SVCs, and relevant SAPR policies and instructions, including SecDef, DoD, NGB, ARNG, and ANG initiatives.

The JFHQ-State SARC and ANG Wing SARCs are required to standardize email and voice-mail messaging for their contact information. As a best practice, the DoD Safe Helpline is the standard referral on all voice mail messages. The states also developed their own internal websites and help-lines where NG members may turn to for local response in a time of crisis. Many of the partnerships created within the communities offer tremendous opportunities to post information and to provide briefings on the services provided and resources available within the JFHQ-State SAPR program.

Some additional avenues used to distribute information on individual Service and available resources at the local level have been:

- SAPR marketing items, handouts, educational pamphlets, and PSAs
- SAPR posters, flyers, newsletters, information boards
- SAPR business cards, wing wallet cards
- Social media, SAPR websites, articles in local newspapers
- SharePoint
- Posting the DoD Safe Helpline and embedding SAPR website pages on their State's NG website

## **6.2 Provide updates on your development and implementation of specialized**



<p><b>medical and mental health care policy for sexual assault victims. If applicable, provide a copy of your updated implementation plan in the appendix.</b></p>
<p>In accordance with applicable Federal, State and Territory laws, guidance and regulation, and in partnership with the NG-J1-SAPR Program, the NG Psychological Health Program has licensed, mental health counselors ready and available to support and refer airmen and soldiers to appropriate resources to mitigate the physical and mental after effects associated with a sexual assault or threat.</p> <p>MTFs within DoD Health Affairs are accessible to NG when the Guard member is on active duty orders, covered by TRICARE, and are located and accessible within a state member's locale. MOU's and MOAs are developed with local civilian or Veteran Affairs facilities to provide medical and mental health care to the victim of sexual assault, when qualifying for services.</p>
<p><b>6.3 Describe your ongoing efforts to review, revise, update, and issue policy pertaining to:</b>  <b>The record of dispositions of unrestricted reports.</b>  <b>General education for correction of military records when victims experience retaliation.</b></p>
<p>Section 1723 of NDAA FY14 mandates the retention of DD Form 2910, "<i>Victim Reporting Preference Statement</i>," and DD Form 2911, "<i>DoD Sexual Assault Forensic Examination Report</i>," for fifty years for both Restricted and Unrestricted cases. This mandate was reinforced by the SecDef memo, "<i>Fifty-Year Retention of Forms Related to Reports of Sexual Assault</i>," dated 23 July 2014. Retention of Records as directed by the NDAA and the SecDef memo also applies to records for incidents reported during T32 status. For all Unrestricted Reports of sexual assault, the DD 2910 form is uploaded into DSAID by the owning SARC and is maintained according to DoD guidance. DD Forms 2910 for Restricted Reports are maintained by the owning SARC under double lock for the required 50 years. All victims receive their own copy of the signed DD 2910.</p> <p>In most cases where the sexual assault occurs and is reported on T32 status, the DD Form 2911 is not used by civilian hospitals or clinics. If the assault occurred while on active duty orders, the originating active duty SARC may provide a case transfer within DSAID to the gaining T32 SARC and all records maintained in DSAID are included with the case transfer information.</p>
<p><b>6.4 Provide an update on your progress in modifying policy provisions for general education campaign for correction.</b></p>
<p>The ARNG and ANG follow their Service-specific guidance and directives related to this issue.</p>
<p><b>6.5 Describe your efforts to sustain policy for General or Flag officer review of</b></p>

**and concurrence in adverse administrative actions and separation of victims making an Unrestricted Report of sexual assault in FY14.**

This policy is identified in the CNGB Instruction currently in its final staffing process prior to implementation. TAG serves as the final reviewing officer for adverse administrative actions and separation of victims of sexual assault making an Unrestricted Report of sexual assault.

**7. Secretary of Defense Initiatives**

**7.1 Enhancing Commander Accountability—Describe your progress in developing methods of assessing commander effectiveness in establishing command climates of dignity and respect. Include efforts made by your Service to incorporate SAPR prevention and victim care principles in their commands, and efforts made to hold them accountable.**

The ARNG complied with the methods identified in the Secretary of the Army memorandum dated September 27, 2013, directing the enhancement of the Evaluation Reporting System to assess how officers and NCOs are meeting their commitments, and to hold them accountable:

- The ARNG incorporated character comments into the NCOER/OER (“Assessing Officers and Noncommissioned Officers and Fostering Climates of Dignity and Respect and on Adhering to the SHARP Program”) to ensure that the ARNG better evaluates, and holds accountable, its officers and NCOs with regard to their performance in establishing appropriate climates of dignity and respect and their adherence to SAPR principles.

The ANG complied with the methods identified in the Acting Secretary of the Air Force memorandum dated October 28, 2013, to assess commanders and hold them accountable:

- Modification to feedback evaluation forms. All Airmen will be held responsible for contributing, NCOs and officers with creating, and commanders for ensuring a healthy unit climate.
- Increase the frequency of required climate assessments.
- Requirement for commanders to brief their immediate supervisor and unit members on climate assessment results.
- Transition the current Unit Climate Assessment to the Defense Equal Opportunity Management Institute Organizational Climate Survey.
- Establish a Special Interest Item for the Inspector General new Unit Effectiveness Inspection system.

**7.2 Ensuring Safety—Describe your efforts, policies, and/or programmatic changes undertaken to improve SAPR training for members of the military serving in recruiting organizations, Military Entrance Processing Stations, and the Reserve Officer Training Corps. Include measures taken by your Service to select, train, and oversee recruiters, disseminate SAPR program information to potential and actual recruits, and how your Service has incorporated SAPR program information in ROTC environments and curricula.**

ARNG Recruiter emphasis:

- Focused on efforts to complete evaluation of Stand-down screenings.
- Guard Strength Maintenance Division created “Smart Cards” to give to potential recruits.
- Content – Professional Recruiter/Recruit relationship, DoD and State Safe Helpline, State SARC phone number.
- Recruit Sustainment Program delivers a 3-hr block of SAPR/SHARP information to all new recruits prior to attending Basic Combat Training.

ANG Recruiter Emphasis:

- ANG received their toll-free number October 1, 2013.
- Recruiters are required to brief applicant, and both must sign the “ANG Statement of Conduct Form”.
- “Recruiter Reporting Card” contains toll-free number and ethics.
- Recruits received “Rights and Duties of ANG Trainee” briefing prior to BMT and Technical Training School (non-prior service).
- These requirements were updated in ANG Instruction 36-2002 & ANG Instruction 36-2101.

**7.3 Evaluate Commander SAPR Training—Describe your progress in developing core competencies and learning objectives for Pre-Command and Senior Enlisted Leader SAPR training. If your Service has completed an assessment of newly established core competencies and learning objectives, explain findings and recommendations.**

Implementation of a newly developed T32 specific NG SAPR Commander’s Course will begin in FY15. Pre-command training and Senior Enlisted training for NG Traditional members has always been dependent on the ability of the Guard member to participate in extensive pre-command course work as a dual civilian/military

member. The specific T32 pre-command training is capable of being delivered during a two-day time frame by trained SARCs, SAPR VAs, and other subject matter experts within the state operations to include JAG, Chaplains, SVCs, and special investigators. The core competencies and learning objectives are based on the assessment that T32 resources and processes for investigations and accountability for sex offenders, is often based on state laws and statutes that do not include active duty resources or UCMJ directives. The assessment of core competencies for T32 commanders indicated the need for specific command training that utilizes real situations encountered while functioning in T32 status.

- The ARNG requires all Senior Leaders in the ARNG to attend Tier 1 SHARP training.
- ANG Commanders and Senior NCOs receive the same annual SAPR training given to all members of the wing. Some SARCs began offering one-on-one training with new Commanders as part of their immersion training.

**7.4 Develop Collaborative Forum for Sexual Assault Prevention Methods—Describe your implementation plan and methods for establishing a community of practice and collaboration forum to share best and promising practices and lessons learned with external experts, federal partners, Military Services, NGB advocacy organizations, and educational institutions.**

The NG SAPRAC is the primary instrument for collecting and disseminating best practices among the NG SARCs through the states. During the regional and national level meetings, the SAPRAC representatives have a forum that exists to share a host of information, such as best practices, and lessons learned. This information is subsequently shared among all the SAPR personnel with the states.

Additionally, as part of the NGB Prevention Strategy alignment with DoD SAPRO's Prevention Strategy, NG is in the process of identifying personnel to monitor and encourage participation in a NG T32 specific Community of Practice on DoD's SAPR Connect resource utilizing MilSuite as an overall DoD forum for sharing both internally and externally with partners, advocacy organizations, and educational institutions.

Through the many relationships developed between the NG SAPR personnel and their community partners, these best practices and lessons learned are shared with a larger audience. Routinely, members of the NG SAPR staff are asked to provide briefings, participate in forums, provide training, and participate in a host of events where there is an exchange of information with SAPR professionals from many organizations and agencies.

Additionally, both the ARNG SHARP and ANG SAPR offices conduct monthly teleconferences with SARCs to discuss a variety of information to include best practices. This information is disseminated to the field through emails, posting it on the GKO SAPR, ANG SAPR and ARNG SHARP websites, and during initial and refresher

training.

**7.5 Improving Response & Victim Treatment—Describe your efforts to improve overall victim care and trust in the chain of command. Include updates or initiatives undertaken by your Service to reduce the possibility of ostracizing victims, to increase reporting, and measures your Service has taken to account for victim input in these efforts.**

To improve response and victim treatment by their peers, co-workers, and chains of command with the NG, the following initiatives were implemented.

- Execution of Service – specific directives set by Departments of the Army and Air Force and implementation of program initiatives developed to improve response and victim treatment. This is a SecDef initiative.
- Increased training focus on how tolerating or ignoring sexual assault is contrary to the Military's Core Values and a renewed emphasis encourages greater Bystander Intervention in preventing sexual assaults. Through greater subject accountability for substantiated case investigations, the NG efforts by NGB-JA/OCI improved response to victims and encouraged increased reporting of sexual assault incidents.
- Released NG's updated CNGBI 1303.01A, *"Expedited Transfer, Reassignment, or Removal of National Guard Members Due to an Unrestricted Report of Sexual Assault"*, 06 August 2014, to provide additional options and guidance for victim response involving T32 sexual assaults.
- Employed Sexual Assault Awareness Month Public Service Announcements to destigmatize victimization and increase efforts to encourage incident reporting.
- Re-emphasized the SecDef directive to use Command Climate surveys within 120 days of assuming command to evaluate current climate and increase awareness of any ongoing problems within a previous command.
- Enhanced sensitivity training by peers, co-workers, and chains of command at all training venues, including PME, annual sexual assault prevention stand-downs and professional development venues to recognize victim blaming statements and perceptions that would discourage reporting and influence treatment of victims. Evaluations are solicited after every training event.
- Engaged SARCs for review of the DoD Survivor Experience Survey prior to being offered to sexual assault survivors. SARCs reviewed content with the intent of determining whether the survey was appropriate and specific to include T32 survivors, in addition to examining content to prevent or minimize any possibility of re-victimization.

- The NG continued to educate Guard members on their roles and responsibilities in creating and maintaining a climate of dignity and respect through their annual refresher training sessions, commander led engagements, Newcomers Orientations, Staff Assistance Visits, and additional unit training settings.

**7.6 Enhancing Protections—Describe your efforts to update policies allowing for the administrative reassignment or expedited transfer of a member who is accused of committing a sexual assault or related offense. Include your Service’s efforts to account for both the interests of the victim and the accused.**

CNGB Instruction 1303.01A, “*Expedited Transfer, Reassignment, or Removal of National Guard Members Due To an Unrestricted Report of Sexual Assault*” was recently updated and published on 06 August 2014.

The purpose of this instruction is as follows: “This instruction establishes policy and assigns responsibilities to expedite the transfer of National Guard T32 Guard members IAW reference a, who file an Unrestricted Report of sexual assault IAW reference b. This instruction also implements the statutory authority permitting an appropriate commanding officer (CO) to temporarily and administratively reassign or remove a T32 Guard member who is accused of committing a sexual assault or related offense IAW reference c.”

Reference a: DoD Instruction 6495.02, 28 March 2013, Change 1, 12 February 2014, “*Sexual Assault Prevention and Response (SAPR) Program Procedures*”

Reference b: DoD Directive 6495.01, 23 January 2012, Change 1, 30 April 2013, “*Sexual Assault Prevention and Response (SAPR) Program*”

Reference c: PL 113-66, Subtitle B, § 1713, “*Temporary Administrative Reassignment or Removal of a Member on Active Duty Accused of Committing a Sexual Assault or Related Offense*”

**7.7 Improving Victim Legal Support—Describe your efforts to establish a special victim’s advocacy program that provides legal advice and representation for victims of sexual assault. Include your Service’s measures of effectiveness for this program, as well as efforts made to collaborate and share best practices with other services.**

As described in section 3, NG SVCs are now available to eligible victims of sexual assault to provide confidential legal representation related to issues that may arise as a result of being sexually assaulted. A “*Notification of National Guard Special Victims’ Counsel Services*” was developed to inform the victim of the following services the SVC may provide:

- Legal representation and advocacy on issues related to the military criminal or

administrative disposition of the sexual assault, such as attending interviews with military investigators and military trial and defense counsels, participating in courts martial and assisting with drafting victim impact statements.

- Referral to Trial Defense Service or Area Defense Counsel for collateral misconduct, if necessary.
- Advice to client on personal civil legal affairs that have a direct nexus to the sexual assault.
- Advice to client on filing an expedited transfer requests, requesting military and civilian protection orders and obtaining records related to the sexual assault investigation or case disposition.
- Traditional legal assistance services.

Individuals eligible for NG SVC assistance include: NG members on T10 or T32 duty status, on SAD with a NG Nexus, not in a duty status but with a NG Nexus, Dual-Status Technician with a NG Nexus, and dependents of NG members if either the Service or the NG has jurisdiction over the alleged perpetrator.

Within two months after the program reached its operational status, NG Regional SVCs were collectively representing 43 cases addressing a myriad of cross-cutting legal issues, such as military criminal investigation and prosecution (court martial), administrative investigation and case disposition, line of duty determination for NG victims of sexual assault, expedited transfer requests, and protection of privacy. NG SVC program staff was also monitoring seven NG cases supported by Army and AF SVCs.

NGB-JA/SVC continually assesses the health and utilization of the NG SVC program. Regional NG SVCs submit a monthly manpower tracking report that provides a quantitative means for NGB-JA/SVC to evaluate legal challenges facing the clients, identify subject matters that require advance legal training, and pinpoint shared concerns that require systematic resolution. Since May 2014, the majority of the work hours spent on providing direct client services by Regional SVCs were focused on initial client intakes, protection of privacy, and ensuring access to LOD determination. Driven by the manpower tracking results and feedback from the Regional NG SVCs, NGB-JA/SVC hosted the inaugural annual legal training for the Regional NG SVCs in August 2014. The three-day, advanced legal training focused on victimology and serving as a victim's attorney, LODs, incapacitation pay, and the medical separation process to include the disability evaluation system, and protection of medical and mental health records.

Overall, the NG SVC Program has experienced a gradual increase in SVC utilization. Specifically, Regional NG SVCs are collectively reporting approximately 20 new cases per month, making a sum total of 43 cases for June and July 2014. Also for the

months of June and July 2014, they spent:

- 117 hours in meeting with clients for initial case intake and other follow-up issues
- 92.5 hours in assisting clients with correction of personnel records and privacy protections
- 75 hours in obtaining and reviewing client investigative, personnel, medical and mental health records
- 61 hours in issues concerning LOD.

Regional NG SVCs reported over 1200 hours in conducting legal research, drafting, and consultation in preparation for their legal representation and advocacy.

The NG SVC Program has witnessed an increase in the intensity of legal support required. Examples include:

- A case involving the sexual assault of a Guard member taking place over a long period of time with the victim in a T10, T32, and civilian status.
- A victim facing adverse administrative actions.

NGB-JA/SVC coordinated and met its training requirements by partnering with the Army and AF SVC certification courses. To address the NG policies and unique challenges facing the T32 Guard member, they provided an NG curriculum and instructors for the NG JAs participating in the certification course. Following successful completion of this course, NGB-JA/SVC coordinates with the Army or AF SVC PM to ensure the Service TJAG jointly certifies the NG JAs as SVCs.

**7.8 Develop Standardized and Voluntary Survey for Victims and Survivors—  
Describe your progress in developing and participating in a standardized victim survey. List efforts made jointly with other Services and Departments to regularly administer the standardized victim survey in such a way that protects victim privacy and does not adversely impact victim legal and health status.**

The National Guard, in collaboration with DoD SAPRO, worked with the Defense Manpower Data Center (DMDC) personnel to develop and review questions included on the 2014 SES. The survey was developed to meet requests from the White House Health of the Force request for feedback from survivors, who provided an Unrestricted Report beginning in FY14 on October 1, 2014. The anonymous survey was created to inform about the services and resources our survivors received, their level of satisfaction, and ways in which their needs could be better met.

The NG will continue to partner with DoD SAPRO and DMDC to advance and mature



the SES to continue obtaining valuable feedback on survivor experiences; information critical to impacting the services provided to NG survivors. DMDC plans to develop an additional SES to offer to survivors after a case is closed to compare initial survey responses to responses on final results and perceptions of support and response after case closure. NG will continue to engage with DMDC and DoD SAPRO on any input requested for issuing a final SES that may require specific questions for Guard members on T32 duty status.

# APPENDIX A

## ***PART ONE***

***Includes Responses from:***

***JFHQ SARC***

***JFHQ VAC***

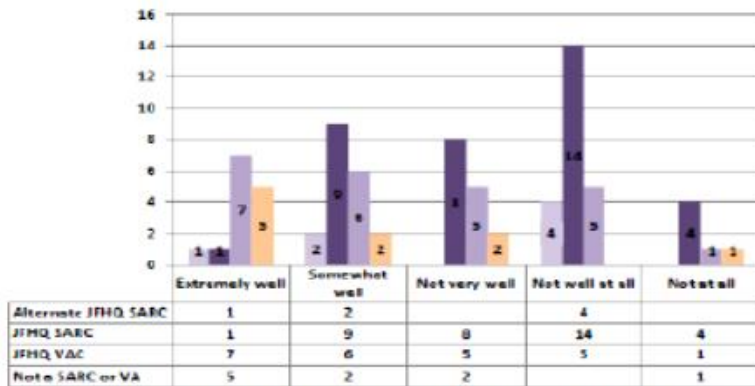
***Alternate SARCs***

***Additional Responses from  
Attendees Not in SARC or VA  
Position***

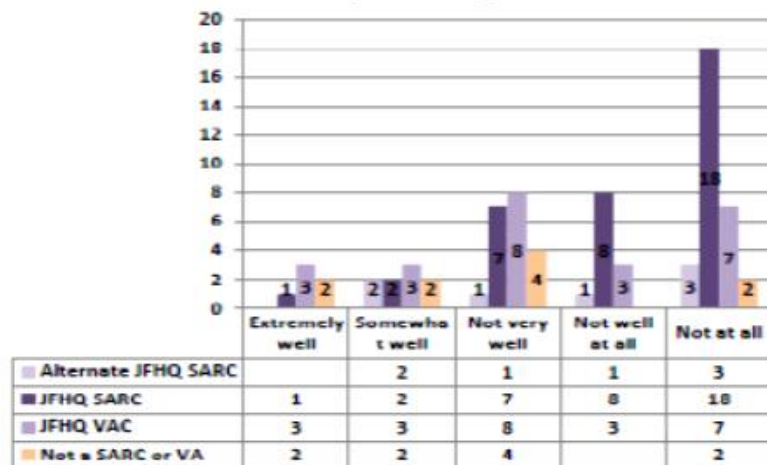
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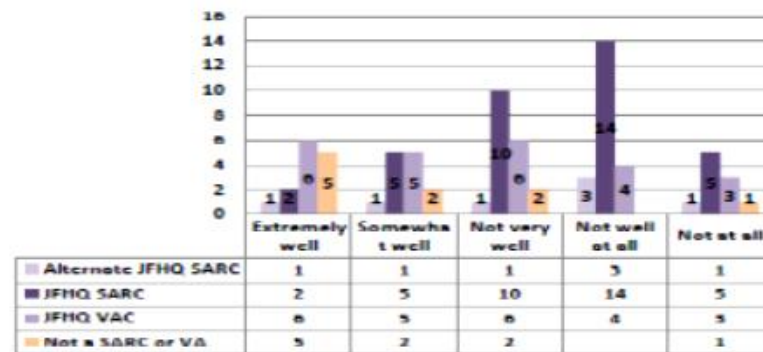
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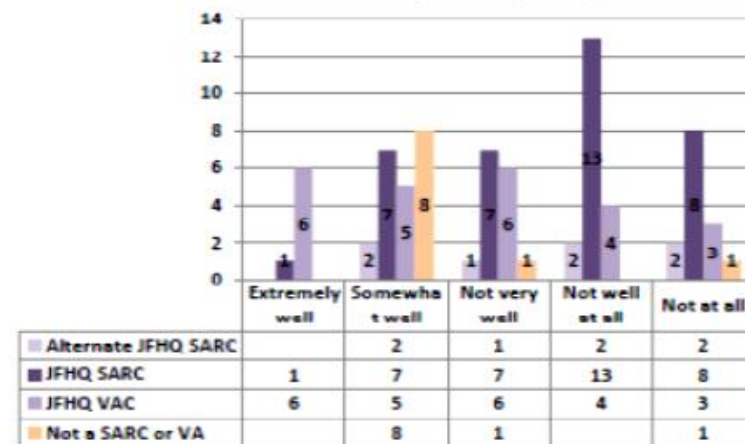
3. How well does the 80-Hour SHARP course provide an overview of the role and function of the National Guard Office of Complex Investigations?



2. How well does the 80-Hour SHARP course explain or discuss the possible flow and outcomes of a sexual assault investigation incident that occurs in T32 status?  
Chart Title

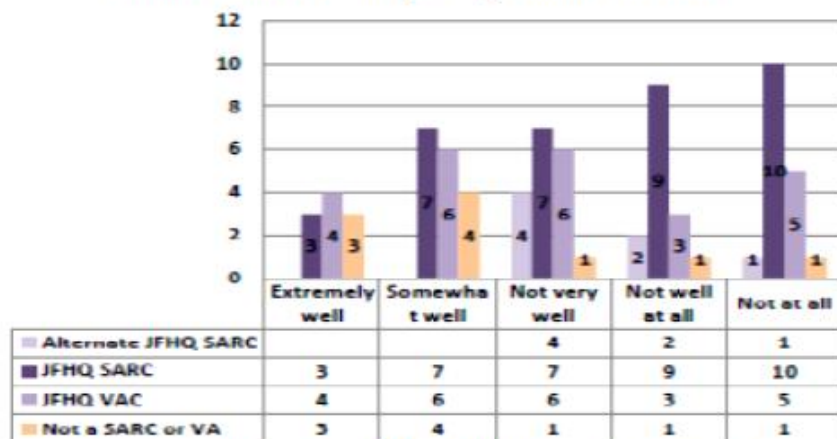


4. How well does the 80-Hour SHARP course explain or discuss offender accountability options for subjects that are in a T32 or non-duty status (not subject to the Uniform Code of Military Justice [UCMJ])?

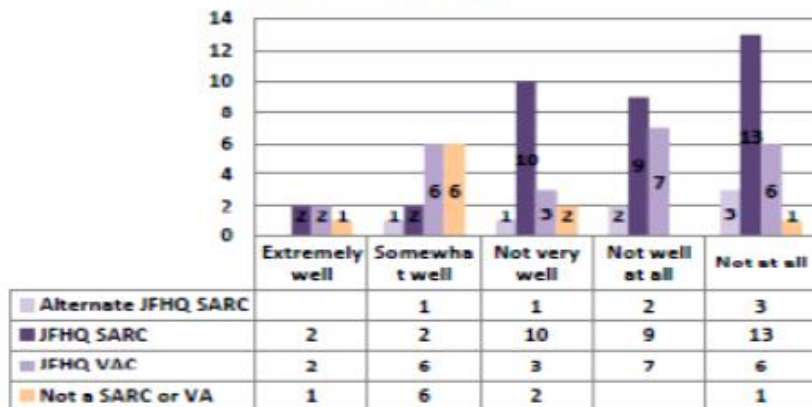




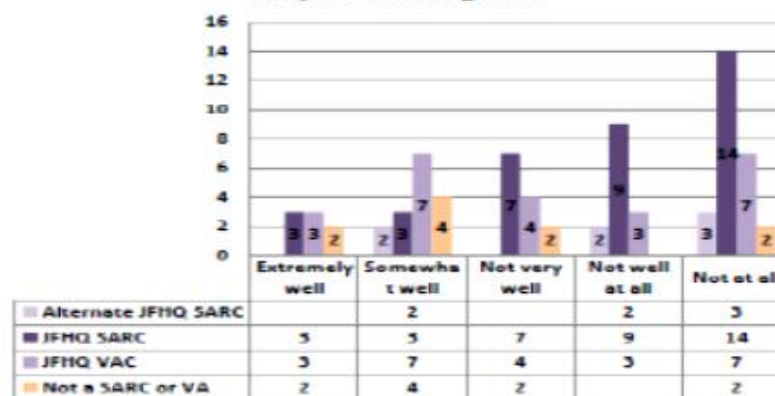
5. How well does the 80-Hour SHARP course address or discuss victim advocate privilege under state law?



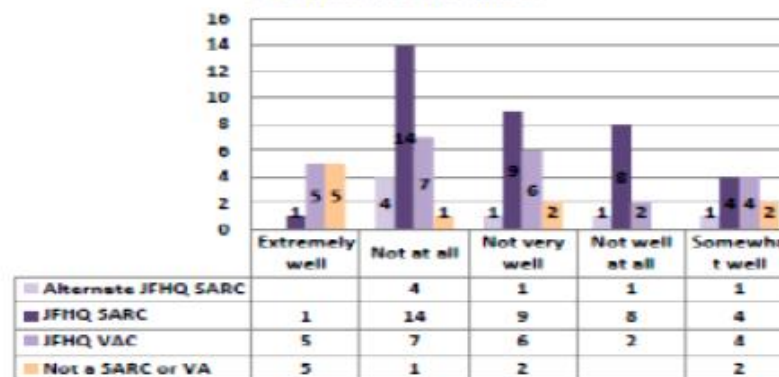
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8. How well does the 80-Hour SHARP course explain or discuss the referral process for reports of sexual harassment and/or sexual assault to the proper civilian response authority for non-duty status technicians who are not service members?



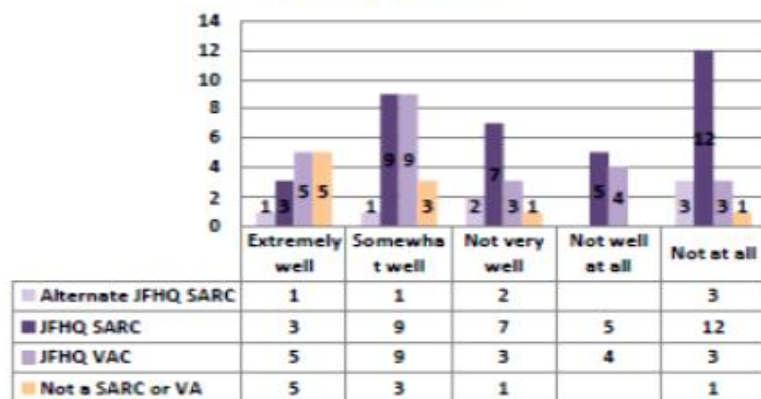
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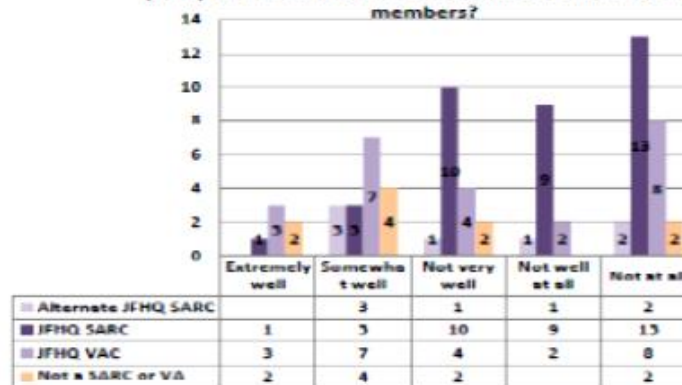
9. How well does the 80-P course explain or discuss resources available for ARNG victims sexually assaulted while on State Active Duty (SAD) to include Workman's Compensation?



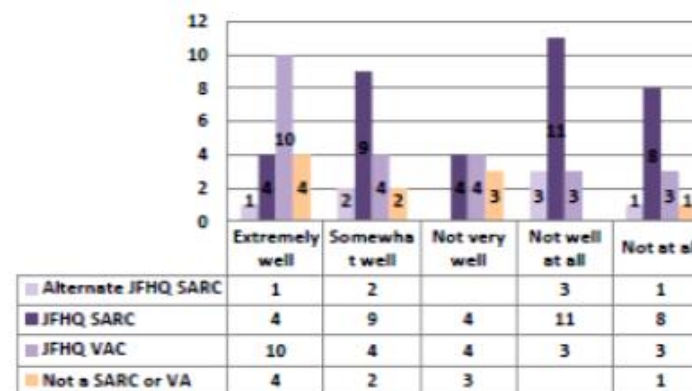
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12. How well does the 80-Hour SHARP course discuss or explain the role and responsibilities of the State JFHQ SARC and JFHQ VAC?

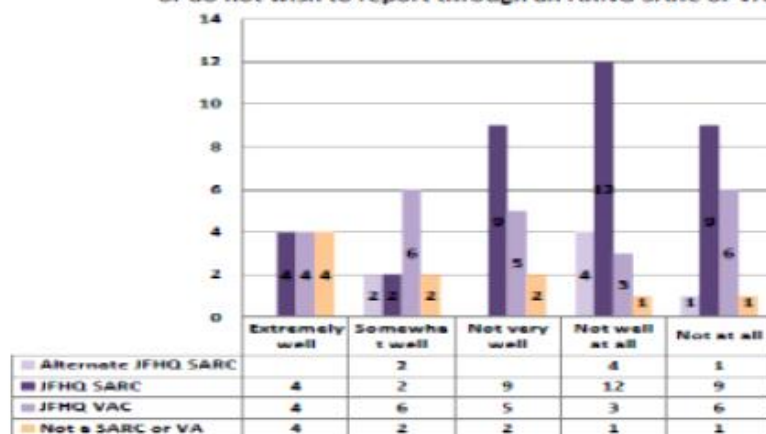




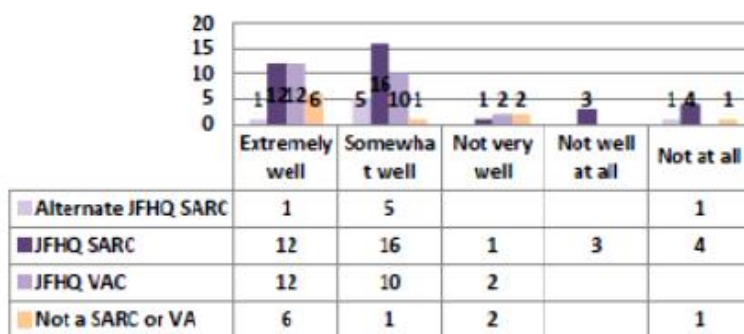
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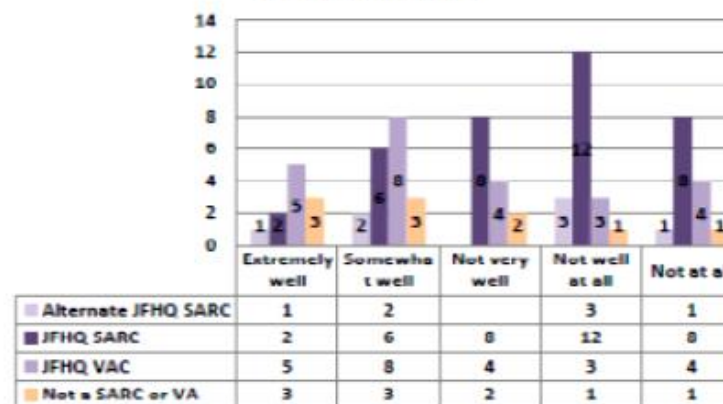
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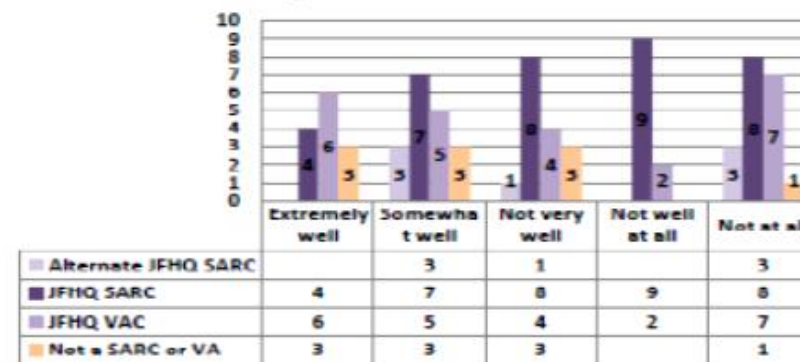
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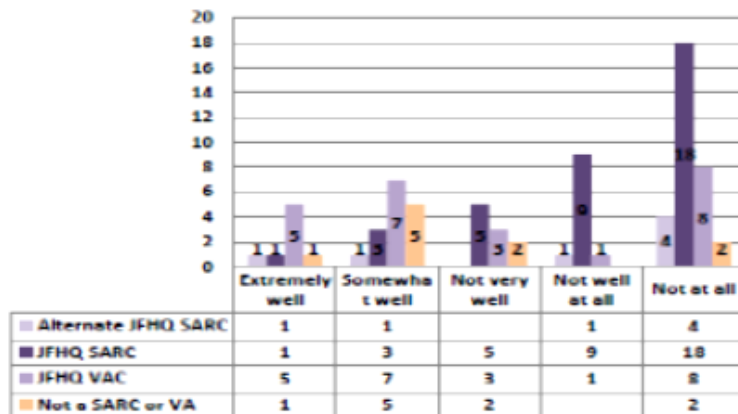
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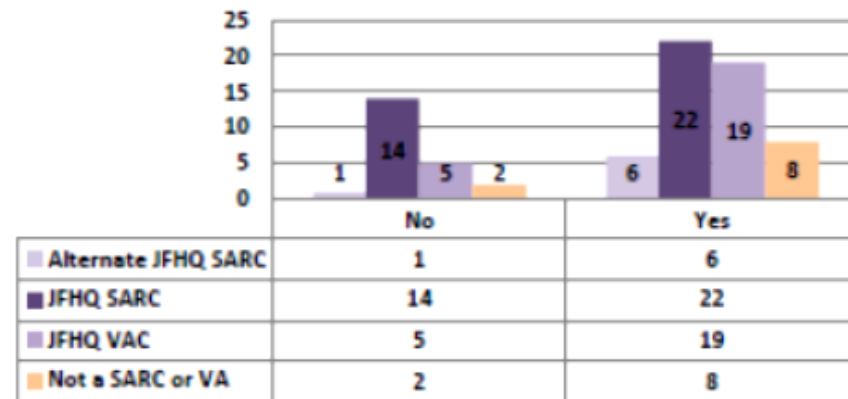
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21. How well does the 80-Hour SHARP course review the command and response structure of SHARP in the ARNG, to include the authority and oversight responsibility of the Adjutant General and for the Governor?



24. Was a JFHQ SARC or National Guard member present during training to answer questions and support the MTT trainers?





## ***PART TWO***

***Total Responses from:***

***JFHQ SARC***

***JFHQ VAC***

***Alternate SARCs***

***SARC/SHARP***

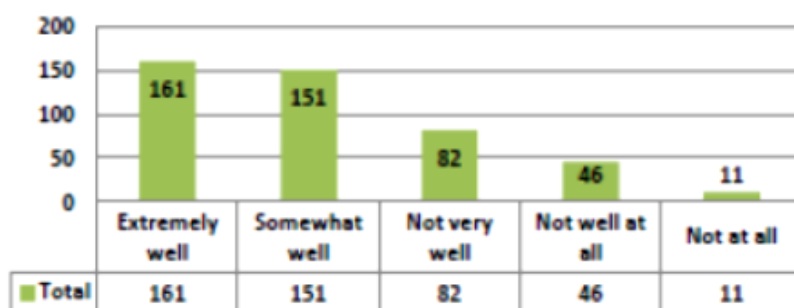
***VA/SHARP***

***Not a SARC or VA***

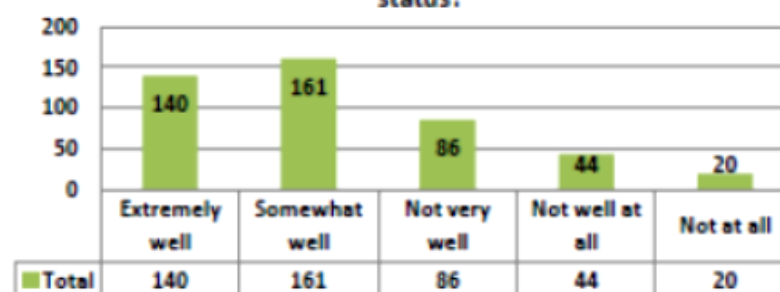
***Additional Responses from  
Attendees Not in SARC or VA  
Position***



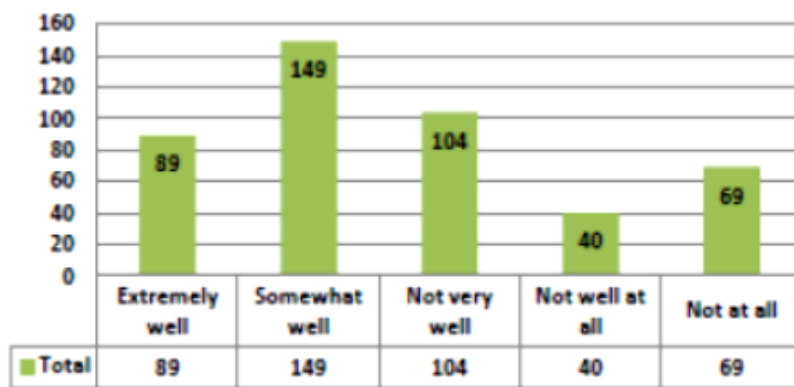
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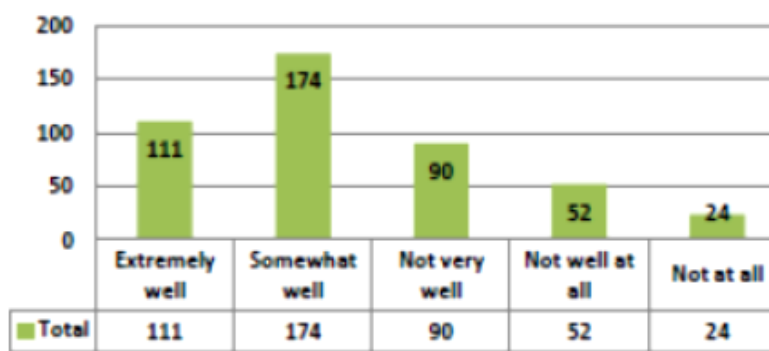
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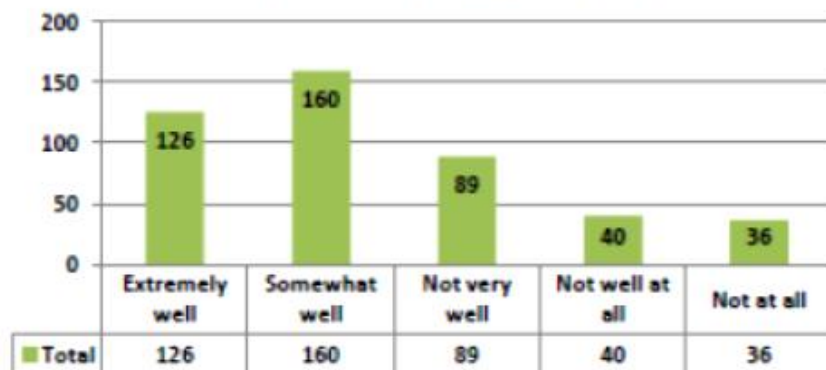


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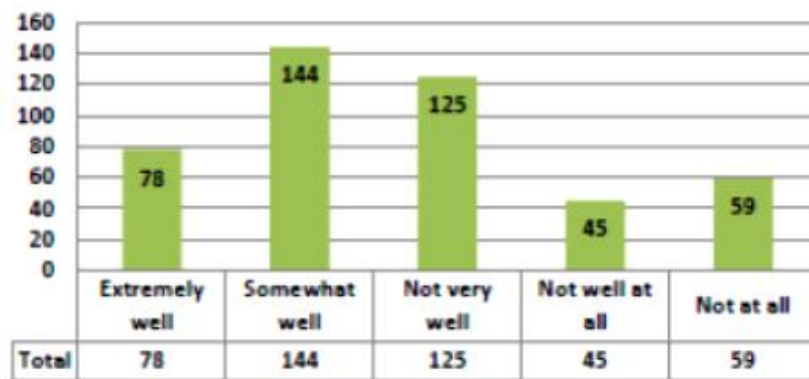




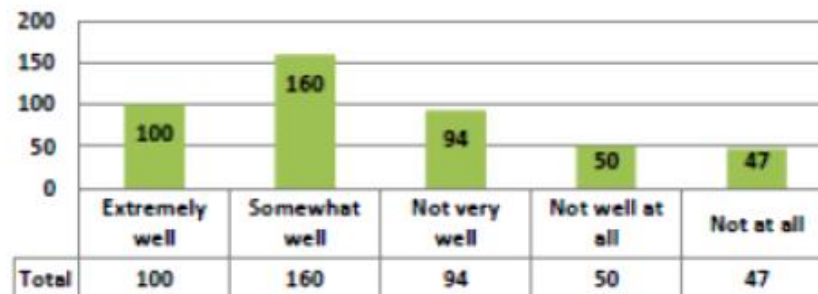
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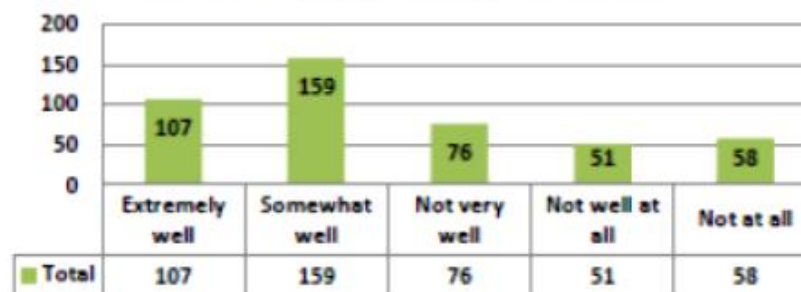
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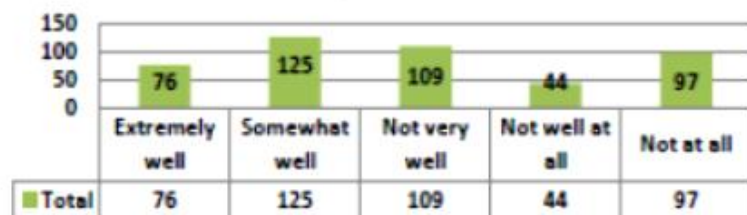
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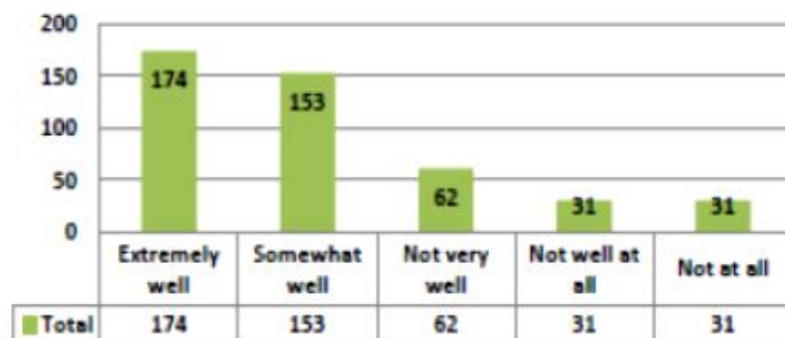
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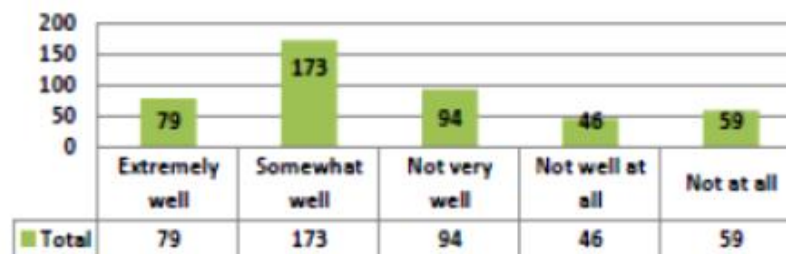
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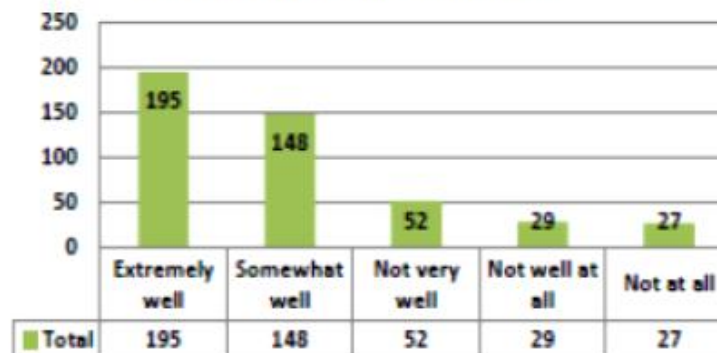
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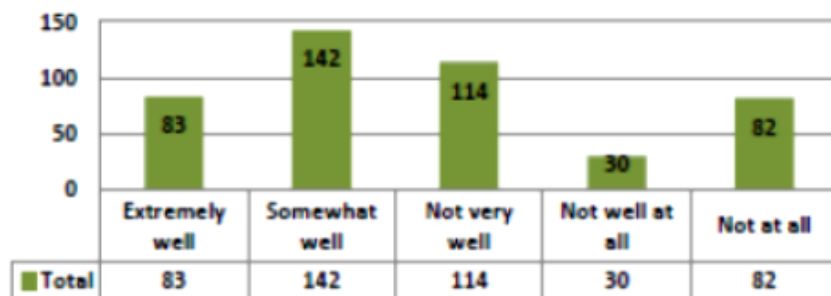


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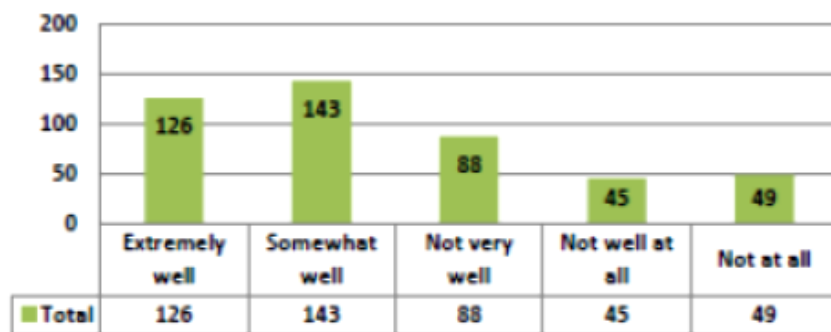




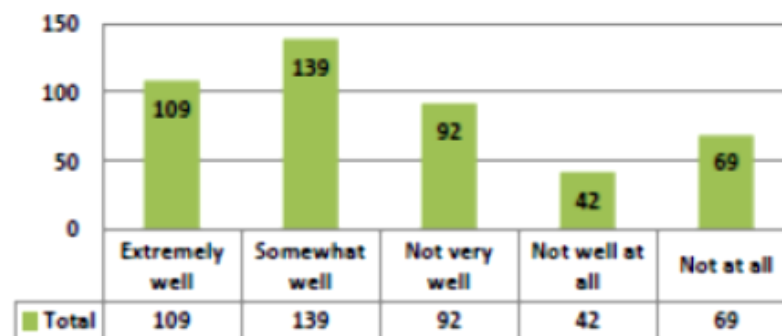
13. How well does the 80-Hour SHARP course discuss or explain the ARNG's potential cross-service response capability of the Air National Guard SARC's and SAPR VAs under TAG's authority?



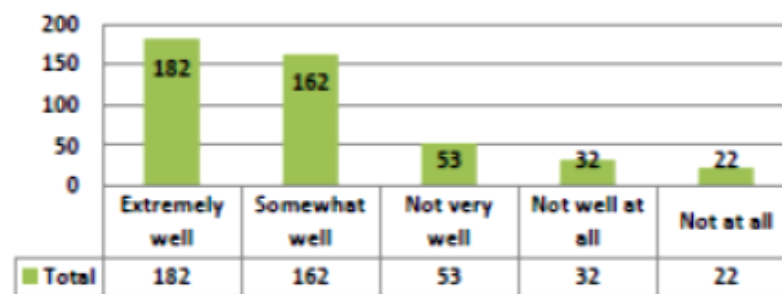
15. How well does the 80-Hour SHARP course explain or discuss the unique challenges of the ARNG to execute certain SAPR program requirements, such as the ability to store SAFE exams?



14. How well does the 80-Hour SHARP course discuss the option to bring collateral duty (M-Day) ARNG VAs on orders to respond to victims of sexual assault?



16. How well does the 80-Hour SHARP course discuss or address utilizing civilian health care for forensic exams, to include the possible impact on reporting options (mandatory reporting states) and evidence retention?

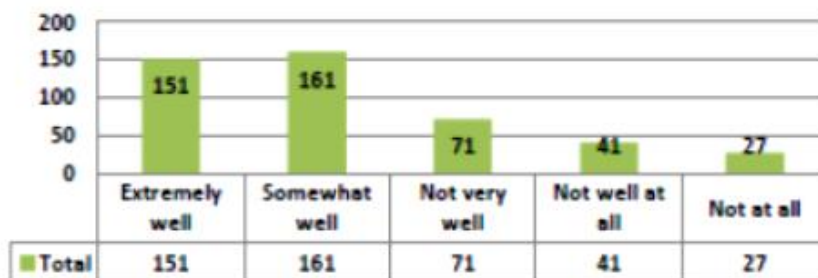




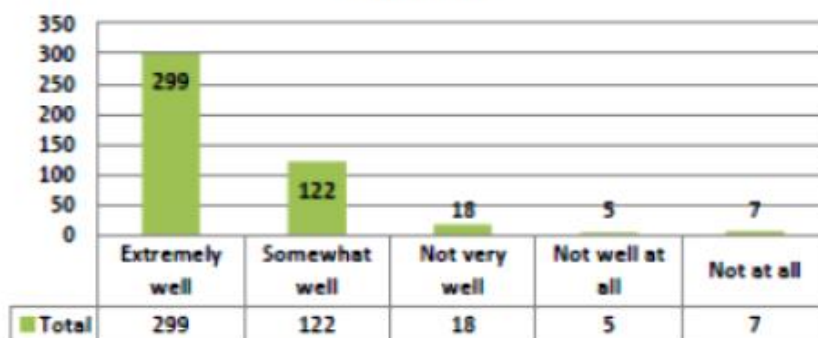
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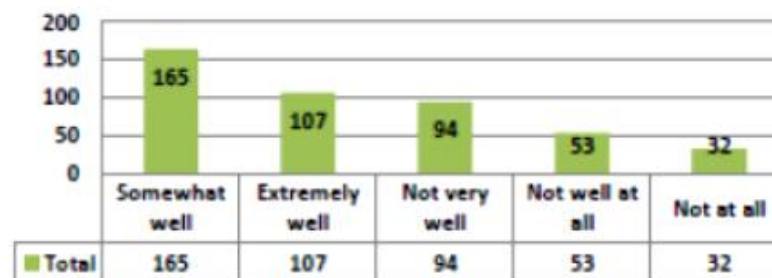
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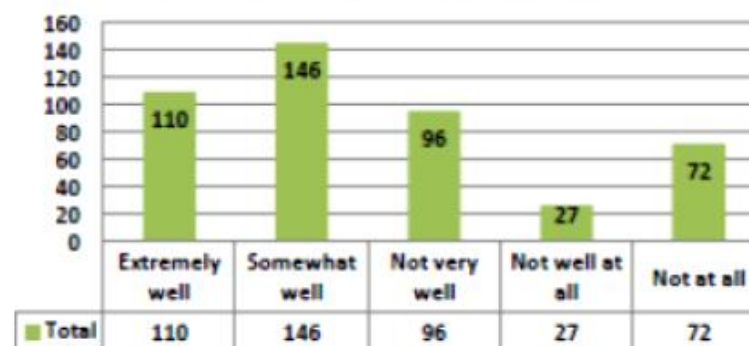
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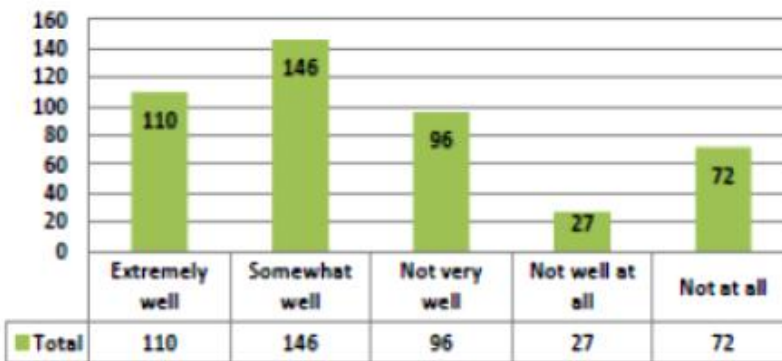


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