



Appendix B: Statistical Data on Sexual Assault



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Appendix B: Statistical Data on Sexual Assault

Background

Purpose

The Department of Defense (DoD) collects reporting data on sexual assault to inform Sexual Assault Prevention and Response (SAPR) policy, program development, and oversight actions. Congress requires DoD to supply data about sexual assault reports, the outcome of sexual assault investigations, and related accountability actions. Each year, the Sexual Assault Response and Prevention Office (SAPRO) aggregates data on reports of sexual assault, analyzes the results, and presents them in this report.

Scope

DoD uses the term “sexual assault” to refer to intentional sexual contact characterized by the use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. The term includes a broad category of sexual offenses consisting of the following specific Uniform Code of Military Justice (UCMJ) offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these offenses.¹ For the purpose of data analysis in this report, DoD organizes analyses by the most serious sexual assault allegation made by a victim or investigated by a Military Criminal Investigative Organization (MCIO).² The information in initial reports and/or behaviors alleged do not necessarily reflect the final findings of the investigators or the matter(s) addressed by court-martial charges or other forms of disciplinary action against suspects (referred to by DoD as “subjects of investigation” or “subjects”).³

DoD’s sexual assault reporting statistics include data on penetrating and sexual contact crimes by adults against adults for matters defined in Articles 120 and (formerly) 125 of the UCMJ, as well as Article 80, which governs attempts to commit these offenses.⁴ Data analyses within this Appendix do not include:

- **Sexual harassment complaints.** The Office for Diversity, Equity, and Inclusion supplies information about sexual harassment complaints in Appendix E.
- **Sexual assault allegations involving spouses and/or intimate partners.** DoD Family Advocacy Program (FAP) supplies the domestic abuse-related sexual assault data in Appendix F.
- **Sexual abuse allegations involving children.** DoD FAP supplies the child-related sexual abuse data in Appendix G.

Although most victims and subjects in the following data are aged 18 or older, DoD statistics may capture information about victims and subjects aged 16 and 17 at the time of the report,

¹ Department of Defense Instruction 6495.02.

² Criminal Investigative Command for the Army, Naval Criminal Investigative Service for the Navy and Marine Corps, and Air Force Office of Special Investigations for the Air Force.

³ The term “subject” does not denote innocence or guilt of the person being investigated.

⁴ Beginning January 1, 2019, the UCMJ categorizes acts that used to constitute forcible sodomy under Article 125 within the crime of rape or sexual assault under Article 120. In addition, to align with changes in the UCMJ, sexual contact crimes no longer encompass touching of body parts other than the genitals, inner thighs, breasts, and buttocks. Acts such as forcible kissing or nonconsensual touching of other body regions may be deemed sexual harassment, assault consummated by a battery, or another crime under the UCMJ, depending on the facts of the case.

which includes Service members approved for early enlistment. Additionally, 16- and 17-year-old military and civilian victims may be included in the data that follow, if such matters do not fall under FAP's purview.

Data Included

Unrestricted and Restricted Reports

Per reporting requirements levied by Congress, DoD sexual assault data capture Restricted and Unrestricted Reports of sexual assault made to DoD during a Fiscal Year (FY) involving a military person as an alleged perpetrator and/or a victim.⁵

Victims make a Restricted Report to specified individuals (e.g., Sexual Assault Response Coordinators (SARCs), SAPR Victim Advocates (VAs), or healthcare providers), enabling confidential access to care and services. These reports are not referred for investigation and do not involve review by command authorities. Given the desire for confidentiality, the victim is not asked to provide extensive details about the sexual assault. SARCs therefore record limited data about these victims and the alleged offenses in the Defense Sexual Assault Incident Database (DSAID). Furthermore, DoD does not request or enter subject information into DSAID for Restricted Reports. A victim can choose to participate in a criminal investigation and any subsequent military justice proceedings, as applicable, by converting a Restricted Report to an Unrestricted Report at any time.

Unlike a Restricted Report, an Unrestricted Report of sexual assault is referred for investigation to an MCIO, and command is notified of the alleged incident. DoD collects data on Unrestricted Reports from the cases entered into DSAID by SARCs. Additionally, MCIO information systems interface with DSAID in order to incorporate subject and investigative case information into records.

Notably, the number of sexual assaults reported to DoD in a given year is not necessarily indicative of the number of sexual assaults that may have occurred that year. This difference exists because not all sexual assault victims report allegations of sexual assault. DoD estimates the annual sexual assault prevalence using survey responses to the *Workplace and Gender Relations Survey (WGR)*. The difference between estimated sexual assault prevalence measured using unwanted sexual contact estimates in 2023 (i.e., the estimated number of Service members indicating an experience of unwanted sexual contact in the past year) and the number of reports received in the year is described in detail in Figure 3 of this Appendix.

Case Dispositions

Once the investigation of an Unrestricted Report is complete, Congress requires the Military Services to report the outcome or "case disposition" of the allegations against each subject named in an investigation (see Military Services' Reports for individual case synopses). When a person is the subject of multiple investigations, he or she will also be associated with more than one case disposition in DSAID. DoD holds Service member subjects who have committed sexual assault appropriately accountable based on the evidence available.

⁵ Use of the term "subject," "perpetrator," or "offender" refers to a person who has allegations of misconduct made against them by another individual, and does not convey any presumption about the guilt or innocence of the alleged offenders, nor does the use of the term "incident" legally substantiate an occurrence of a sexual assault. Use of the term "victim" refers to a person who has made an official Unrestricted or Restricted Report of sexual assault with the Department of Defense and does not infer a finding of fact.

Upon completion of a criminal investigation, the MCIO conducting the investigation provides a report documenting investigative findings to the subject's commander for military justice action,⁶ as appropriate. A servicing staff judge advocate may also review the MCIO report and recommends appropriate action. For investigations of rape, sexual assault, forcible sodomy, and attempts to commit these crimes, a senior military officer who is at least a special court-martial convening authority (SPCMCA) and in the grade of O-6 (Colonel or Navy Captain) or higher retains initial disposition authority over the matters alleged.

The SPCMCA determines what, if any, initial disposition action is appropriate, to include whether further action is warranted and, if so, whether the matter should be addressed by court-martial, nonjudicial punishment, administrative discharge, or other adverse administrative action. The SPCMCA bases the initial disposition decision on a review of the matters transmitted in the investigative report, any independent review, and consultation with military attorneys. Subordinate unit commanders may also provide their own recommendations regarding initial disposition to the convening authority.

Disciplinary action against a particular subject may not always be possible due to legal issues or evidentiary problems with a case. For instance, a commander may be precluded from taking disciplinary action against a subject when the investigation fails to show sufficient evidence of a crime. Furthermore, DoD's legal authority under the UCMJ extends mostly to Service members, with limited exceptions. Civilians are not subject to the UCMJ for the purpose of court-martial jurisdiction, except in rare circumstances, such as in deployed environments when accompanying the Armed Forces.

Additionally, U.S. civilian authorities and foreign host nations usually hold primary responsibility for prosecuting non-U.S. military personnel who are alleged to have perpetrated sexual assault against Service members within their respective jurisdictions.⁷ DoD may also exercise its legal authority over its members alleged to have committed sexual assault in a civilian jurisdiction. Prosecutions by civilian authorities against Service members are determined on a case-by-case and jurisdiction-by-jurisdiction basis. Prosecutions of Service members by a foreign nation are often governed by a Status of Forces Agreement (SOFA) between that country and the U.S.

Period Covered

This Annual Report includes data on sexual assaults reported from October 1, 2022 to September 30, 2023, as well as information that describes the status of sexual assault reports, investigations, and case dispositions.

Sexual assault investigations can extend across FYs, because investigations may span several months from start to completion. As a result, investigations opened toward the end of the FY often extend into the following FY. Disciplinary actions, such as courts-martial and discharge proceedings, also require time; therefore, reporting of these outcomes can extend across FYs. When the outcome has yet to be determined at the end of the FY, case dispositions are marked

⁶ The military justice reforms directed by Congress in the Fiscal Year 2022 National Defense Authorization Act, and implemented by the President via Executive Order, are not reflected in the data collected during FY23. On December 28, 2023, the Offices of Special Trial Counsel (OSTC) reached full operational capacity and assumed responsibility for making prosecution decisions for specified crimes, including sexual assault, domestic abuse, and sexual abuse of a child. Outcomes for cases adjudicated by the OSTCs will be reported in the FY24 Annual Report on Sexual Assault in the Military, due to be released in April 2025.

⁷ A host nation's ability to prosecute a Service member may be subject to the SOFA between the U.S. and a particular foreign government. SOFAs vary from country to country.

as “pending completion.” DoD tracks pending dispositions and requires the Military Services to report them in subsequent years’ reports.

Under DoD’s SAPR policy, there is no time limit as to when a sexual assault victim can report a sexual assault. Consequently, DoD receives reports about incidents that occurred during the current FY, incidents that occurred in previous FYs, and incidents that occurred prior to military service. When a Service member reports a sexual assault that occurred prior to enlistment or commissioning, DoD provides care and services, but will not be able to hold the alleged offender appropriately accountable if he or she is not subject to military law. In these cases, DoD authorities often assist the victim in contacting the appropriate civilian or foreign law enforcement agency.

Data Collection

DoD, including the Military Services, use DSAID to enter and store data on Restricted and Unrestricted Reports of sexual assault. For each report of sexual assault, SARCs must use DSAID to enter information about the victim and the incident. DSAID interfaces with MCIO systems, which contribute additional information about subjects and the incident(s). MCIO databases are the systems of record for all Unrestricted Reports they investigate. Service-appointed legal officers validate and enter case disposition information into DSAID. Since DSAID is a real-time data-gathering tool:

- **Not all data points are immediately available for this report.** Data provided on sexual assault reports represent the state of DSAID data at the time of the final pull for FY23. Data may be incomplete at the time of the DSAID data pull, despite best efforts by DoD and the Military Services to capture all data points. Therefore, some demographic or case-related information presented below is categorized as “relevant data not available.”
- **Data may change over time and may differ from what DoD reported previously.** Updates, changes, and corrections occur as a normal, continuous process of DSAID data management. SAPRO works with Service SAPR program managers to validate entries, identify errors, and make corrections throughout the year. In addition, the investigative process may also uncover additional information. Data presented here reflect this rigorous process.

Overview of Reports of Sexual Assault in FY23

In FY23, the Military Services received 8,515 reports of sexual assault involving Service members as either victims or subjects (Table 1 and Figure 1), a 5 percent decrease from reports made in FY22.

As stated above, DoD sexual assault reports are categorized as either Restricted or Unrestricted. Of the 8,515 reports received in FY23, 2,979 reports remained Restricted at the end of the year, approximately less than 1 percent decrease from the number remaining Restricted in FY22. Of these 2,979 Restricted Reports, 309 reports (10 percent) involved incidents that occurred prior to the Service member’s military service.

Of the 8,515 reports of sexual assault involving Service members, how many were made by Service members as alleged victims?

Service members made 7,807 reports. Of these, 541 reports were for incidents that occurred prior to military service and 7,266 reports were for incidents that occurred during military service.

Who made the other reports?

659 reports came from U.S. civilians, foreign nationals, and others who were not on active duty status with the U.S. Armed Forces. Relevant data were not available for 49 reports.

Of the 8,515 reports, 5,536 reports were Unrestricted, a 7 percent decrease from the number of Unrestricted Reports in FY22.⁸ Of these 5,536 Unrestricted Reports, 232 reports (4 percent) involved incidents that occurred prior to military service. Figure 1 displays the trend in Unrestricted and Restricted Reporting from FY11 to FY23.

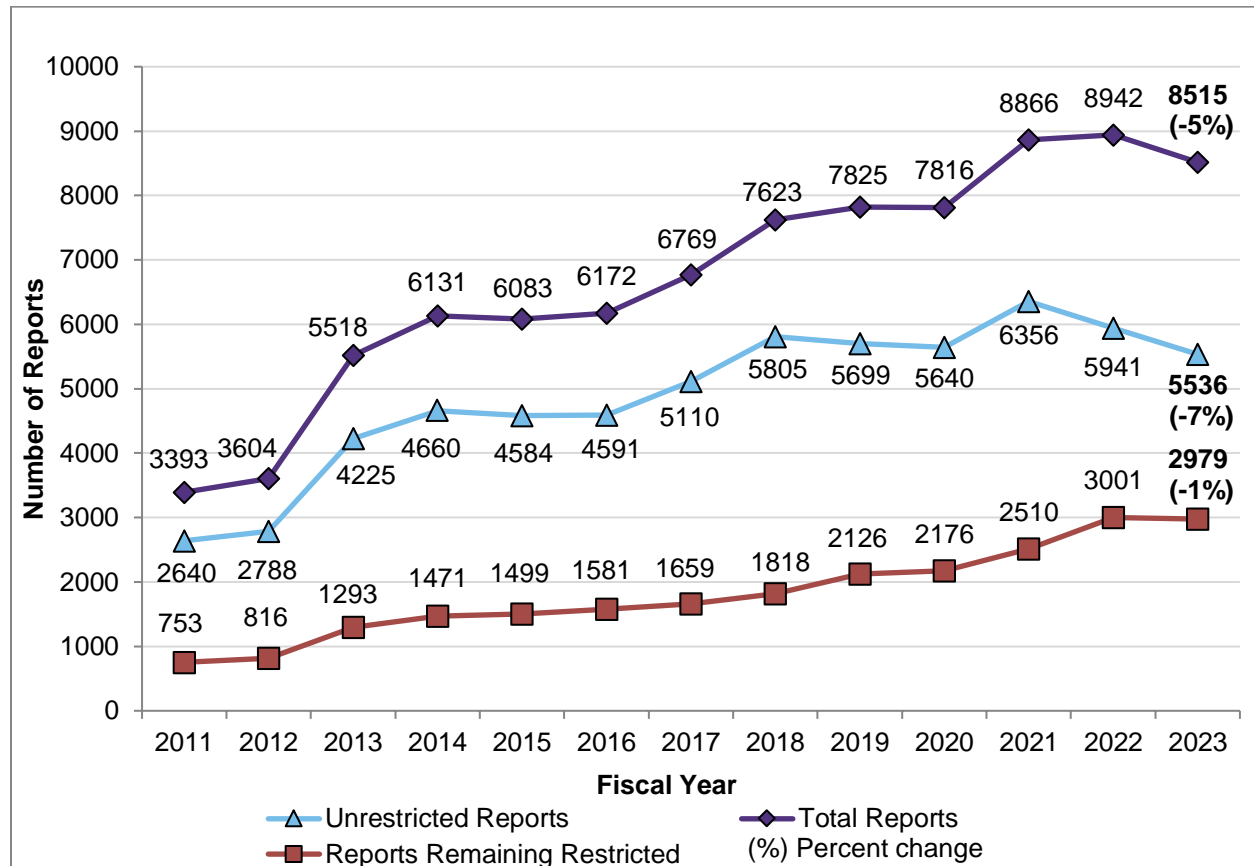


Figure 1. Reports of Sexual Assault Made to DoD, FY11 – FY23

Table 1 provides a breakdown of reports by who reported, type of report, and whether the report was for an event that occurred prior to military service. Equivalent tables by Service can be found on page 47.

⁸ Beginning with the implementation of DSAID in 2014, DoD has extracted and analyzed data six weeks after the end of each FY to allow sufficient time for data validation. DSAID is a “live” database, and its records change daily to reflect case status. During this six-week period, 39 additional Restricted Reports converted to Unrestricted. After a report converts from Restricted to Unrestricted, all data associated with the report is then counted in the Unrestricted Report category. These 39 reports that were made during the FY converted to Unrestricted in the six-week period after the end of the FY and are therefore included with the 621 report conversions.

Table 1. Sexual Assault Reports by Victim and Military Status, FY23

	Unrestricted Reports	Restricted Reports	Total Reports
Total Reports of Sexual Assault	5,536	2,979	8,515
Reports Made by Service Members	4,887	2,920	7,807
<i>Service Member Reports for Incidents that Occurred Prior to Military Service</i>	232	309	541
<i>Service Member Reports for Incidents that Occurred During Military Service</i>	4,655	2,611	7,266
Reports Made by Non-Service Members	610	49	659
<i>DoD Civilian</i>	40	11	51
<i>DoD Contractor</i>	14	1	15
<i>Other U.S. Civilian</i>	519	37	556
<i>Foreign National/Military</i>	37	0	37
Relevant Data Not Available	39	10	49

To compare sexual assault reports across Military Services with varied population sizes, DoD calculates a reporting rate per thousand Service members.⁹ Standardized reporting rates also allow for year-over-year comparisons, even when the total number of people in a group has changed. In FY23, for every 1,000 Service members, 6.2 Service members made a Restricted or Unrestricted Report of sexual assault, a slight increase from prior years. Table 2 compares the reporting rate by Military Service and across FYs.

Table 2. Reporting Rate per Thousand Service Members by Fiscal Year and Service, FY13 – FY23

Service	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Total DoD	3.3	3.9	4.0	4.1	4.5	5.1	5.1	5.1	5.9	6.0	6.2
Army	3.5	4.2	4.2	4.4	4.7	5.5	5.5	5.5	7.1	6.6	6.8
Navy	3.2	3.6	3.8	4.1	4.5	4.8	5.0	4.7	5.2	5.7	5.7
Marine Corps	3.8	4.1	4.1	4.1	4.8	5.7	5.4	5.9	6.1	6.5	6.7
Air Force	2.9	3.7	3.7	3.7	4.0	4.3	4.6	4.5	4.6	5.3	5.5

Research shows that reporting sexual assault increases the likelihood that victims will engage in medical treatment and other forms of assistance.¹⁰ SAPRO encourages victims to report sexual assault, strives to improve response resources for victims, and supports victim participation in the military justice process, as appropriate. Figure 2 displays the reporting trends for Service members who made sexual assault reports for incidents they experienced *before* entering military service compared with the number of reports for incidents experienced *during* military service.

⁹ DoD calculates victim-reporting rates using the number of Service member victims in Unrestricted and Restricted Reports and active duty Military Service end-strength for each year on record with the Defense Manpower Data Center (DMDC).

¹⁰ Zinzow, H. M., Resnick, H. S., Barr, S. C., Danielson, C. K., & Kilpatrick, D. G. (2012). Receipt of post-rape medical care in a national sample of female victims. *American Journal of Preventive Medicine*, 43(2), 183-187.

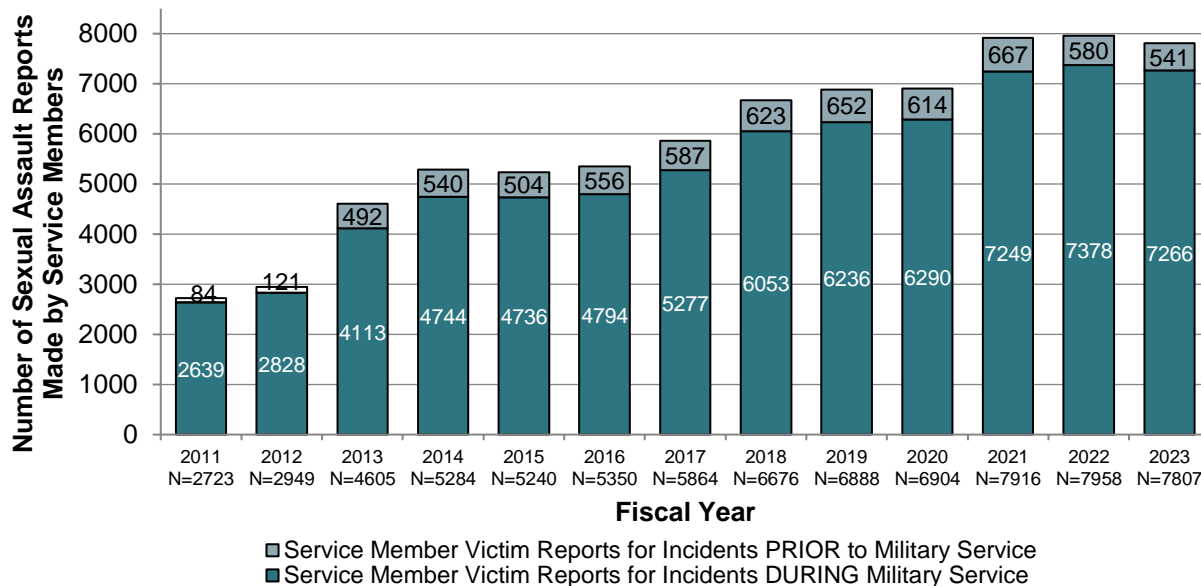


Figure 2. DoD Sexual Assault Reports Made by Service Members for Incidents that Occurred During and Prior to Military Service, FY11 – FY23

Although beneficial to track, reporting data provide only partial insight into the problem of sexual assault. Sexual assault is an underreported crime among both the civilian and military populations, meaning that the number of individuals who report the crime to law enforcement falls far short of the number of individuals who have likely experienced the crime. Therefore, the Department utilizes the *WGR* survey to estimate the number of Service members who may have **experienced** a sexual assault or unwanted sexual contact in the past year. DoD then compares those estimates to the number of Service members who **reported** a sexual assault. Figure 3 shows the difference between the survey-estimated number of Service members who indicated experiencing sexual assault or unwanted sexual contact, based on the *WGR*, and the number of Service members who reported a sexual assault incident occurring during military service. DoD administers its sexual assault prevalence survey biennially, thus prevalence estimates are available for Calendar Year (CY) 06, FY10, FY12, FY14, FY16, FY18, CY21, and FY23.

Due to the 2019 coronavirus pandemic, the Department did not administer a sexual assault prevalence survey in FY20. Consequently, DoD postponed the fielding of the *WGR* to December 2021 through March 2022. The 2021 survey results include Service members' experiences in the 12 months prior to their taking the survey, a period which began on December 10, 2020. In addition, changes to survey administration procedures required the Department to change sexual assault prevalence metrics beginning with the FY21 *WGR*. As a result, the department was required to replace the lengthy, RAND-developed sexual assault measure with a shorter, proxy measure for sexual assault in the military, Unwanted Sexual Contact (USC).¹¹

¹¹ The term "unwanted sexual contact" is used as a proxy term for crimes consistent with sexual assault and is used to estimate prevalence in the *Workplace and Gender Relations Survey (WGR)*. It refers to a range of behaviors prohibited by the UCMJ and includes penetrative sexual assault (completed intercourse, sodomy [oral or anal sex], and penetration by an object), non-penetrative sexual assault (unwanted touching of genitalia, breasts, buttocks, and/or inner thigh), and attempted penetrative sexual assault (attempted sexual intercourse, sodomy [oral or anal sex], and penetration by an object).

The most recent *WGR* was conducted from August through November, 2023, and estimates for FY23 are presented below.

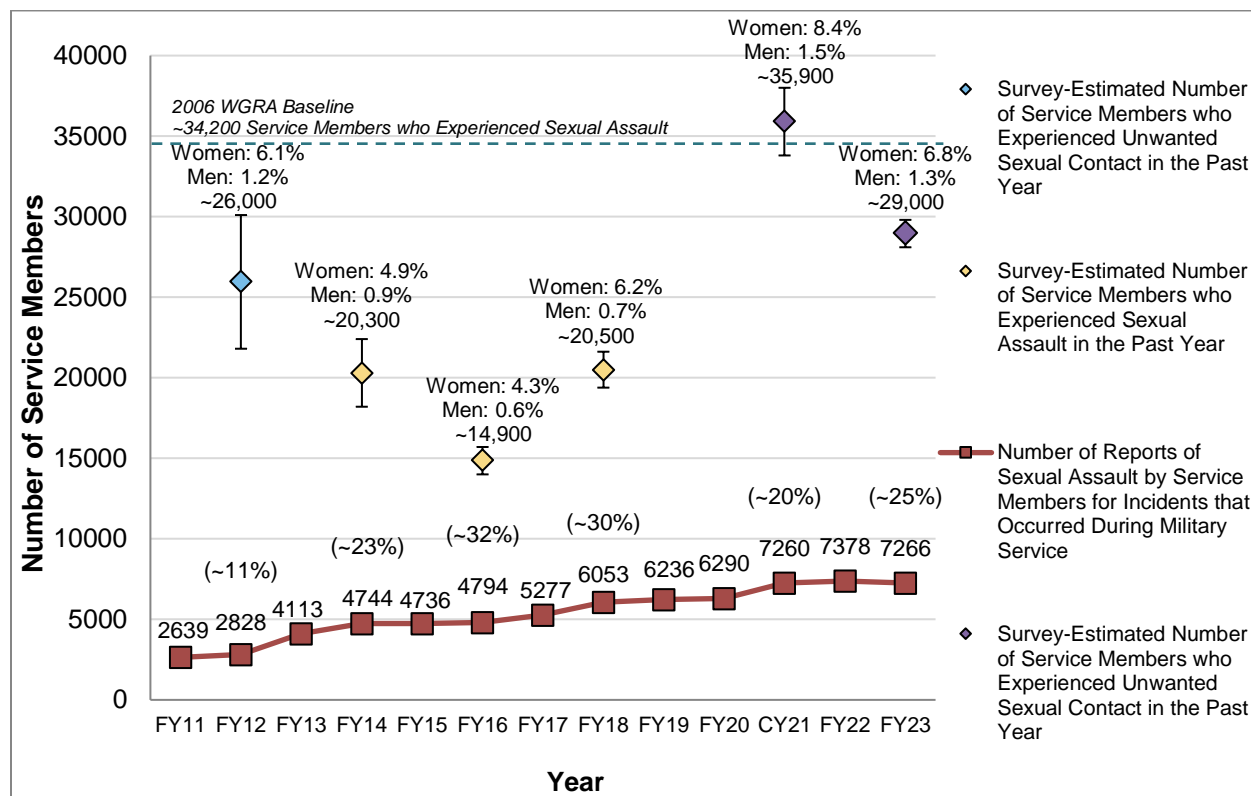


Figure 3. Estimated Number of Service Members Who Indicated an Experience of Unwanted Sexual Contact or Sexual Assault in the Past Year Compared to the Number of Service Members Who Made Reports of Sexual Assault for Incidents that Occurred During Military Service, FY11 – FY23

Note: The “unwanted sexual contact” (USC) measure was used on the Department’s prevalence surveys in CY06, FY10, and FY12. The “sexual assault” measure used in FY14, FY16, and FY18 was designed to align more closely with legal language from the UCMJ. While the measures use different methods to estimate the past-year occurrence of penetrating and contact sexual crime for the FY14, FY16, and FY18 prevalence surveys, they have been shown to generate statistically comparable estimates. The USC measure used on the 2021 and 2023 *WGR* was the result of a change in federal survey procedures. The USC measure fielded for the 2021 and 2023 *WGR* has been substantially revised since it was last used in the active duty population in FY12. The updated USC measure has not been studied with the RAND measure employed from FY14 to FY18. As a result, no scientific comparisons can be made between USC prevalence in 2021 and prior year prevalence estimates.

In FY23, approximately 6.8 percent of active duty women and 1.3 percent of active duty men indicated experiencing at least one past-year incident of unwanted sexual contact. These rates correspond to about 29,000 Service members experiencing unwanted sexual contact in the year prior to being surveyed. Of the 29,000 estimated victims in FY23, about 15,200 were women and 13,800 were men. Additionally, the percentage of victimized Service members choosing to report the crime (the sexual assault “reporting rate”) increased in FY23 (25 percent) from CY21 (20 percent).

The next survey will be administered in FY25 and reported out in the FY25 Annual Report to Congress.

Unrestricted Reports of Sexual Assault

In FY23, there were 5,536 Unrestricted Reports of sexual assault involving Service members as the subject and/or victim of a sexual assault.¹² For a detailed analysis of victim demographics in completed investigations, see page 29. Each FY, most sexual assault reports received by MCIOS involve victimization allegations of Service members by other Service members. In FY23, 2,855 Unrestricted Reports involved allegations of sexual assault perpetrated by a Service member against a Service member. Figure 4 below shows Service member alleged involvement in Unrestricted Reports of sexual assault between FY11 and FY23.

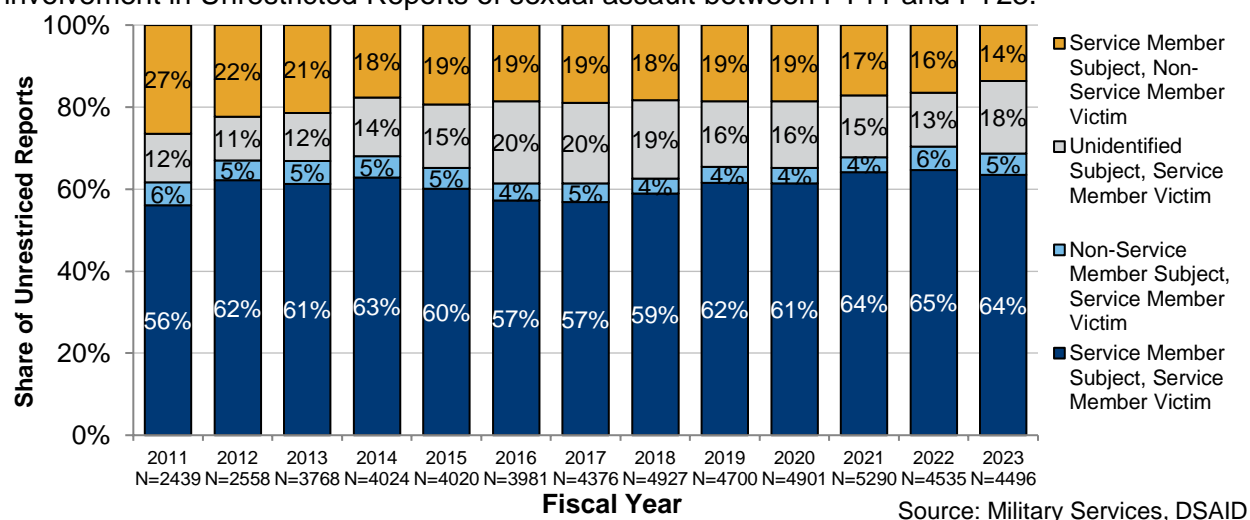


Figure 4. Unrestricted Reports of Sexual Assault by Service Member Involvement, FY11 – FY23

Note: There were 5,536 Unrestricted Reports in FY23, 5,941 Unrestricted Reports in FY22, 6,356 Unrestricted Reports in FY21, 5,640 Unrestricted Reports in FY20, 5,699 Unrestricted Reports in FY19, 5,805 Unrestricted Reports in FY18, 5,110 Unrestricted Reports in FY17, and 4,591 Unrestricted Reports in FY16. However, for the analysis in Figure 4, we excluded 1,040 reports from FY23, 1,406 reports from FY22, 1,066 reports from FY21, 1,064 reports from FY20, 999 reports from FY19, 878 reports from FY18, 734 reports from FY17, 610 reports from FY16, and 564 reports from FY15, due to missing data on subject and/or victim type.

Crimes Alleged in Unrestricted Reports

Of the Unrestricted Reports made to DoD in FY23, most offenses alleged fall into three of the five UCMJ offenses the Department considers to be sexual assault: rape, sexual assault, and abusive sexual contact. They do not, or rarely, include the penetrative offenses of aggravated sexual contact and forcible sodomy or attempts to commit any of the five offenses. MCIOS categorize Unrestricted Reports by the most serious offense *alleged* in the report, which may

¹² Beginning with the implementation of DSAID in 2014, DoD has extracted and analyzed data six weeks after the end of each FY to allow sufficient time for data validation. DSAID is a “live” database, and its records change daily to reflect case status. During this six-week period, 39 additional Restricted Reports converted to Unrestricted. After a report converts from Restricted to Unrestricted, all data associated with the report is then counted in the Unrestricted Report category. These 39 reports that were made during the FY converted to Unrestricted in the six-week period after the end of the FY and are therefore included with the 621 report conversions.

not be the same offense for which evidence supports a misconduct charge, if any. Figure 5 below shows the breakdown of Unrestricted Reports of sexual assault by offense originally alleged, while Table 3 presents the offense originally alleged, broken down by the military status of the victim.

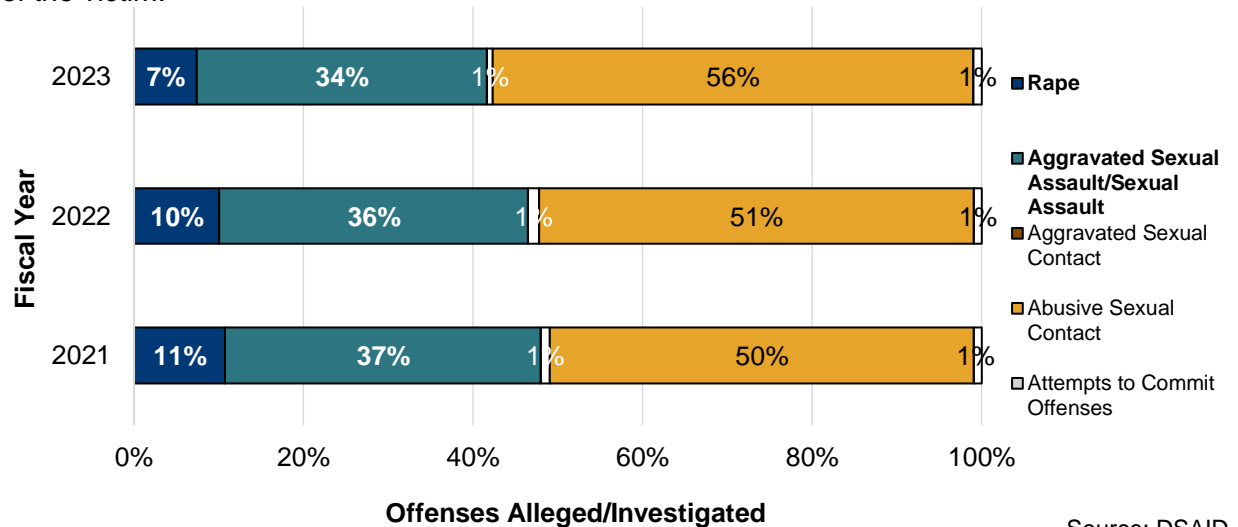


Figure 5. Offenses Originally Alleged in Unrestricted Reports of Sexual Assault, FY21 – FY23

Note: There were 5,536 Unrestricted Reports in FY23. However, 1,377 cases have been excluded from the analysis for this chart due to missing data on the offense originally alleged, which can occur if MCIOs have not yet entered the allegation, particularly for reports made closer to the end of the FY. Percentages may not sum to 100 percent due to rounding. **Bold** text labels designate penetrating crimes (rape, aggravated sexual assault/sexual assault, and forcible sodomy).

Table 3. Unrestricted Reports of Sexual Assault by Offense Alleged and Military Status, FY23

Most Serious Offense Alleged in Report	Total Unrestricted Reports	Reports Made by Service Members	Reports Made by Non-Service Members	Relevant Data Not Available
Rape	306	229	69	8
Sexual Assault	1,420	1,152	251	17
Aggravated Sexual Contact	31	31	0	0
Abusive Sexual Contact	2,349	2,112	224	13
Wrongful Sexual Contact	2	2	0	0
Indecent Assault	9	8	1	0
Forcible Sodomy	0	0	0	0
Attempts to Commit Offenses	42	37	5	0
Offense Data Not Available	1,377	1,316	60	1
Total Unrestricted Reports	5,536	4,887	610	39

Investigations of Unrestricted Reports

This section closely mirrors the flow chart in Figure 6. In FY23, 5,536 Unrestricted Reports (Figure 6, Point B) were referred to MCIOs for investigation. DoD policy requires all Unrestricted Reports be referred for investigation by an MCIO. The average length of a sexual assault investigation in FY23 was 4.0 months. The length of an investigation may vary, from a few months to over a year, depending on several factors, such as offense alleged; location and availability of the victim(s), subject(s), and witness(es); amount and type of physical evidence gathered during the investigation; and the length of time required for a crime laboratory to analyze evidence.

As previously stated, sexual assault investigations and the process of adjudicating each subject's case can span multiple reporting periods. Therefore, not all cases opened in FY23 were closed and adjudicated in FY23. In addition, some cases opened in prior years had a completed investigation and/or final disposition in FY23. The accounting that follows includes reports received in FY23, reports referred for investigation in FY23, investigations completed/pending in FY23, and the outcomes of case adjudications completed and reported to DoD in FY23.

Of the 4,308 sexual assault investigations MCIOs completed during FY23 (Figure 6, Point F), 2,506 were opened in FY23, and 1,802 investigations were opened in years prior to FY23. Of the 4,308 investigations completed in FY23, 176 cases did not meet the elements of proof for sexual assault offenses or were investigated for some misconduct other than sexual assault (Figure 6, Point G), 175 cases did not proceed because the victim declined at the outset to participate in the investigative process (Figure 6, Point H), and 44 cases did not fall within MCIOs' legal authority to investigate (e.g., no jurisdiction over alleged perpetrator) (Figure 6, Point I). In total, DoD received reportable case disposition information for 3,976 subjects (Figure 6, Point N). DoD will document the outcomes of the 1,757 sexual assault case dispositions that were not completed by September 30, 2023 in future reports (Figure 6, Point M).

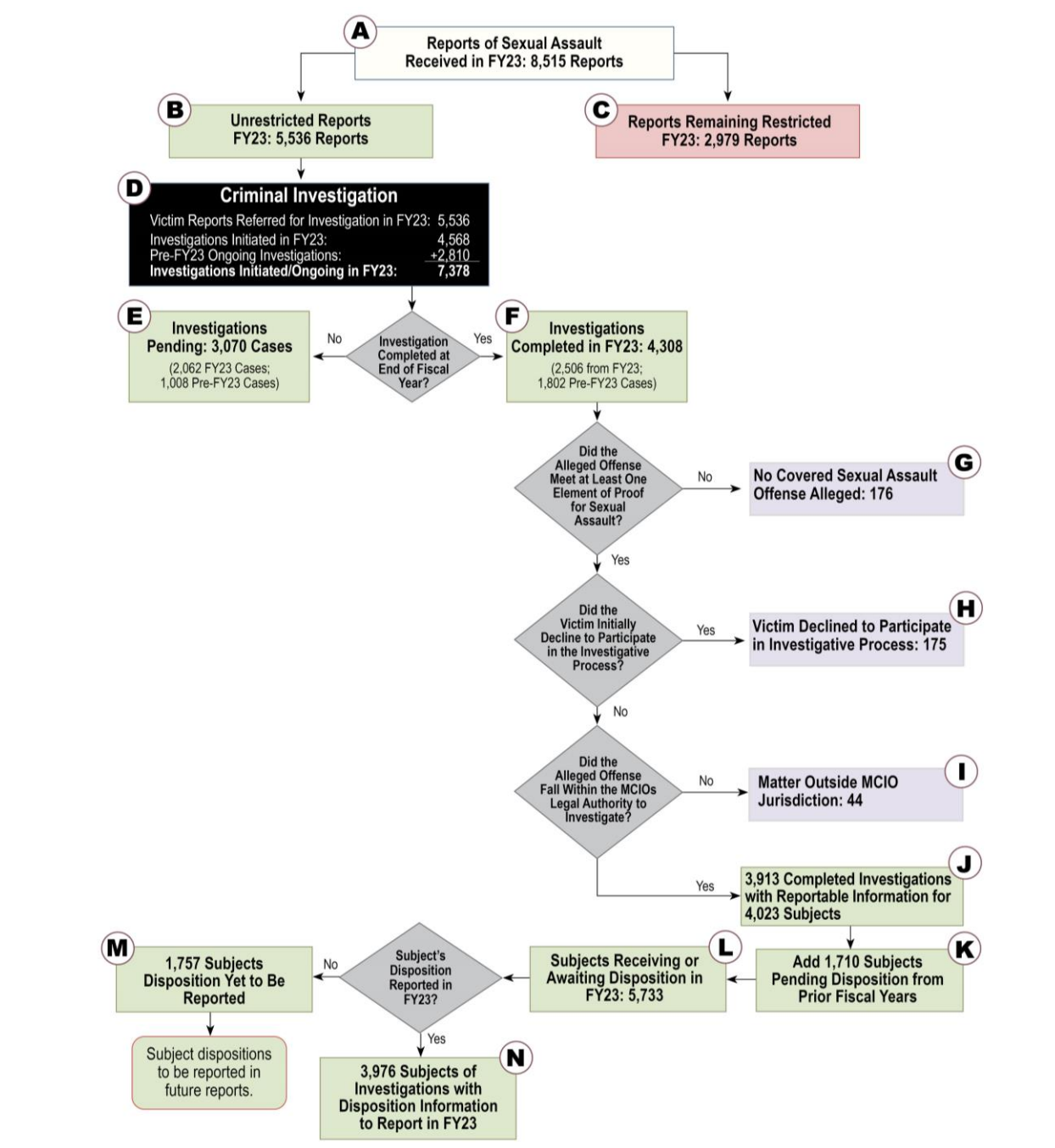


Figure 6. Reports of Sexual Assault, Completed Investigations, and Case Dispositions, FY23

Notes:

1. For incidents that occurred on or after June 28, 2012, the term “sexual assault” refers to the crimes of rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy, and attempts to commit these offenses.
2. The number of investigations initiated in FY23 is lower than the number of reports referred for investigation, since there can be multiple victims in a single investigation. Additionally, some investigations referred in FY23 did not begin until FY23, and other allegations could not be investigated by DoD or civilian law enforcement.
3. Beginning with the implementation of DSAID in 2014, DoD has extracted and analyzed data six

weeks after the end of each FY to allow sufficient time for data validation. DSAID is a “live” database, and its records change daily to reflect case status. During this six-week period, 39 additional Restricted Reports converted to Unrestricted. After a report converts from Restricted to Unrestricted, all data associated with the report is then counted in the Unrestricted Report category. These 39 reports that were made during the FY converted to Unrestricted in the six-week period after the end of the FY and are therefore included with the 621 report conversions.

Sexual Assault Case Dispositions

The goals of a criminal investigation are to identify the victim(s), the alleged perpetrator(s), and crimes committed. DoD seeks to hold Service members alleged to have committed sexual assault appropriately accountable based on the available evidence.

Congress requires DoD to report on the case dispositions (outcomes) of sexual assault allegations in Unrestricted Reports made against Service members (DoDI 6495.02).¹³ When a person is the subject of multiple investigations, he or she will also be associated with more than one case disposition in DSAID. Since DoD must report outcomes for each of these investigations, subjects who have multiple investigations will have a disposition associated with each of those investigations. The Military Services may address multiple investigations of a subject with one action (e.g., one court-martial for multiple investigations) or may address those investigations with separate actions (e.g., a court-martial for one allegation and then a nonjudicial punishment for another unrelated allegation).

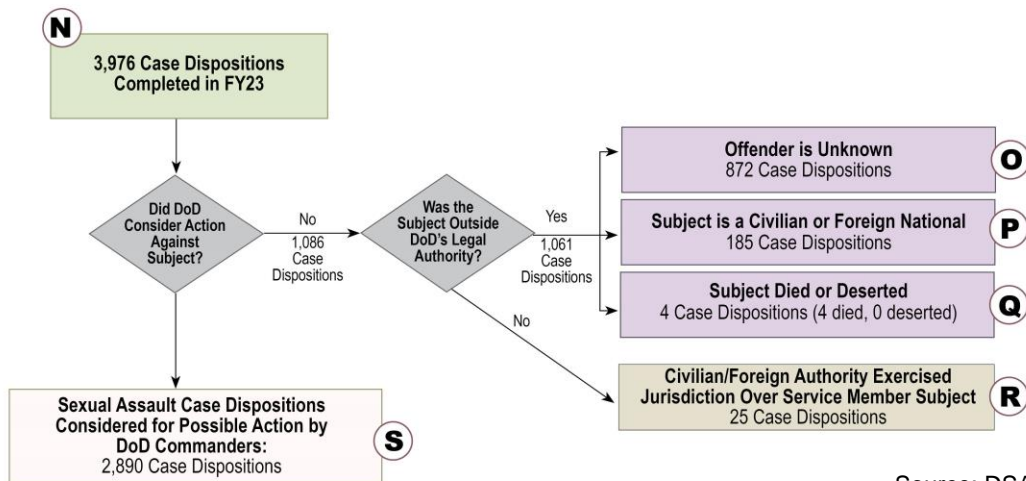
Can DoD take action against everyone it investigates?

No. In FY23, DoD could not take action in 1,061 cases because they were outside DoD’s legal authority.

This year, 91 subjects received multiple dispositions for sexual assault allegations. These 91 subjects received a total 205 disposition actions, which accounts for 5 percent of all dispositions reported in FY23. The following data describe the case dispositions of each investigation reported to the DoD in FY23.

At the end of FY23, there were 3,976 case dispositions (Figure 7, Point N) with information for reports made in FY23 and prior FYs. Of the subjects accounted for in these case dispositions, 80 subjects (2 percent) had a prior investigation for a sexual assault offense. The 3,976 case dispositions from DoD investigations in FY23 included Service members, U.S. civilians, foreign nationals, and subjects who could not be identified (Figure 7).

¹³ To standardize and improve the reliability and validity of DSAID data, DoD verifies data with stakeholders. This ensures DoD maintains DSAID data integrity.



Source: DSAID

Figure 7. Cases Outside DoD Legal Authority, FY23

For most cases, commanders are limited to taking action against Service members who are subject to the UCMJ. In FY23, DoD did not consider military justice actions against a subject in 1,086 cases because the subject was outside of DoD’s jurisdiction or because another prosecutorial authority (federal, state, or foreign nation) exercised jurisdiction over the subject.

In 1,061 cases, MCIOS could not identify a subject despite a criminal investigation, a subject was a civilian or foreign national not under the military’s authority, or a subject had died or deserted before DoD could take disciplinary action.

While a Service member is always under the legal authority of DoD, sometimes a civilian authority or foreign government will exercise its legal authority over a Service member who is suspected of committing a crime within its jurisdiction. In FY23, a civilian or foreign authority prosecuted 25 Service members (Figure 7, Point R).

Figure 8 illustrates that DoD could not consider action in 22 percent of the 3,976 case dispositions completed in FY23 because the subject could not be identified. DoD could not consider action in another 5 percent of cases because subjects were civilians or foreign nationals not under the military’s jurisdiction. The Military Services also reported no disciplinary action for less than 1 percent of cases because subjects had deserted or died before the cases reached final disposition. For less than 1 percent of cases, DoD did not exercise its legal authority because a civilian or foreign authority exercised its jurisdiction over the accused Service member.

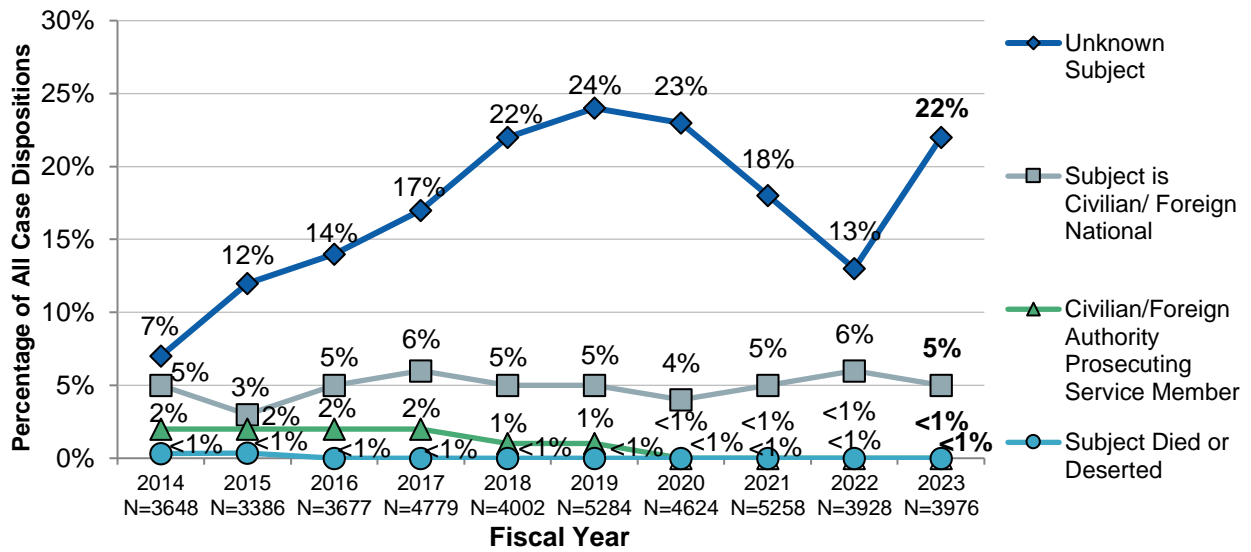


Figure 8. Cases Investigated for Sexual Assault by DoD with Subjects Determined to Be Outside Military Disposition Authority or Prosecuted by a Civilian/Foreign Authority Instead, FY14 – FY23

Military Subjects Considered for Disciplinary Action

In FY23, there were 2,890 cases where DoD was the disposition authority in which a civilian (including foreign civilian) jurisdiction did not exercise authority, and in which the victim chose to participate in the investigation. Below, Table 4 and Figure 9 show dispositions of such cases. Service-specific tables can be found in this report starting on page 49. Of the 2,890 cases, 245 involved alleged assaults against multiple victims.

Table 4. Case Dispositions Reported in FY23

Case Disposition Category	Count of Case Dispositions	Share of Case Dispositions
Sexual Assault Investigations Considered for Possible Action by DoD Commanders	2,890	N/A
Evidence Supported Commander Action	1,821	63%
Sexual Assault Offense Action	1,284	71%
<i>Court-Martial Charge Preferred (Initiated)</i>	459	36%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	226	18%
<i>Administrative Discharge</i>	397	31%
<i>Other Adverse Administrative Action</i>	202	16%
Non-Sexual Assault Offense Action	537	29%
<i>Court-Martial Charge Preferred (Initiated)</i>	37	7%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	227	42%
<i>Administrative Discharge</i>	86	16%
<i>Other Adverse Administrative Action</i>	187	35%
Unfounded by Command/Legal Review	56	2%
Commander Action Precluded or Respected Victims' Desired Non-Participation	1,013	35%
<i>Victim Died</i>	1	<1%
<i>Victim Declined to Participate in the Military Justice Action</i>	181	18%
<i>Insufficient Evidence to Prosecute</i>	826	82%
<i>Statute of Limitations Expired</i>	5	<1%

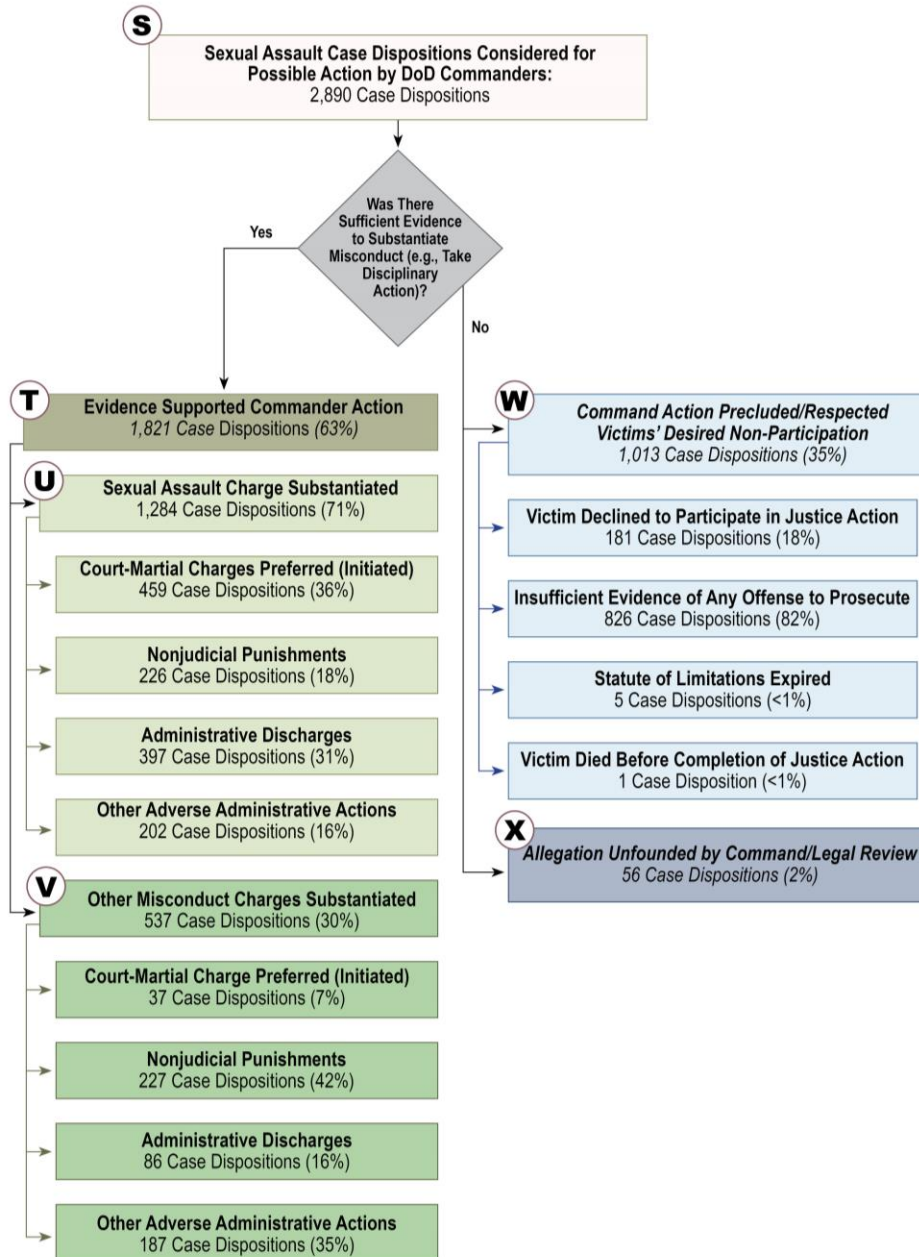


Figure 9. Dispositions of Cases Considered for Possible Action by DoD Commanders, FY23

Command Action Precluded or Declined

Legal factors occasionally prevent DoD from taking disciplinary action against subjects. For example, commanders could not take disciplinary action in 831 cases due to insufficient evidence of an offense or the statute of limitations expiring. For 181 subject cases, commanders' adjudication decisions respected the desire of victims to decline further participation in the military justice process (Figure 9, Point W).

Two potential situations can lead to the conclusion that the allegations of a crime should be unsubstantiated, meaning the allegation is categorized as false or baseless. A case against a particular subject is determined to be false when (1) evidence demonstrates that the accused

person did not commit the offense, or (2) evidence refutes the occurrence of a crime. A case is determined to be baseless when it was improperly reported as a sexual assault. After examining the evidence in each case with a military attorney, commanders declined to take action in 56 cases because available evidence indicated the allegations against these subjects were false or baseless (unfounded; Figure 9, Point X).¹⁴

Figure 10 illustrates the percentage of cases in which command action was taken (e.g., court-martial charges preferred or nonjudicial punishment), precluded (e.g., insufficient evidence or beyond statute of limitations) or respected victims' desired non-participation in the justice process, or declined (unfounded).

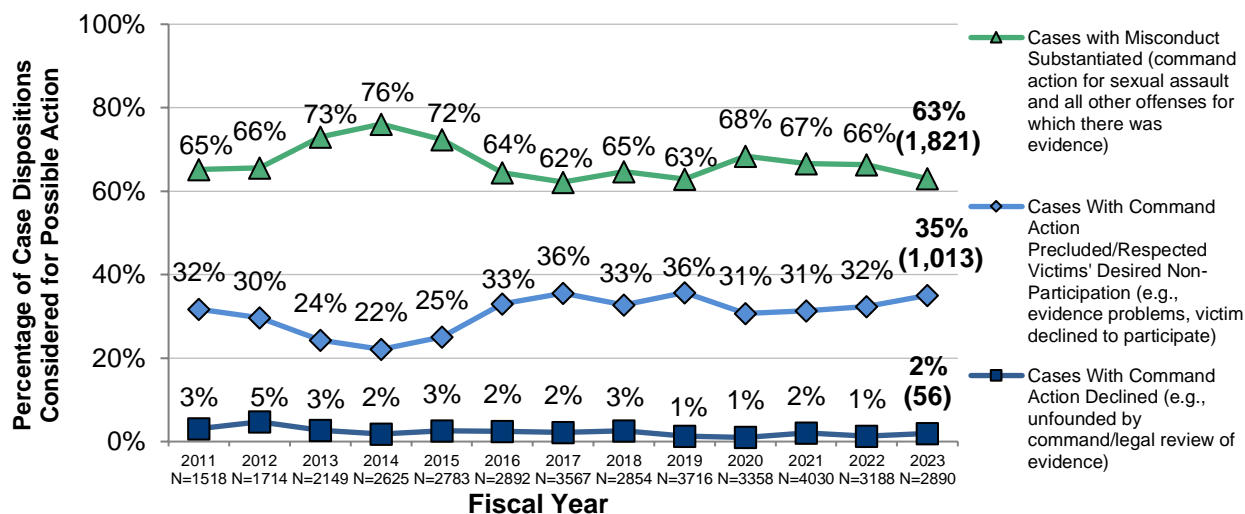


Figure 10. Percentage of Cases with Misconduct Substantiated, Command Action Precluded/Respected Victims' Desired Non-Participation, and Command Action Declined, FY11 – FY23

Note: Percentages listed for some years do not sum to 100 percent due to rounding.

Evidence Supported Command Action

In 1,821 cases, commanders had sufficient evidence and the legal authority to support some form of disciplinary action for an alleged sexual assault offense or other misconduct (Figure 9, Point T). When a subject in an investigation receives more than one disposition, DoD reports only the most serious disciplinary action. The possible actions, listed in descending order of severity, are court-martial charges preferred, nonjudicial punishment, administrative discharge, and other adverse administrative action.

The following outlines the command actions taken in the 1,284 cases for which it was determined a sexual assault offense warranted discipline:

- 36 percent (N=459) of cases were associated with court-martial charges preferred (initiated).
- 18 percent (N=226) of cases entered proceedings for nonjudicial punishment under Article 15 of the UCMJ.
- 47 percent (N=599) of cases received an administrative discharge or other adverse administrative action.

¹⁴ In years prior to FY15, DoD presented data on allegations investigated by the MCIOS that were unfounded by legal review. In FY15, DoD developed new categories to more accurately reflect the nature and outcomes of these allegations.

In 537 cases, evidence supported command action for other misconduct discovered during the sexual assault investigation (e.g., making a false official statement, adultery, underage drinking, or other crimes under the UCMJ), but not a sexual assault charge. Command actions for these cases follow below:

- 7 percent (N=37) of cases were associated with court-martial charges preferred.
- 42 percent (N=227) of cases entered proceedings for nonjudicial punishment.
- 51 percent (N=273) of cases received an administrative discharge or other adverse administrative action.

Military Justice

The information in this section describes the disposition actions taken in cases where sufficient evidence existed to support taking action (Figure 11). Each action taken is based on the evidence identified during a thorough investigation. In addition, since June 2012, initial disposition decisions for the most serious sexual assault crimes have been withheld to the O-6 level (Colonel or Navy Captain), who is also at least a Special Court-Martial Convening Authority (SPCMA). This allows more senior officers to review and decide which initial action should be taken in these cases.

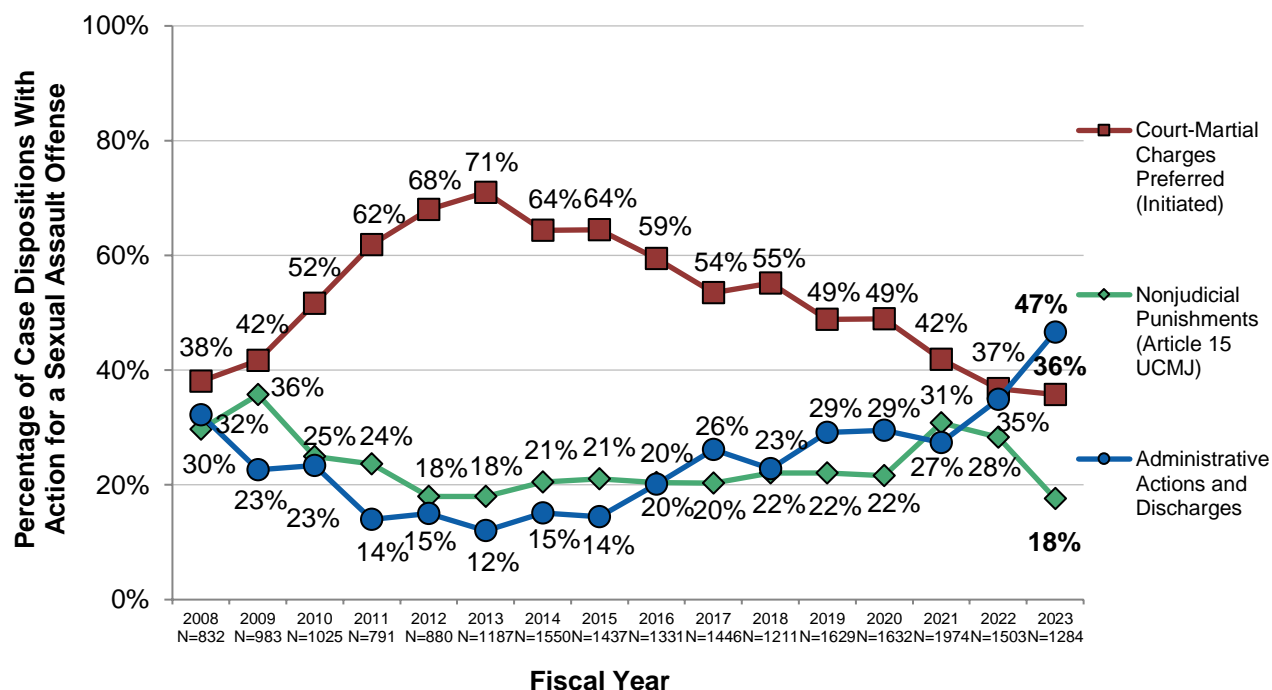


Figure 11. Breakdown of Disciplinary Actions Taken for Sexual Assault Offenses, FY08 – FY23

Note: Percentages are of cases found to warrant disciplinary action for a sexual assault offense only. This figure does not include other misconduct (false official statement, adultery, etc.). Percentages listed for some years do not sum to 100 percent due to rounding.

Court-Martial for a Sexual Assault Offense

As noted previously, 459 cases involved court-martial charges preferred. Figure 12 illustrates what happened to these cases after the preferral of court-martial charges. Of the 459 cases with a preferral of court-martial charges for at least one sexual assault charge in FY23, the Military Services completed 402 court-martial outcomes by the end of the FY.

Of the 234 cases that proceeded to trial, 169 (72 percent) resulted in a conviction of at least one charge at court-martial. That conviction could have been for a sexual assault offense or for any other misconduct charged. Most convicted Service members received at least four kinds of punishment: confinement, reduction in grade, fines or forfeitures, and a punitive discharge (bad-conduct discharge or dishonorable discharge for enlisted, dismissal for officers) from service. In FY23, 74 subjects convicted of a sexual assault offense were required to register as a sex offender by law. Service members convicted of a sexual assault offense who do not receive a punitive discharge at court-martial must be processed by the Military Services for an administrative discharge. In FY23, the Military Services processed 33 convicted subjects not receiving a punitive discharge at trial for an administrative separation from military service.

Which percentage of cases associated with a charge and trial for sexual assault offenses received a conviction in FY23 and what punishment did they receive?

72 percent of cases that went to trial for a sexual assault offense resulted in a conviction of at least one charge at court-martial. Most cases with a conviction resulted in one or more of the following punishments: confinement, reduction in grade, punitive discharge or dismissal, and fines or forfeitures.

Court-martial charges in 74 cases were dismissed; however, commanders used evidence gathered during the sexual assault investigations to impose nonjudicial punishment for other misconduct in 17 of the 74 cases. The punishment may have been for any kind of misconduct for which there was evidence. 9 subjects who received nonjudicial punishment for other misconduct after court-martial were subsequently discharged from military service. The Military Departments approved 90 cases for a resignation or discharge in lieu of court-martial (RILO/DILO) and 2 cases were approved for cadet/midshipman to disenroll from the Academy concerned in lieu of court-martial. In FY23, 78 DILO cases involved enlisted members who received a separation Under Other Than Honorable Conditions (UOTHC), the most adverse administrative characterization of discharge possible. The UOTHC discharge characterization is recorded on a Service member's DD Form 214, Record of Military Service, and significantly limits separation and post-service benefits from DoD and the Department of Veterans Affairs.

The Military Departments grant requests for RILO/DILO in certain circumstances, occurring only after court-martial charges are preferred against the accused. For such an action to occur, the accused must initiate the process. Requests for a RILO/DILO must include:

- A statement of understanding of both the offense(s) charged and the consequences of administrative separation;
- An acknowledgement that any separation could possibly have a negative characterization;
- An acknowledgement that the accused is guilty of an offense for which a punitive discharge is authorized or a summary of the evidence supporting the guilt of the accused.

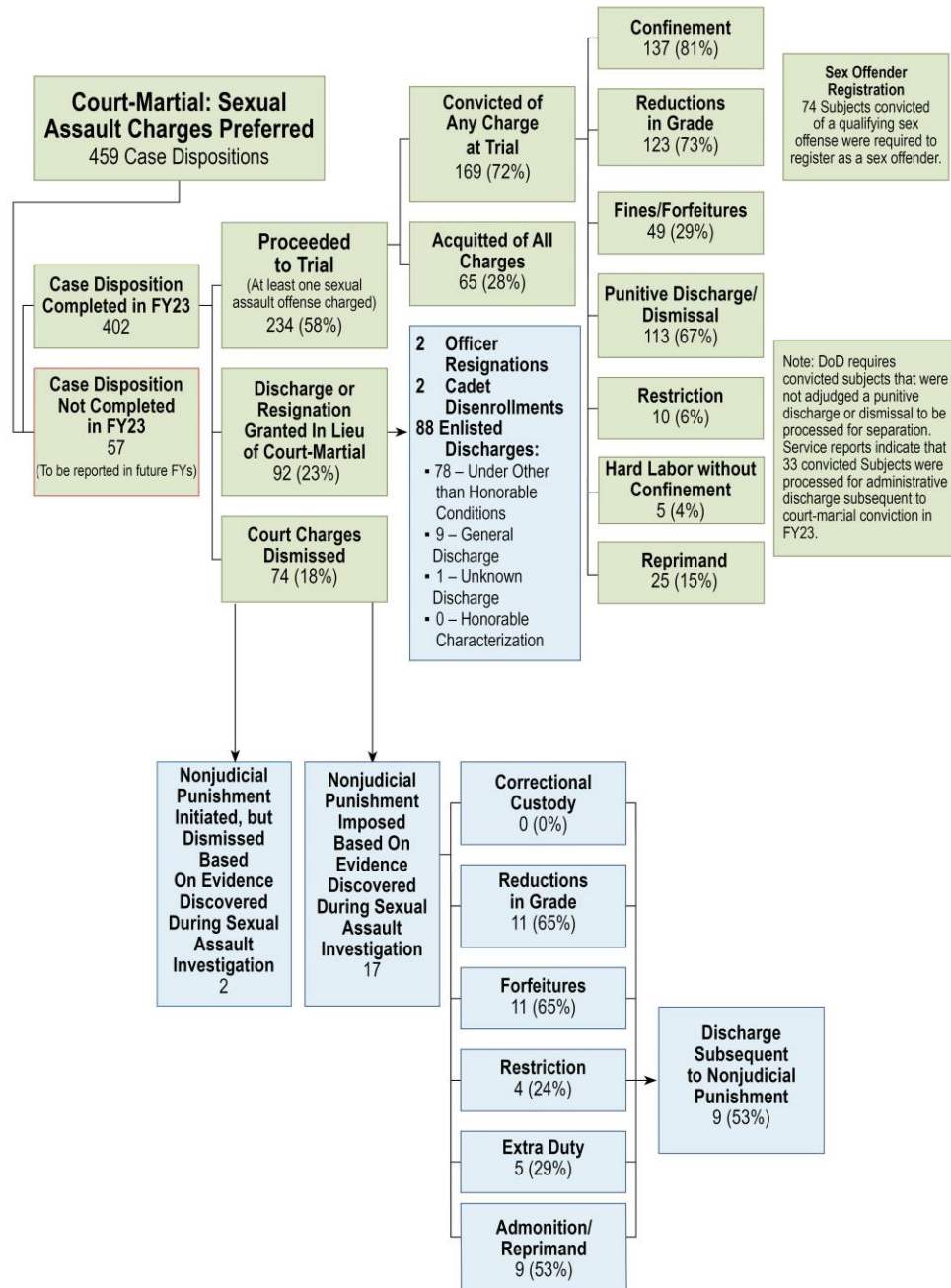
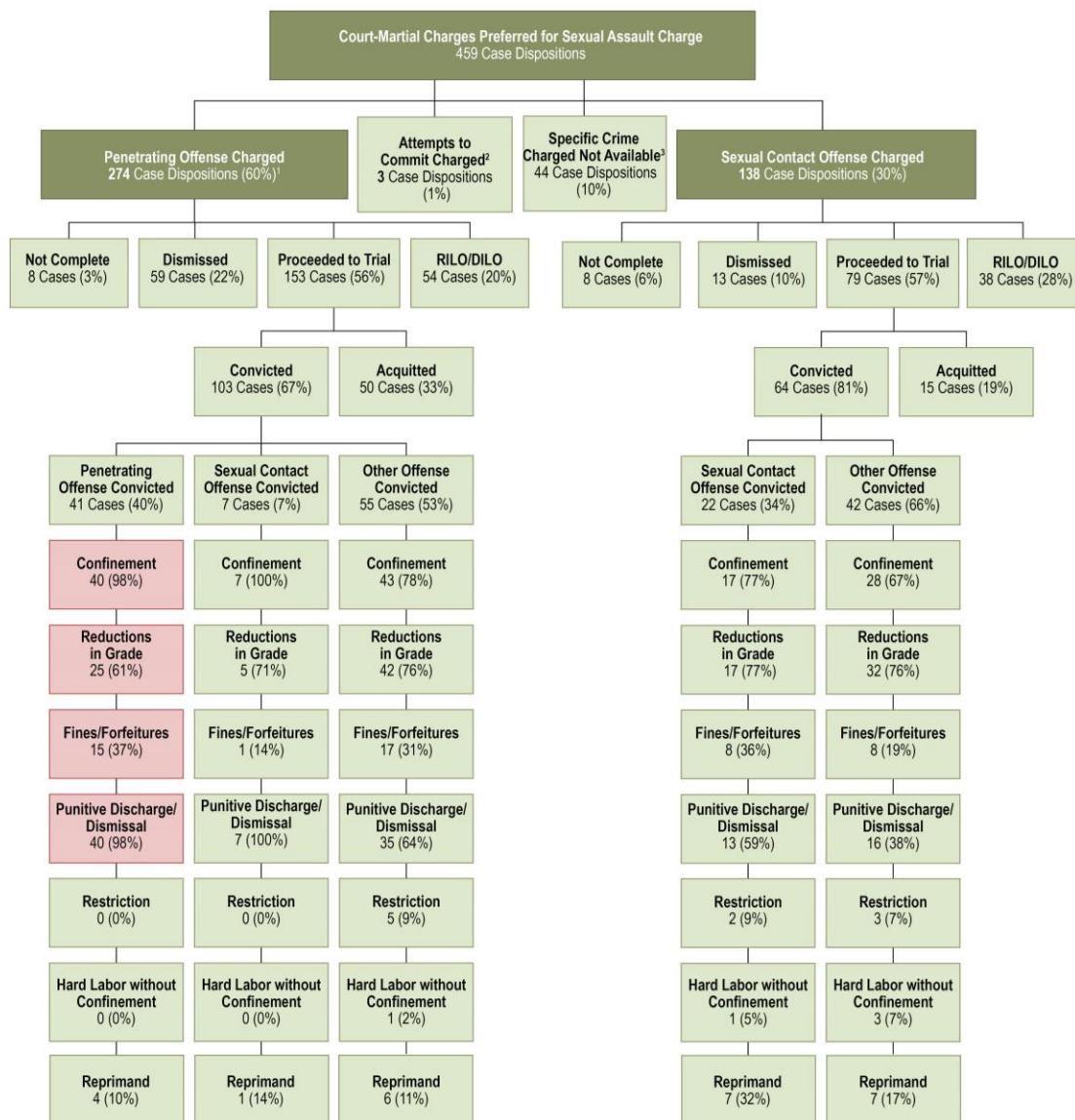


Figure 12. Disposition of Cases with Sexual Assault Court-Martial Charges Preferred, FY23

These statements are not admissible in court-martial should the request ultimately be disapproved. DILOs involving enlisted personnel are usually approved at the SPCMA level. The Secretary of the Military Department approves RILOs. Figure 12 presents the case outcomes for cases in which court-martial charges were preferred and Figure 13 shows the outcomes by the type of crime charged (i.e., penetrating versus sexual contact crimes).



Source: DSAID

Figure 13. Dispositions of Cases with Sexual Assault Court-Martial Charges Preferred by Crime Charged, FY23

Notes:

1. Percentages for some categories do not sum to 100 percent due to rounding. Punishments do not sum to 100 percent because subjects can receive multiple punishments.
2. 2 allegations for an attempt to commit a sexual assault were charged, proceeded to trial, and resulted in a conviction at court-martial.

3. In FY23, data about the crime charged was missing in 44 cases in which charges were preferred. These cases are pending and will be reported out next FY.

Nonjudicial Punishment

Commanders administer nonjudicial punishments in accordance with Article 15 of the UCMJ, which empowers commanding officers to impose penalties on Service members when there is sufficient evidence for a less egregious offense, as outlined in the UCMJ. Nonjudicial punishment allows commanders to address some types of sexual assault and other misconduct by Service members that may not warrant prosecution in a military or civilian court. Examples of punitive actions within a commander’s purview to administer include demotions, forfeitures, and restrictions on liberty. Nonjudicial punishments may also support a rationale for administratively discharging military subjects with a less than honorable discharge. The Service member may demand trial by court-martial instead of accepting nonjudicial punishment by the commander, except when the subject is attached to or embarked on a vessel.

Of the 1,284 case dispositions that were associated with disciplinary actions on a sexual assault offense, 226 cases were addressed with nonjudicial punishment. Figure 14 displays the outcomes of nonjudicial punishment actions taken against subjects on a sexual assault charge in FY23. In FY23, 87 percent of the 191 cases with completed nonjudicial punishment proceedings were associated with punishment imposed under the authority of Article 15 in the UCMJ. Nearly all the administered nonjudicial punishments were for sexual contact offenses. Most cases with a nonjudicial punishment received the following punishments: a forfeiture of pay, reduction in grade, and/or extra duty. Available Military Service data indicated that for 96 cases the nonjudicial punishment served as grounds for a subsequent administrative discharge. Characterizations of the 96 discharges are outlined below.

Honorable	1 Case
General	80 Cases
Under Other Than Honorable Conditions	7 Cases
Uncharacterized	8 Cases
Total	96 Cases

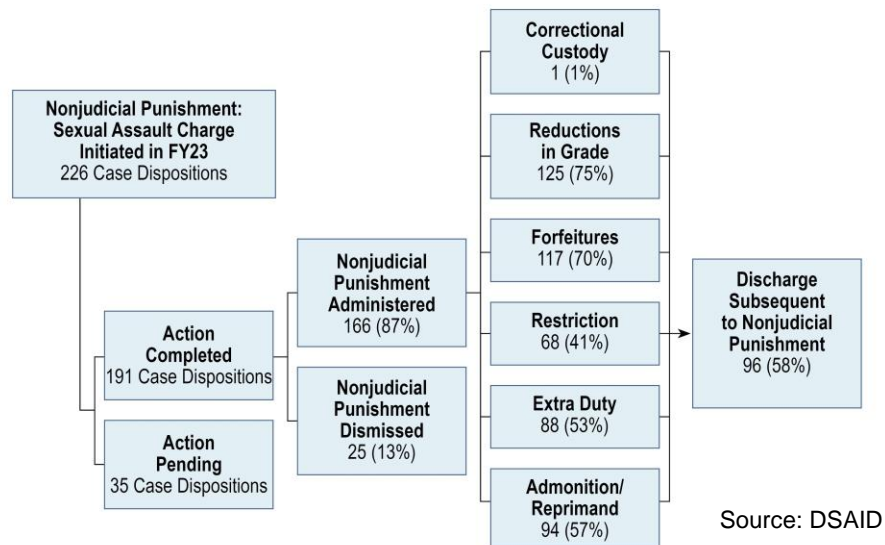


Figure 14. Dispositions of Cases Receiving Nonjudicial Punishment, FY23

Notes: Punishments do not sum to 100 percent since subjects can receive multiple punishments.

Administrative Discharges and Adverse Administrative Actions

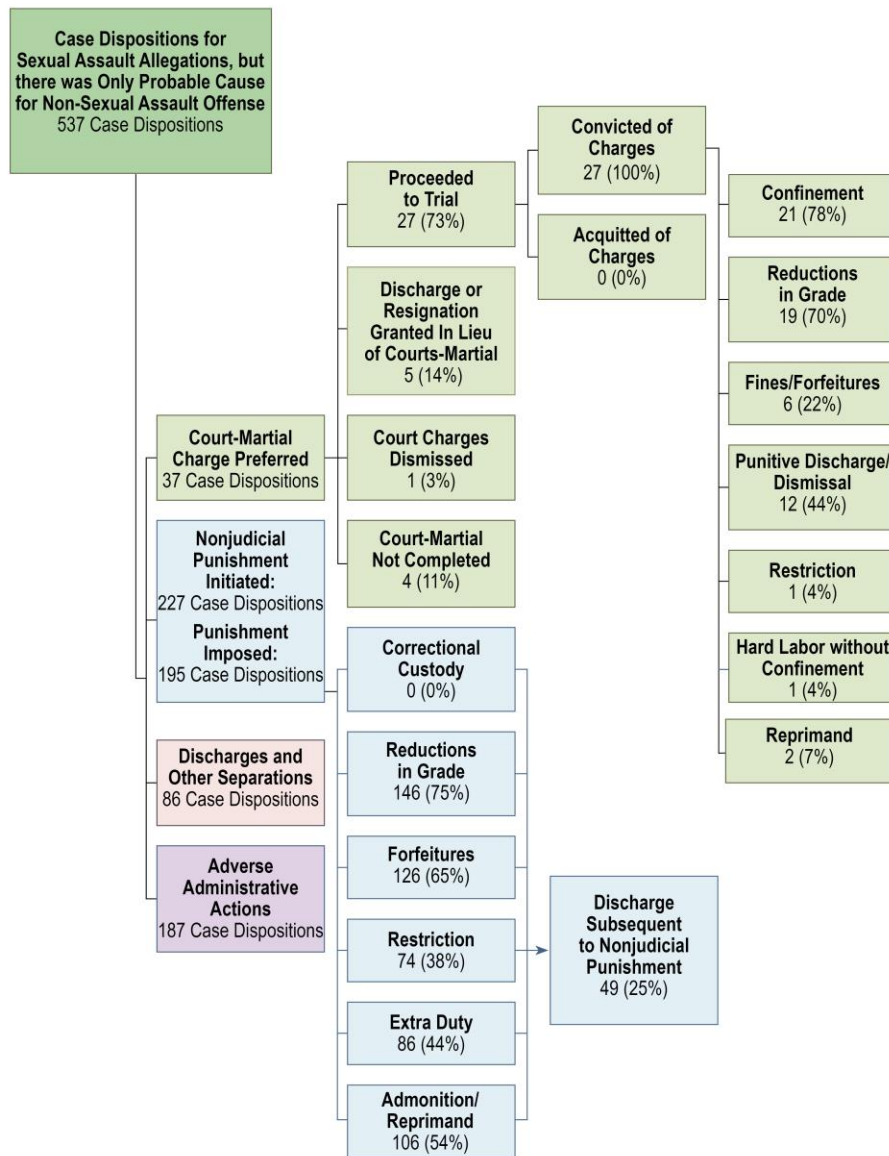
A legal review of evidence sometimes indicates that the court-martial process or nonjudicial punishments are not appropriate means to address allegations of misconduct against the accused. However, commanders have other means at their disposal to hold alleged offenders appropriately accountable. Commanders may use an administrative discharge to address an individual's misconduct, lack of discipline, or poor suitability for continued military service. There are three characterizations of administrative discharges: Honorable, General, and Under Other Than Honorable Conditions (UOTHC). General and UOTHC discharges may limit those discharged from receiving full entitlements and benefits from both DoD and the Department of Veterans Affairs. In FY23, 272 cases in sexual assault investigations were associated with an administrative discharge. Characterizations of the discharges are outlined below.

Honorable	4 Cases
General	150 Cases
UOTHC	82 Cases
Uncharacterized	36 Cases
Total	272 Cases

In FY23, commanders took adverse administrative actions in 202 cases that were investigated for a sexual assault offense. Commanders typically use adverse administrative actions when available evidence does not support a more severe disciplinary action. Adverse administrative actions can have a serious impact on a Service member's military career, have no equivalent form of punishment in the civilian sector, and may consist of Letters of Reprimand, Letters of Admonishment, Letters of Counseling, or discharge. These actions may also include, but are not limited to: denial of re-enlistment, cancellation of a promotion, and cancellation of new or special duty orders.

Probable Cause Only for a Non-Sexual Assault Offense

Sometimes the sexual assault investigations conducted by MCIOs do not find sufficient evidence to support disciplinary action against the subject on a sexual assault charge, but do uncover other forms of chargeable misconduct. In FY23, commanders took action in 537 cases that MCIOs originally investigated for sexual assault allegations, but for which evidence only supported action on non-sexual assault misconduct, such as making a false official statement, adultery, assault, or other crimes (Figure 15).



Source: DSAID

Figure 15. Cases with Probable Cause for Non-Sexual Assault Offenses, FY23

Demographics of Victims and Subjects in Completed Investigations

DoD draws demographic information from the 4,308 investigations of sexual assault completed in FY23. These investigations involved 4,641 victims and 4,243 subjects of investigation.¹⁵

Table 5 displays the sex of victims and subjects in completed investigations of Unrestricted Reports in FY23. Most victims in completed investigations are female (75 percent) and most subjects are male (75 percent).

Table 5. Sex of Victims and Subjects in Completed Investigations of Unrestricted Reports, FY23

Sex	Victims		Subjects	
	Count	Percent	Count	Percent
Male	1,098	24%	3,180	75%
Female	3,497	75%	239	6%
Sex Unknown/Data Not Available	46	<1%	824	19%
Total	4,641	99%	4,243	100%

Table 6 shows victim and subject ages at the time of incident for completed investigations of Unrestricted Reports. Most victims are between the ages of 16 and 24 (66 percent) and most subjects are between the ages of 20 and 34 (57 percent).

Table 6. Age of Victims and Subjects at the Time of the Alleged Incident in Completed Investigations of Unrestricted Reports, FY23

Age	Victims		Subjects	
	Count	Percent	Count	Percent
0-15	35	<1%	1	<1%
16-19	1,187	26%	403	9%
20-24	1,837	40%	1,371	32%
25-34	801	17%	1,044	25%
35-49	158	3%	348	8%
50 and older	13	<1%	50	1%
Age Unknown/Data Not Available	610	13%	1,026	24%
Total	4,641	100%	4,243	100%

¹⁵ The term subject or "subject of investigation" does not connote guilt or innocence. There were only 3,976 subjects with reportable information (i.e., offense met the elements of proof for sexual assault and fell within MCIOs' legal authority). However, 267 additional individuals alleged to be perpetrators in an investigation are included in these demographic data. These 267 subjects identified in an investigation were either outside the purview of the MCIO or the MCIO found no sexual assault crime occurred.

As shown in Table 7, most victims in completed investigations are of E1-E4 grades and most subjects are of E1-E4 grades.

Table 7. Grade/Status of Victims and Subjects at the Time the Report of Sexual Assault was Received in Completed Investigations of Unrestricted Reports, FY23

Grade / Status	Victims		Subjects	
	Count	Percent	Count	Percent
E1-E4	3,118	67%	2,069	49%
E5-E9	609	13%	909	21%
WO1-WO5	8	<1%	18	<1%
O1-O3	170	4%	123	3%
O4-O10	24	<1%	63	1%
Cadet/Midshipman/Prep School Student	53	1%	32	<1%
U.S. Civilian	584	13%	136	3%
Foreign National/Foreign Military	29	<1%	15	<1%
Grade or Status Unknown/Data Unavailable	46	1%	878	21%
Total	4,641	100%	4,243	99%

Notes:

1. Category percentages may not sum to 100 percent due to rounding.
2. The category “U.S. Civilian” includes DoD contractors, DoD civilian employees, other U.S. government civilian employees and contractors, and other US civilians.

As shown in Table 8, most victims and subjects in completed investigations are white and non-Hispanic.

Table 8. Race of Victims and Subjects in Completed Investigations of Unrestricted Reports, FY23

Race (Base Rate in Military Population) ¹⁶	Victims		Subjects	
	Count	Percent	Count	Percent
American Indian (1%)	59	1%	18	<1%
Asian / Pacific Islander (6%)	183	4%	88	2%
Black (17%)	876	19%	699	16%
White (69%)	2,889	62%	2,051	48%
Multiracial (3%)	182	4%	2	<1%
Unknown (3%)	357	8%	1,340	32%
Data Not Available	95	2%	45	1%
Total	4,641	100%	4,243	100%

¹⁶ U.S. Department of Defense, Military OneSource, “2022 Demographics: Profile of the Military Community”, <https://download.militaryonesource.mil/12038/MOS/Reports/2022-demographics-report.pdf>.

Table 9. Ethnicity of Victims and Subjects in Completed Investigations of Unrestricted Reports, FY23

Ethnicity (Base Rate in Military Population) ¹⁷	Victims		Subjects	
	Count	Percent	Count	Percent
Hispanic (18.4%)	905	20%	434	10%
Non-Hispanic (81.6%)	1,532	33%	1,679	40%
Unknown	2,103	45%	2,115	50%
Data Not Available	101	2%	15	<1%
Total	4,641	100%	4,243	100%

Restricted Reports of Sexual Assault

As defined in DoD policy, Restricted Reports are confidential, protected communications; therefore, SAPR personnel collect limited data about the victim and the sexual assault allegation. As with Unrestricted Reports, victims can make Restricted Reports for incidents that occurred prior to their military service. In FY23, there were 3,600 initial Restricted Reports of sexual assault. Of the 3,600 reports, 621 (17 percent) converted to Unrestricted Reports.¹⁸ At the end of FY23, 2,979 reports remained Restricted (Figure 16).

How many Restricted Reports convert to Unrestricted each FY?

In FY23, less than a fifth of victims who made a Restricted Report converted to an Unrestricted Report, which is about the same as observed in FY22.

This year, 309 Service members made a Restricted Report for an incident that occurred prior to entering military service, representing approximately 10 percent of the 2,979 remaining Restricted Reports of sexual assault. Of these 2,979 Service members, 193 indicated that the incident occurred prior to age 18, and 116 indicated that the incident occurred after age 18. Additionally, conversion of Restricted Reports to Unrestricted Reports has remained steady since FY21, with less than a fifth of people who made a Restricted Report in FY23 subsequently converting it to an Unrestricted Report.

¹⁷ U.S. Department of Defense, Military OneSource, "2022 Demographics: Profile of the Military Community", <https://download.militaryonesource.mil/12038/MOS/Reports/2022-demographics-report.pdf>.

¹⁸ Beginning with the implementation of DSAID in 2014, DoD has extracted and analyzed data six weeks after the end of each FY to allow sufficient time for data validation. DSAID is a "live" database, and its records change daily to reflect case status. During this six-week period, 39 additional Restricted Reports converted to Unrestricted. After a report converts from Restricted to Unrestricted, all data associated with the report is then counted in the Unrestricted Report category. These 39 reports that were made during the FY converted to Unrestricted in the six-week period after the end of the FY and are therefore included with the 621 report conversions.

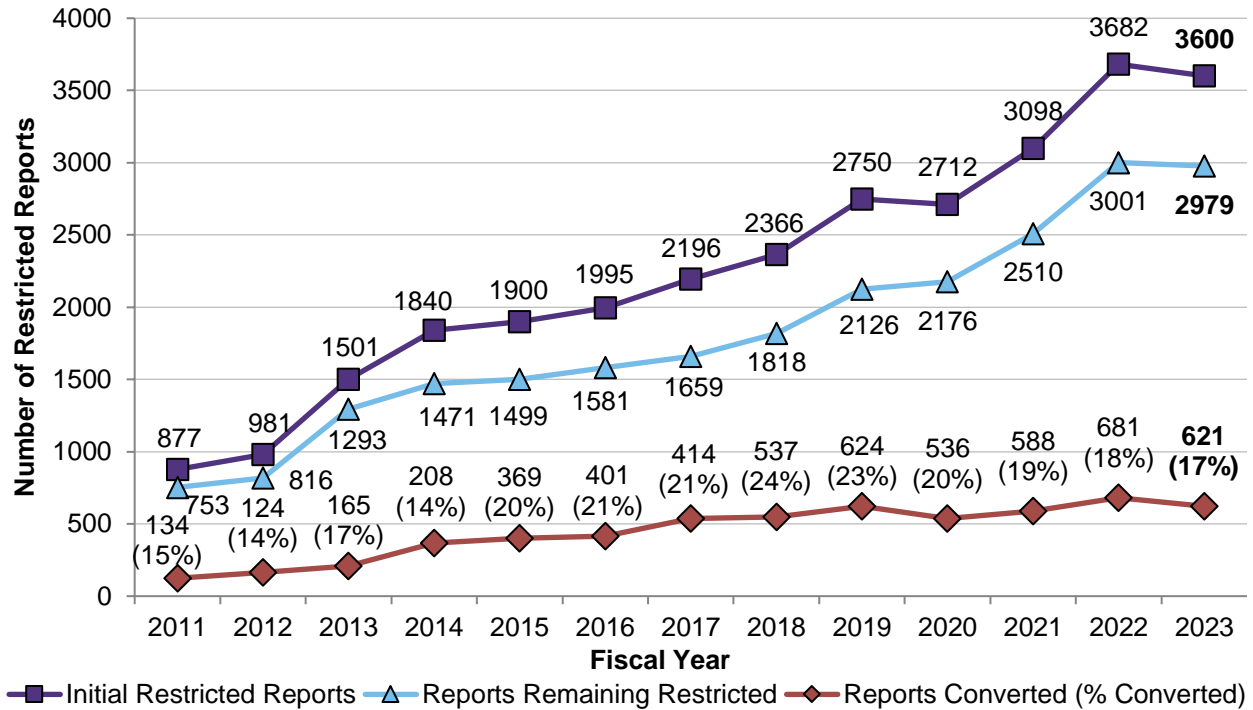


Figure 16. Restricted Reports Received and Converted, FY11 – FY23

Demographics of Victims in Restricted Reports

Table 10 through Table 14 shows that victims who filed a Restricted Report were primarily female, 24 or younger, junior enlisted grade (i.e., E1-E4), white, and non-Hispanic.

Table 10. Sex of Those in Restricted Reports, FY23

Sex	Count	Percent
Male	756	25%
Female	2,215	74%
Relevant Data Not Available	8	<1%
Total	2,979	100%

Table 11. Age of Those in Restricted Reports at Time of Incident, FY23

Age	Count	Percent
0-15	135	5%
16-19	692	23%
20-24	1,310	44%
25-34	689	23%
35-49	121	4%
50 and Older	4	<1%
Relevant Data Not Available	28	1%
Total	2,979	100%

Table 12. Grade or Status of Those in Restricted Reports at Time of Report, FY23

Grade / Status	Count	Percent
E1-E4	1,781	60%
E5-E9	781	26%
WO1-WO5	15	<1%
O1-O3	223	7%
O4-O10	64	2%
Cadet/Midshipman/Prep School Student	64	2%
Non-Service Member	43	1%
Relevant Data Not Available	8	<1%
Total	2,979	100%

Table 13. Race of Those in Restricted Reports, FY23

Race (Base Rate in Military Population) ¹⁹	Count	Percent
American Indian (1%)	32	1%
Asian / Pacific Islander (6%)	156	5%
Black (17%)	560	19%
White (69%)	1,675	56%
Multiracial (3%)	113	4%
Unknown (4%)	387	13%
Relevant Data Not Available	56	2%
Total	2,979	100%

¹⁹ U.S. Department of Defense, Military OneSource, "2022 Demographics: Profile of the Military Community", <https://download.militaryonesource.mil/12038/MOS/Reports/2022-demographics-report.pdf>.

Table 14. Ethnicity of Those in Restricted Reports, FY23

Ethnicity (Base Rate in Military Population) ²⁰	Count	Percent
Hispanic (18.4%)	635	21%
Non-Hispanic (81.6%)	1,924	65%
Unknown	361	12%
Relevant Data Not Available	59	2%
Total	2,979	100%

Service Referral Information

SARCs and SAPR VAs are responsible for helping eligible victims access medical treatment, counseling, legal advice, and other support services. SARCs and SAPR VAs can refer victims to both military and civilian resources for these services. A referral for services can happen at any time while the victim is receiving assistance from a SARC or SAPR VA and may happen several times throughout the military justice process. This year, SARCs and SAPR VAs made an average of 4.5 service referrals per Service member victim submitting an Unrestricted Report and an average of 4.8 service referrals per Service member victim submitting a Restricted Report.

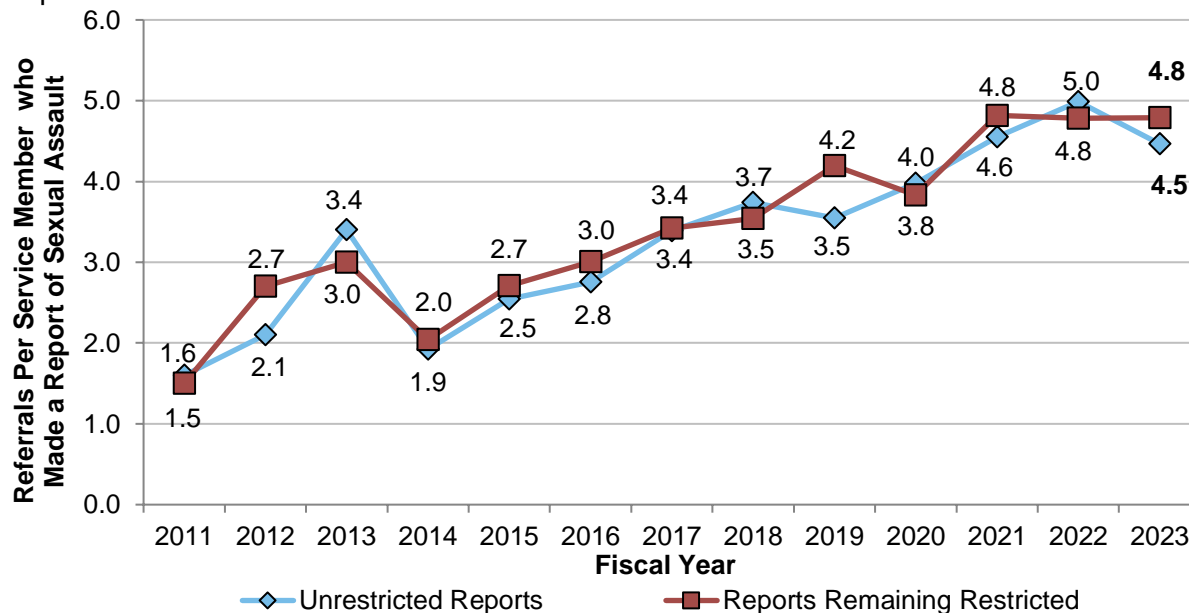


Figure 17 shows the average number of referrals per Service member victim in sexual assault reports from FY11 to FY23.

²⁰ U.S. Department of Defense, Military OneSource, "2022 Demographics: Profile of the Military Community", <https://download.militaryonesource.mil/12038/MOS/Reports/2022-demographics-report.pdf>.

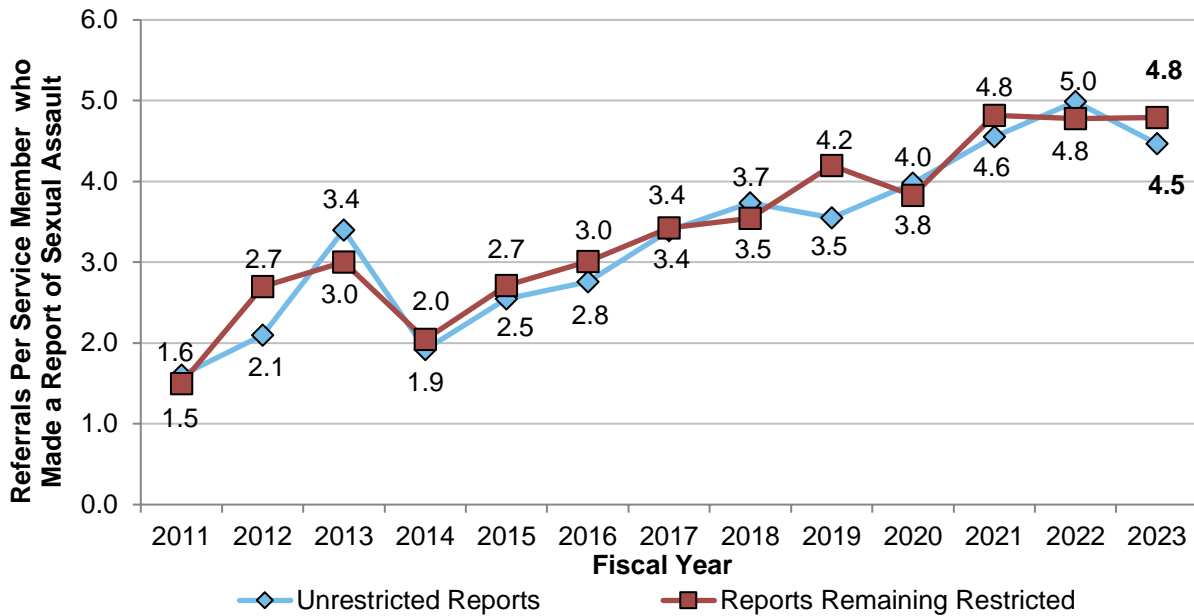


Figure 17. Average Number of Service Referrals per Service Member Who Reported Sexual Assault, FY11 – FY23

Once Service members report a sexual assault, they are asked whether they would like to receive a Sexual Assault Forensic Examinations (SAFE). The Military Services reported that there were 600 SAFEs conducted for Service members who reported a sexual assault during FY23 (Figure 18). The decision to undergo a SAFE belongs to the victim.

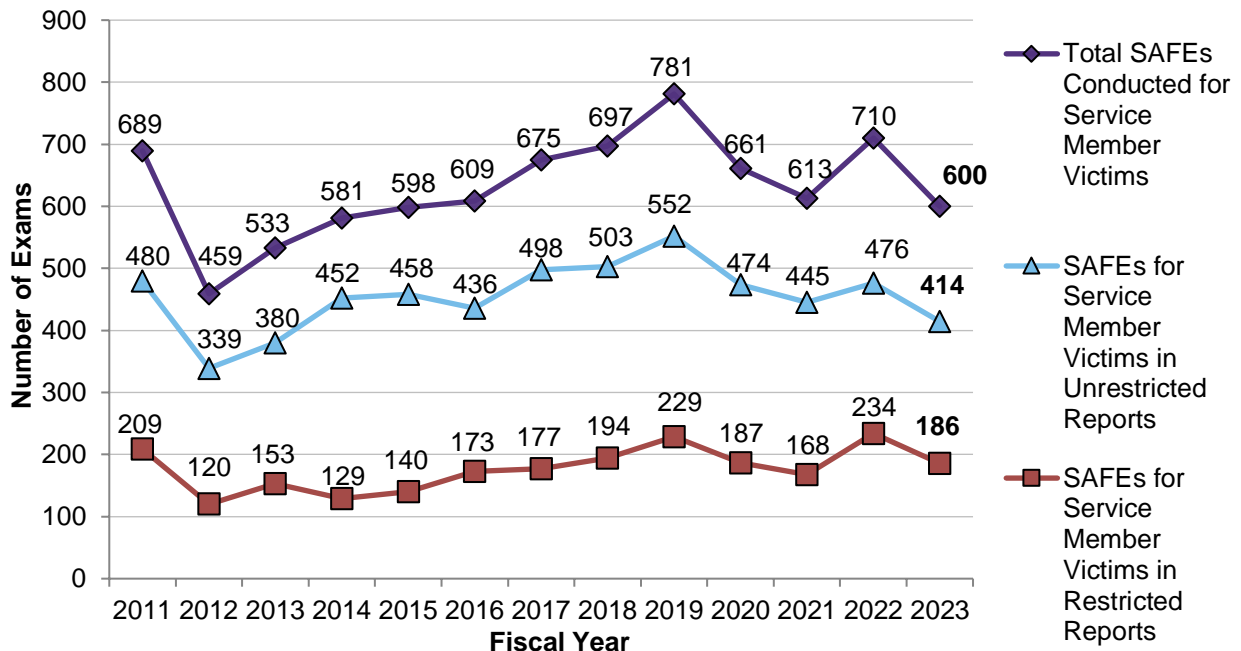


Figure 18. SAFEs Involving Service Member Victims, FY11 – FY23

Expedited Transfers

Since FY12, DoD has allowed Service members who submit an Unrestricted Report of sexual assault to request an expedited transfer from their assigned units (Table 15). This may involve a move to another duty location on the same installation or a permanent change of station. Service members can request a transfer from their unit commander, who has 5 calendar days to act on the request. Should a unit commander decline the request, victims may appeal the decision to the first General Officer/Flag Officer (GO/FO) in their commander's chain of command. The GO/FO then has 5 calendar days to review the request and provide a response to the victim. Table 15 shows the number of expedited transfers and denials since FY13. In FY23, the total number of expedited transfers requested decreased from FY22.

Table 15. Expedited Transfers and Denials, FY13 – FY23

Transfer Type	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23
Number of victims requesting a change in Unit/Duty Assignment (Cross-Installation Transfers)	99	44	71	62	74	67	89	80	125	82	88
<i>Number Denied</i>	3	0	2	3	5	2	5	3	5	6	5
Number of victims requesting a change in Installation (Permanent Change of Station)	480	615	663	684	760	835	810	820	880	781	673
<i>Number Denied</i>	11	15	12	18	30	30	24	20	27	23	20
Total Approved	565	644	720	725	799	870	870	877	973	834	736

Reports of Sexual Assault in Deployed Areas of Interest

Arduous conditions in deployed areas of interest (DAI), formerly combat areas of interest (CAI), make sexual assault response and data collection difficult. However, SARCs, SAPR VAs, and other SAPR personnel are assigned to all these areas. SAPR personnel are diligent in providing requested services and treatment to victims. The data reported below are included in the total number of Unrestricted and Restricted Reports described in previous sections.

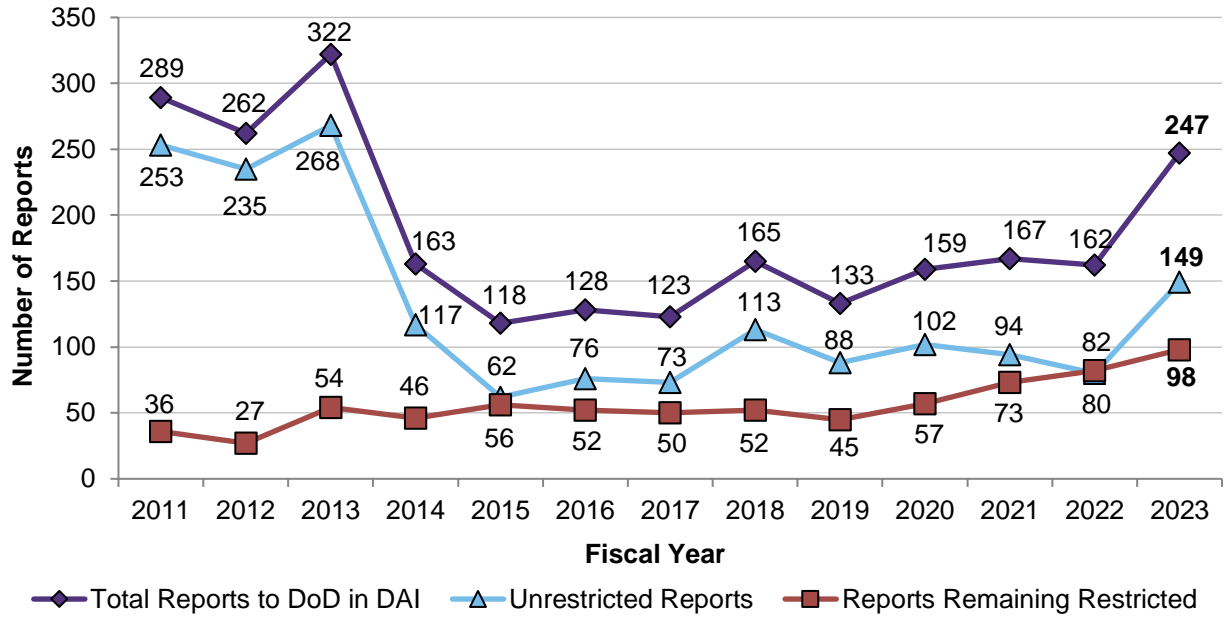


Figure 19 depicts historical trends of Unrestricted and Restricted Reporting in DAIs from FY10 to FY23. There were 247 reports of sexual assault in DAIs in FY23, an increase from FY22 (162 reports). It should be noted that the data below document where a sexual assault was reported, which does not necessarily indicate where the sexual assault was alleged to have occurred.

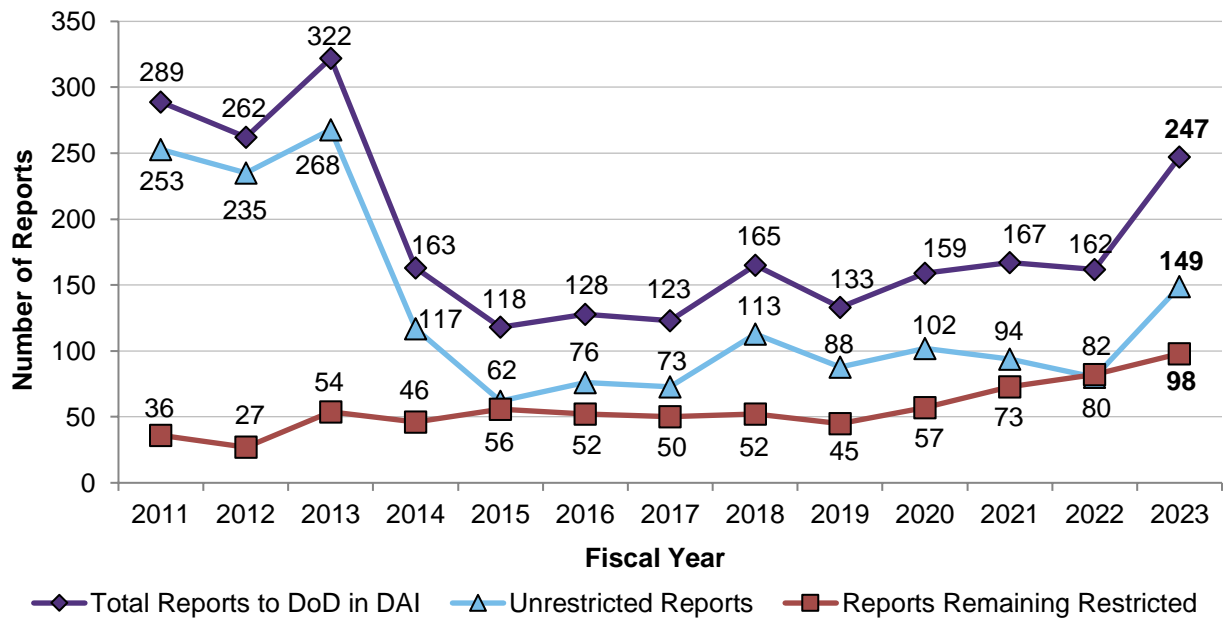


Figure 19. Reports of Sexual Assault in Deployed Areas of Interest, FY11 – FY23

There were 149 Unrestricted Reports in DAIs during FY23. Of these 149, 16 reports were initially restricted and converted to Unrestricted Reports during the FY. Table 16 below lists the number of Unrestricted and Restricted Reports for each DAI, and shows that in FY23, most reports were received in Poland, Kuwait, Qatar, Iraq, and Romania.

Table 16. Unrestricted and Restricted Reports by Deployed Areas of Interest, FY23

DAI	Total Reports	Unrestricted Reports	Reports Remaining Restricted
Afghanistan	10	4	6
Bahrain	10	3	7
Bulgaria	1	1	0
Djibouti	0	0	0
Estonia	0	0	0
Iraq	25	9	16
Jordan	16	8	8
Kosovo	5	5	0
Kuwait	40	29	11
Latvia	2	1	1
Lithuania	4	3	1
Niger	4	2	2
Poland	50	43	7
Qatar	29	13	16
Romania	18	11	7
Saudi Arabia	7	4	3
Syria	1	0	1
Turkey	16	8	8
UAE	9	5	4

Demographics of Victims and Subjects in Unrestricted Reports in DAIs

DoD draws demographic information about the Unrestricted Reports made in DAIs from the 95 investigations closed during FY23. These 95 investigations involved 99 victims and 97 subjects.

Report Demographics for Completed Investigations

Similar to those who file Unrestricted Reports outside of DAIs, those filing Unrestricted Reports in DAIs are mostly female (77 percent) and junior enlisted grade (65 percent). Those who submitted Unrestricted Reports in DAIs tend to be older than those submitting Unrestricted Reports in general; a little over half (52 percent) of victims in DAIs were 24 years old and younger.

Subjects in Completed Investigations

The demographics of subjects in Unrestricted Reports submitted in DAIs are similar to the demographics of subjects in all Unrestricted Reports submitted to DoD, in that the majority are male (72 percent), under the age of 35 (56 percent), and in an enlisted grade (57 percent).

Demographics of Victims in Restricted Reports in DAIs

The 98 victims with reports remaining Restricted in DAIs mirror the demographics of victims in all Restricted Reports made to DoD in that they were mostly women (69 percent). However, victims making Restricted Reports in DAIs tended to be older; 57 percent of victims in DAIs were 25 and over compared to 27 percent of victims in all Restricted Reports. Compared to all victims making a Restricted Report, a smaller share of victims in DAIs are junior enlisted: 26

percent of victims in DAIs are E1-E4, compared to 60 percent of victims in Restricted Reports overall.

FY23 Retaliation Allegations

Starting in October of 2020, the Defense Sexual Assault Incident Database (DSAID) became the official system of record for sexual assault-related retaliation reports made to the Department of Defense (DoD). The following data summarizes reports of alleged retaliation received by the Military Services and National Guard Bureau (NGB) between October 1, 2022 and September 30, 2023 involving a Service Member.²¹

Persons seeking to report a retaliation allegation have a variety of avenues to do so that lead to various paths of investigation. Reprisal allegations can be reported directly to DoD and Service IGs. Ostracism and maltreatment allegations associated with sexual assault allegations may be investigated by an MCIO or another DoD law enforcement agency or may be referred to unit commanders for investigation and resolution – all contingent on the circumstances and misconduct alleged. When a sexual assault-related retaliation is reported to SAPR personnel, investigative options are discussed with the reporter, and if the reporter signs a DD Form 2910-2, “Retaliation Reporting Statement for Unrestricted Sexual Assault Cases,” the case is entered into DSAID and tracked until final disposition of the case. The reporter also has the option of having the case monitored at their installation’s monthly Case Management Group meeting.

Data on Reports of Perceived Retaliation

In FY23, 72 reports of perceived retaliation involving Service members were made to DoD. Reports could be made to multiple reporting avenues. Of the 72 reports, 32 were made to one reporting avenue and 40 were made to multiple reporting avenues. The most common individual/organization receiving reported allegations of retaliation was SAPR personnel with SARCs and SAPR VAs receiving 55 and 24 reports, respectively. As stated above, SAPR personnel do not investigate reports of retaliation. They discuss reporting and assistance options with the reporter. Table 17 shows the other individuals/organizations indicated as receiving reports of retaliation.

Table 17. Individuals/Organizations to Whom the Report of Retaliation was Made, FY23

Individual/Organization	Count	Percent
SARC	55	42%
SAPR VA	24	18%
Service IGs	23	17%
Chain of Command	10	8%
MCIOs	6	5%
DoD IG	10	8%
Other	4	3%
Total Individuals/Organizations Receiving 72 Reports	132	100%

²¹ Pulled from DSAID in March 2024.

Demographics of Retaliation Reporters

The Military Services and NGB received 72 sexual assault-related retaliation reports against 48 alleged retaliators in FY23. Table 18 displays the sex of retaliation reporters. Table 19 shows the pay grade of reporters. Most retaliation reports are filed by women (69 percent) in junior enlisted pay grades E1-E4 (64 percent). Additionally, as shown in Table 20, most retaliation reports are filed by victims who have made an Unrestricted Report of sexual assault (93 percent).

Table 18. Sex of Retaliation Reporters in Reports of Perceived Retaliation, FY23

Sex of Retaliation Reporter	Count	Percent
Male	50	69%
Female	22	31%
Total	72	100%

Table 19. Pay Grade of Reporters in Reports of Perceived Retaliation, FY23

Retaliation Reporter Pay Grade	Count	Percent
E1-E4	46	64%
E5-E9	15	21%
O1-O3	5	7%
O4-O10	3	4%
Cadet/Midshipman	1	1%
DoD Civilian	2	3%
Total	72	100%

Table 20. Type of Retaliation Reporter in Reports of Perceived Retaliation, FY23

Type of Retaliation Reporter	Count	Percent
Victim of alleged sexual assault	67	93%
SAPR VA/SARC on case of alleged sexual assault	3	4%
Other Party	2	3%
Total	72	100%

Actions Taken to Support Retaliation Reporters

Table 21 displays the actions taken to address retaliation allegations and provide support to reporters. Actions were taken in 70 of the 72 total sexual assault-related retaliation reports. Among the 2 cases where actions were not taken, the reporter chose not to move forward with an official complaint or withdrew their complaint.

A total of 137 actions were taken in 70 cases. Most allegations received multiple actions. Common actions included Command monitoring the situation (31 allegations), providing direct support to the reporter (24 allegations), updating the safety plan for the retaliation reporter (18 allegations), and Command taking action on behalf of the retaliation reporter to end the negative treatment (12 allegations). Thirteen other actions were taken to support reporters, while 7 actions were unknown. Thirteen actions were still pending.

Table 21. Action Taken to Address Retaliation Allegations, FY23

Action Taken to Address Retaliation	Count of Actions	Percent
Command is monitoring the situation	31	23%
Command is providing direct support to the reporter	24	18%
Safety plan updated for retaliation reporter	18	13%
Command took action on behalf of the retaliation reporter to end the negative treatment	12	9%
Action pending	13	9%
Other	13	9%
Transfer of retaliation reporter	8	6%
Briefing/training for the unit/installation	6	4%
Military protective order issued or civilian protective order obtained by retaliation reporter	2	1%
Command implemented new policies	2	1%
Unfavorable personnel action punishment or administrative action against the retaliation reporter reversed	1	1%
Unknown	7	5%
Total Actions Taken in 70 Cases	137	100%

Demographics and Outcomes of Alleged Retaliators

Of the 72 alleged retaliation reports, 34 reports identified an alleged retaliator, e.g., the individual accused of perpetrating retaliation. The analysis that follows focuses on the information and outcomes of the 48 alleged retaliators identified in 34 reports of alleged retaliation. Most alleged retaliators were men (81 percent) and 2 were the alleged perpetrator of the associated sexual assault report. Most alleged retaliators were a superior in the chain of command of the reporter (67 percent). Table 22 shows the relationship between the alleged retaliator and the reporter of the allegation, while Table 23 shows the relationship between the alleged retaliator and the alleged perpetrator. Note: subjects can belong to several different relationship categories; the totals in Table 22 and Table 23 may add up to more than the 48 subjects.

Table 22. Relationship of the Alleged Retaliator and the Reporter, FY23

	Subject Count
Alleged retaliator(s) is a superior in the chain of command of the reporter	36
Alleged retaliator(s) is a peer, co-worker, friend, or family member of the retaliation reporter	6
Alleged retaliator(s) is a service provider or other official involved in the report	4
Alleged retaliator(s) is associated with alleged perpetrator of sexual assault	2
Alleged retaliator(s) is the alleged perpetrator of sexual assault	2
Alleged retaliator(s) is a superior NOT in the chain of command of the reporter	2

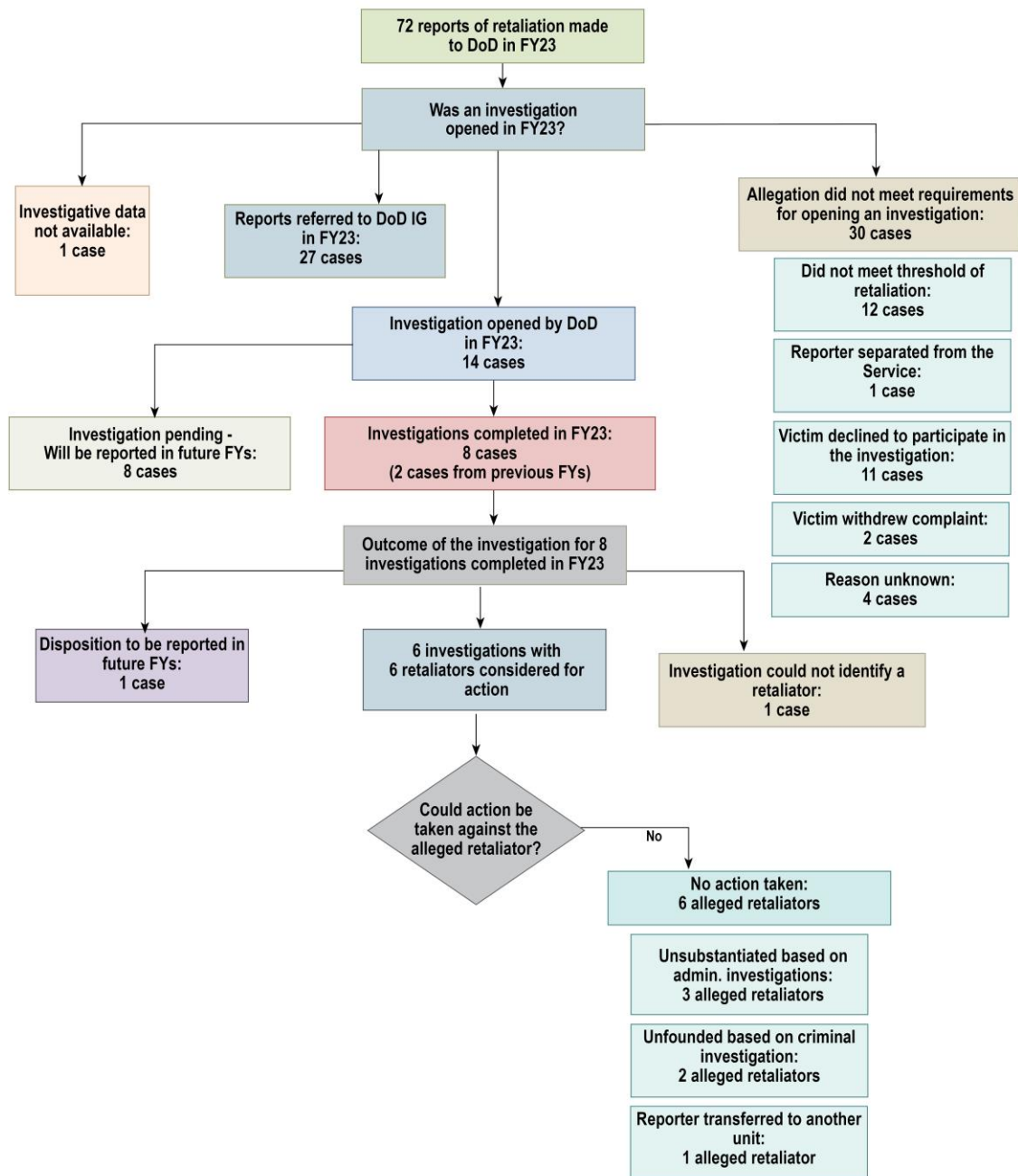
Alleged retaliator(s) is junior in grade to reporter (in or outside of the chain of command)	1
Alleged retaliator(s) relationship is unknown or investigation ongoing	1
Total	54

Table 23. Relationship of the Alleged Retaliator and Alleged Perpetrator, FY23

	Subject Count
Alleged retaliator(s) and alleged perpetrator have no direct association	20
Alleged retaliator(s) is a peer, co-worker, friend, or family member of the alleged perpetrator	8
Alleged retaliator(s) is also the alleged perpetrator of sexual assault	7
Alleged retaliator(s) is a superior of the alleged perpetrator (in or outside chain of command)	7
Alleged perpetrator(s) relationship is unknown/investigation ongoing	5
Alleged retaliator(s) is junior in grade to the alleged perpetrator (in or outside chain of command)	1
Total	48

Figure 20 presents a review of the status of retaliation investigations and outcomes for the investigations opened for the 72 reports of retaliation. Service-led investigations were not opened in 30 cases. Of these 30, 12 cases did not meet the threshold for retaliation, 11 cases respected a victim's decision to not participate in the investigation, 2 cases were withdrawn by the reporter, and in 1 case the reporter separated from the Service. Four cases were missing a reason for not having an investigation opened. Twenty-seven cases were referred to DoD OIG for investigation and are included in Table 24.

There were 8 investigations of alleged retaliation completed in FY23, 6 of which came from reports made in FY23 and 2 from reports made in previous FYs. Eight investigations were still pending completion at the end of FY23. One investigation could not identify the alleged retaliator. Six investigations identified 6 retaliators considered for action. Action could not be taken against 6 alleged retaliators. Case synopses for FY23 cases with completed investigations and disposition information can be found in Military Services' Reports.



Source: DSAID

Figure 20. Reports of Perceived Retaliation Made to DoD, FY23

Reports Received for Reprisal by the Department of Defense Office of the Inspector General (DoD OIG)

DoD OIG provides SAPRO with a report of all complaints of reprisal and restriction investigated and received by DoD OIG. DoD OIG can receive reports directly from a reporter and thus the totals will not match with the reports referred to DoD OIG in the previous section. DoD OIG received 76 complaints of reprisal and restriction complaints relating to reporting of a sexual assault in FY23. At the end of the fiscal year they had completed and closed 77 cases of reports from FY23 and previous fiscal years. Table 24 below shows the outcomes of the investigations closed in FY23.

Table 24. Outcomes of DoD OIG Investigations, FY23

Outcome	Subject Count	Percent
Evaluated and Closed	73	95%
Not Substantiated	0	0%
Substantiated	0	0%
Withdrawn	4	5%
Total Closed	77	100%

DoD OIG defines the above outcomes as follows:

- ‘Evaluated and closed’ are cases closed without investigation, because either DoD OIG lacked jurisdiction or complaint evaluation determined that there was no prima facie allegation of reprisal or restriction.
- ‘Not substantiated’ cases were investigated but not proven.
- ‘Substantiated’ cases were investigated and proven.
- ‘Withdrawn’ cases are cases where the complainant withdrew their complaint of reprisal or restriction.

Additional information on DoD OIG cases can be found in the Inspector General Semi-Annual Report to Congress.²²

FY23 SAPR-Related Inquiries

On October 2, 2019, the DoD IG released its “Evaluation of the DoD’s Handling of Incidents of Sexual Assault Against (or Involving) Cadets at the United States Air Force Academy,” report in which it recommended that the Department institute a process that documents consultations with victims of sexual assault and any resulting referrals to victim support services if those contacts do not result in an official report of sexual assault. The Department satisfied this recommendation on October 19, 2020, with the release of the SAPR Related Inquiry (SRI) Module in DSAID, allowing SARCs to document contacts with victims of sexual assault.

Additionally, the SRI Module documents contacts with acquaintances of victims, and any other parties that visit a SAPR office to inquire about services and resources offered for victims of sexual assault. DoD SAPRO does not collect any identifiable information from inquirers, so therefore, cannot track whether a victim inquirer has made a report prior to or following their inquiry.

²² <https://www.dodig.mil/Reports/Semiannual-Report-to-the-Congress/>

In FY23, the Department received 3,324 SAPR-related inquiries, with just over half being made by victims of sexual assault (53 percent). Table 25 shows that the remaining 47 percent of inquirers were victims' supervisors, friends, coworkers, and others visiting SAPR offices to seek support and/or learn more about the resources offered by their Service.

Table 25. SAPR-Related Inquiries by Type of Inquirer, FY23

Type of Inquirer	Count	Share
Victim (Self)	1,774	53%
Supervisor/Command	514	15%
Friend	150	5%
Otherwise Known	260	8%
Coworker	117	4%
Employee	115	3%
Chooses Not to Disclose	78	2%
Extended Family Member	76	2%
Relationship Unknown	112	3%
Stranger	7	<1%
Love Interest/Dating	55	2%
Acquaintance	35	1%
Employer	26	1%
Recruiter	3	<1%
Neighbor	2	<1%
Total	3,324	100%

Of the 3,324 SAPR-related inquiries made by victims of sexual assault in FY23, most contacts were with female Service members (34 percent). Additionally, the Department received 250 inquiries from non-Service member victims in FY23, about half of which were made by U.S. civilians (46 percent).

Table 26. SAPR-Related Inquiry Victims by Gender and Military Status, FY23

	Female Victims	Male Victims	RDNA Victims	Total Inquiries
Total SAPR Related Inquiries	1,320	414	40	1,774
Inquiries Made by Service Members	1,125	385	14	1,524
Inquiries Made by Non-Service Members	195	29	26	250
<i>DoD Civilian Employee</i>	51	10	0	61
<i>DoD Contractor Employee</i>	7	3	0	10
<i>U.S. Civilian</i>	104	9	1	114
<i>Other Government Civilian</i>	12	0	0	12
<i>Foreign National/Military</i>	5	0	0	5
<i>Relevant Data Not Available</i>	16	7	25	48

Victim Stated Reason for Not Reporting

While there is currently no process to identify whether a victim inquirer filed a report prior to or following their inquiry, SARCs document the victim's stated reason(s) for not reporting, as

adapted from the 2018 *WGR*. The largest share of victims who made a SAPR-related inquiry marked “some other reason” as to why they did not report a sexual assault (35 percent). Additionally, 9 percent of victims did not report because they “did not want more people to know.”

Table 27. SAPR-Related Inquiry Victim Stated Reason for Not Reporting, FY23

Stated Reason for Not Reporting	Count ²³	Share
Some other reason	915	35%
Did not want more people to know	235	9%
Wanted to forget about it and move on	181	7%
Felt ashamed or embarrassed	173	7%
Worried about potential negative consequences from their coworkers or peers	141	5%
Did not think anything would be done	108	4%
Thought it was not serious enough to report	101	4%
Felt partially to blame	100	4%
Worried about potential negative consequences from the person(s) who did it	99	4%
RDNA	92	4%
Worried about potential negative consequences from a supervisor or someone in their chain of command	79	3%
Did not want to hurt the person's career	72	3%
Did not trust the process would be fair	65	3%
Thought it might hurt their performance evaluation/fitness report or their career	57	2%
Thought they might get in trouble for something they had done or would get labeled a troublemaker	57	2%
Did not think their report would be kept confidential	41	2%
Did not want people to see them as weak	39	2%
Did not want to hurt the person's family	30	1%

Victim Support Services Referred

SAPR-related inquiries are an avenue for victims of sexual assault to receive necessary support services without making an official report. During an inquiry visit, SARCs can refer victims to the same support services offered to victims who file an official report, while collecting no personally identifiable information. In FY23, SARCs submitted 4,501 referrals for victim support services to victims who made a SAPR-related inquiry. The four most frequently made referrals were to behavioral health services (19 percent), VAs/UVAs (16 percent), chaplain and spiritual support (14 percent), and “other” (15 percent).

²³ Inquirers could choose multiple reasons for not reporting. Therefore, percentages will not sum to 100.

Table 28. SAPR-Related Inquiry Victim Support Service Referrals, FY23

Victim Support Service Referred to	Count²⁴	Share
Behavioral Health	860	19%
Victim Advocate/Uniformed Victim Advocate	732	16%
Other	672	15%
Chaplain/Spiritual Support	612	14%
Legal	529	12%
DoD Safe Helpline	497	11%
Medical	354	8%
Rape Crisis Center	245	5%
Total	4,501	100%

Sexual Assault Reports by Victim and Military Status by Service

The following tables contain reports of sexual assault to the DoD made in FY23. Each table represents a single Service and includes the type of report made and the type of reporter.

Table 29. Army Sexual Assault Reports by Victim and Military Status, FY23

	Unrestricted Reports	Restricted Reports	Total Reports
Total Reports of Sexual Assault	2,545	962	3,507
Reports Made by Service Members	2,132	934	3,066
Reports Made by Non-Service Members	374	18	392
<i>DoD Civilian Employee</i>	24	0	24
<i>DoD Contractor Employee</i>	11	1	12
<i>Other U.S. Civilian</i>	319	17	336
<i>Foreign National/Military</i>	20	0	20
<i>Relevant Data Not Available</i>	39	10	49
Service Member Reports for Incidents that Occurred Prior to Military Service	74	45	119
Service Member Reports for Incidents that Occurred During Military Service	2,058	889	2,947

²⁴ Victims could be referred to multiple support services. Therefore, percentages will not sum to 100.

Table 30. Navy Sexual Assault Reports by Victim and Military Status, FY23

	Unrestricted Reports	Restricted Reports	Total Reports
Total Reports of Sexual Assault	1,226	716	1,942
Reports Made by Service Members	1,158	712	1,870
Reports Made by Non-Service Members	68	4	72
<i>DoD Civilian Employee</i>	3	2	5
<i>DoD Contractor Employee</i>	0	0	0
<i>Other U.S. Civilian</i>	61	2	63
<i>Foreign National/Military</i>	4	0	4
<i>Relevant Data Not Available</i>	0	0	0
Service Member Reports for Incidents that Occurred Prior to Military Service	81	78	159
Service Member Reports for Incidents that Occurred During Military Service	1,077	634	1,711

Table 31. Marine Corps Sexual Assault Reports by Victim and Military Status, FY23

	Unrestricted Reports	Restricted Reports	Total Reports
Total Reports of Sexual Assault	752	476	1,228
Reports Made by Service Members	682	473	1,155
Reports Made by Non-Service Members	70	3	73
<i>DoD Civilian Employee</i>	1	0	1
<i>DoD Contractor Employee</i>	0	0	0
<i>Other U.S. Civilian</i>	66	3	69
<i>Foreign National/Military</i>	3	0	3
<i>Relevant Data Not Available</i>	0	0	0
Service Member Reports for Incidents that Occurred Prior to Military Service	42	101	143
Service Member Reports for Incidents that Occurred During Military Service	640	372	1,012

Table 32. Department of Air Force Sexual Assault Reports by Victim and Military Status, FY23

	Unrestricted Reports	Restricted Reports	Total Reports
Total Reports of Sexual Assault	1,013	825	1,838
Reports Made by Service Members	915	801	1,716
Reports Made by Non-Service Members	98	24	122
<i>DoD Civilian Employee</i>	12	9	21
<i>DoD Contractor Employee</i>	3	0	3
<i>Other U.S. Civilian</i>	73	15	88
<i>Foreign National/Military</i>	10	0	10
<i>Relevant Data Not Available</i>	0	0	0
Service Member Reports for Incidents that Occurred Prior to Military Service	35	85	120
Service Member Reports for Incidents that Occurred During Military Service	880	716	1,596

Case Dispositions Reported in FY23 by Service

The following tables include the case dispositions that were reported in FY23, broken out by Service. These numbers may include a report made before FY23 for which an investigation and/or judicial outcome were completed in FY23.

Table 33. Army Case Disposition Category, FY23

Case Disposition Category	Count of Case Dispositions	Share of Case Dispositions
Sexual Assault Investigations Considered for Possible Action by DoD Commanders	1,099	N/A
Evidence Supported Commander Action	720	66%
Sexual Assault Offense Action	555	77%
<i>Court-Martial Charge Preferred (Initiated)</i>	174	31%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	108	19%
<i>Administrative Discharge</i>	209	38%
<i>Other Adverse Administrative Action</i>	64	12%
Non-Sexual Assault Offense Action	165	23%
<i>Court-Martial Charge Preferred (Initiated)</i>	15	9%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	87	53%
<i>Administrative Discharge</i>	38	23%
<i>Other Adverse Administrative Action</i>	25	15%
Unfounded by Command/Legal Review	0	0%
Commander Action Precluded or Respected Victims' Desired Non-Participation	379	34%
<i>Victim Died</i>	0	0%
<i>Victim Declined to Participate in the Military Justice Action</i>	4	1%
<i>Insufficient Evidence to Prosecute</i>	371	98%
<i>Statute of Limitations Expired</i>	4	1%

Table 34. Navy Case Disposition Category, FY23

Case Disposition Category	Count of Case Dispositions	Share of Case Dispositions
Sexual Assault Investigations Considered for Possible Action by DoD Commanders	647	N/A
Evidence Supported Commander Action	353	55%
Sexual Assault Offense Action	256	73%
<i>Court-Martial Charge Preferred (Initiated)</i>	61	24%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	43	17%
<i>Administrative Discharge</i>	90	35%
<i>Other Adverse Administrative Action</i>	62	24%
Non-Sexual Assault Offense Action	97	27%
<i>Court-Martial Charge Preferred (Initiated)</i>	7	7%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	46	47%
<i>Administrative Discharge</i>	28	29%
<i>Other Adverse Administrative Action</i>	16	16%
Unfounded by Command/Legal Review	24	4%
Commander Action Precluded or Respected Victims' Desired Non-Participation	270	42%
<i>Victim Died</i>	0	0%
<i>Victim Declined to Participate in the Military Justice Action</i>	51	19%
<i>Insufficient Evidence to Prosecute</i>	219	81%
<i>Statute of Limitations Expired</i>	0	0%

Table 35. Marine Corps Case Disposition Category, FY23

Case Disposition Category	Count of Case Dispositions	Share of Case Dispositions
Sexual Assault Investigations Considered for Possible Action by DoD Commanders	439	N/A
Evidence Supported Commander Action	252	57%
Sexual Assault Offense Action	169	67%
<i>Court-Martial Charge Preferred (Initiated)</i>	63	37%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	13	8%
<i>Administrative Discharge</i>	77	46%
<i>Other Adverse Administrative Action</i>	16	9%
Non-Sexual Assault Offense Action	83	33%
<i>Court-Martial Charge Preferred (Initiated)</i>	11	13%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	24	29%
<i>Administrative Discharge</i>	14	17%
<i>Other Adverse Administrative Action</i>	34	41%
Unfounded by Command/Legal Review	5	1%
Commander Action Precluded or Respected Victims' Desired Non-Participation	182	41%
<i>Victim Died</i>	0	0%
<i>Victim Declined to Participate in the Military Justice Action</i>	15	8%
<i>Insufficient Evidence to Prosecute</i>	167	92%
<i>Statute of Limitations Expired</i>	0	0%

Table 36. Department of Air Force Case Disposition Category, FY23

Case Disposition Category	Count of Case Dispositions	Share of Case Dispositions
Sexual Assault Investigations Considered for Possible Action by DoD Commanders	705	N/A
Evidence Supported Commander Action	496	70%
Sexual Assault Offense Action	304	61%
<i>Court-Martial Charge Preferred (Initiated)</i>	161	53%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	62	20%
<i>Administrative Discharge</i>	21	7%
<i>Other Adverse Administrative Action</i>	60	20%
Non-Sexual Assault Offense Action	192	39%
<i>Court-Martial Charge Preferred (Initiated)</i>	4	2%
<i>Nonjudicial Punishment (Article 15, UCMJ)</i>	70	36%
<i>Administrative Discharge</i>	6	3%
<i>Other Adverse Administrative Action</i>	112	58%
Unfounded by Command/Legal Review	27	4%
Commander Action Precluded or Respected Victims' Desired Non-Participation	182	26%
<i>Victim Died</i>	1	1%
<i>Victim Declined to Participate in the Military Justice Action</i>	111	61%
<i>Insufficient Evidence to Prosecute</i>	69	38%
<i>Statute of Limitations Expired</i>	1	1%