



**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB A



OFFICE OF THE SUPERINTENDENT
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996-5000

MASP

~~MEMORANDUM THRU DEPARTMENT OF THE ARMY, ATTN: DEPUTY CHIEF OF STAFF, G1,
200 ARMY PENTAGON, WASHINGTON, DC 20310-0300~~ *LPB 10/23/10*

~~THRU ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS), 111
ARMY PENTAGON, WASHINGTON, DC 20310-0111~~ *TRC 15 Nov. 2010*

THRU SECRETARY OF THE ARMY, 101 ARMY PENTAGON, WASHINGTON, DC 20310-0101 *W 23 Nov 10*


FOR UNDERSECRETARY OF DEFENSE (PERSONNEL AND READINESS), 101 ARMY
PENTAGON, WASHINGTON, DC 20310-0101

SUBJECT: Annual Report (Academic Program Year 2009-2010)—Sexual Harassment and Violence at
the United States Military Academy

1. Reference: Public Law 109-364, Section 532.
2. General. The National Defense Authorization Act for Fiscal Year 2007 requires Service Academy Superintendents to submit an annual report through their Military Department to the Secretary of Defense on sexual harassment/sexual assault involving academy personnel.
3. Requirements. Section 532 details the report requirements for the Academic Program Year from 1 June to 31 May, generally corresponding to the beginning of summer training through graduation the following year. The report is at enclosure in the requested template formats, one in an MS Word document, the other in an MS Excel workbook.
4. Conclusion. USMA remains steadfastly committed to the Sexual Assault Prevention and Response program through focused preventive efforts and being approachably responsive to allegations of harassment and assault. Over the course of the Academic Program Year (APY) 2009-2010, the United States Military Academy (USMA) made steady progress on the prevention of Sexual Harassment and violence. The progressive training of the Cadets by the Special Assistant to the Commandant for Human Relations (SAC-HR) and United States Corps of Cadets (USCC) Equal Opportunity Advisor (EOA), complimented by both formal and informal education of the Cadets by the USMA Staff and Faculty resulted in improved confidence and understanding of the Sexual Harassment Assault Response and Prevention (SHARP) program.
5. The point of contact for this report is LTC Kay "Linda" Emerson, West Point Diversity Officer, at (845) 938-7063, DSN: 688-7063.

2 Enclosures

1. APY 09-10 Programmatic Template
2. APY 09-10 Statistical Template


DAVID H. HUNTOON, JR.
Lieutenant General, US Army
Superintendent

Academic Program Year 2009-2010 Annual Report on Sexual Harassment and Violence at the Military Service Academies: Instructions and Template

Programmatic Data

The purpose of this report is to determine the effectiveness of policies, training, and procedures of the Academy with respect to sexual harassment and violence involving Academy personnel for Academic Program Year (APY) 2009-2010.

Note: The APY 09-10 is specifically from June 1, 2009 to May 31, 2010

Each submission must include the title of “APY 09-10 Annual Report on Sexual Harassment and Violence at the Military Service Academies: <Academy>”; a completed Executive Summary Template, not to exceed 500 words; a completed APY 09-10 Annual Report on Sexual Harassment and Violence Programmatic Data Call Template and a completed Statistic Data Call Template. Please ensure that the final report is not labeled For Official Use Only (FOUO), as the final report will be posted to www.sapr.mil and submitted to Congress.

The following Executive Summary Template should be used to capture a summary of your Academy’s APY 09-10 Annual Report on Sexual Harassment and Violence.

EXECUTIVE SUMMARY

Over the course of the Academic Program Year (APY) 2009-2010, the United States Military Academy (USMA) made steady progress on the prevention of Sexual Harassment and violence. The progressive training of the Cadets by the Special Assistant to the Commandant for Human Relations (SAC-HR) and United States Corps of Cadets (USCC) Equal Opportunity Advisor (EOA), complemented by both formal and informal education of the Cadets by the USMA Staff and Faculty resulted in improved confidence and understanding of the Sexual Harassment Assault Response and Prevention (SHARP) program.

Much of the Cadet training program relies on the Equal Opportunity (EO) lessons of prevention of sexual harassment and creating a positive command climate for all personnel. These lessons are embedded in the Simon Center for Professional Military Ethic’s Respect Program. Key tenets of the Respect Program are that every human being has infinite worth and dignity. These and other lessons in the Profession Military Ethic Education (PME2) courses afford military staff mentors and Cadet Company Respect Representatives to instruct the Corps of Cadets on ways to prevent sexual harassment, which in many cases should have a positive impact on preventing sexual violence or assault. The Cadet Respect Officers and NCOs in each cadet company

provide peer assistance to their Cadet chain of command and fellow company members. Through many avenues, formal and informal, Cadets are presented with or have access to the SHARP reporting access points. Staff and faculty members are also trained and informed of the program in order to support the Corps of Cadets.

The United States Military Academy Preparatory School (USMAPS) also conducted training for the Cadet Candidates. Initiatives and programs at the USMAPS follow similar initiatives at USMA, and utilize resources available at Fort Monmouth, NJ. Gender relations and SHARP program training are provided for USMA Cadets working the summer training program with the Cadet Candidates.

In addition to the USMA Cadet and USMAPS Cadet Candidate programs, West Point's Installation Sexual Assault Response Coordinator (SARC) provided support to the Garrison Soldiers, Civilian employees and adult Family members. The Installation SARC provided thorough coverage of SHARP program education and response throughout West Point.

During APY 09-10, USMA received one formal complaint of sexual harassment alleged against a field grade officer. Upon investigation, the complaint was substantiated, and the Command applied judicious discipline. USMA received a total of eleven official reports of sexual assault, five unrestricted and six restricted reports. All five unrestricted reports identified the subjects as Cadets. Four of the five victims cooperated with investigating officers. In the four investigated cases, all of the subjects were found guilty of misconduct and were disciplined accordingly. Victims of both restricted and unrestricted reports were afforded the entire network of victim advocacy support.

USMA remains steadfast in its commitment to the Sexual Assault Prevention and Response (SAPR) program through focused preventive efforts and being approachably responsive to allegations of sexual harassment and assault. USMA has diligently and continuously improved its policies, procedures, and processes designed to prevent and respond to sexual assault in accordance with Department of Defense (DoD) requirements.

The following APY 09-10 Annual Report on Sexual Harassment and Violence Programmatic Data Call Template should be used to capture required content for the APY 09-10 Annual Report on Sexual Harassment and Violence at the Military Service Academies. Please provide input under each heading.

1. POLICIES, TRAINING AND PROCEDURES

1.1. Prevent Sexual Harassment and Violence — Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to prevent sexual harassment and sexual assault, including but not limited to:

- efforts by your Academy to promote a culture of prevention

- education and training initiatives
- communications, social marketing, and media initiatives
- work done to implement or support the Department's Sexual Assault Prevention Strategy
- subject matter experts consulted and involved

USMA continued to promote a culture of prevention during APY 09-10 through the Respect Program and Equal Opportunity / Prevention of Sexual Harassment education as core components of the United States Corps of Cadets (USCC) Professional Military Ethic Education (PME2) curriculum conducted throughout the academic year. The program is characterized by comprehensive prevention and awareness training, utilizing a network of staff and faculty facilitators, Cadet Respect Program Representatives, and distinguished guest speakers.

Cadet Program

The USMA sexual harassment program includes the following personnel:

- USMA Superintendent;
- Commandant of the USCC;
- Special Assistant to the Commandant for Human Relations;
- USCC Equal Opportunity Advisor (EOA);
- Cadet Respect Program Representatives;
- Inspector General (IG);
- Chaplain; and
- Staff Judge Advocate (SJA);
- Special Assistant to the Commandant for Respect.

The USCC's sexual harassment policy and program is embedded within the Simon Center for the Professional Military Ethic's (SCPME) Respect Program. The purpose of the Respect Program is to foster the Corps' development of and commitment to the fundamental principle that each individual has infinite dignity and worth. The Respect Program focuses on the idea that demonstrating respect to all people is a leadership discipline. Leaders have the responsibility to ensure a positive climate exists in their unit. Cadets are taught that a positive climate includes unconditional positive respect for all people, courageous communication, and maximizing each member of their team. Lastly, the USMA Respect program ties these concepts of dignity and worth to future endeavors as platoon leaders and as officers deployed to drastically different countries and cultures.

All USMA cadets participate in the Respect Program's formal course of instruction as part of the PME2 Program. PME2 is a 70-hour program for cadets that focuses on values, education, Officership, and leadership, which begins during Cadet Basic Training and continues until graduation. PME2 reinforces current USMA programs and uses several distinguished guest speakers and facilitators to address cadets throughout the APY. Specific instruction includes: prevention of sexual assault and

harassment equal opportunity, cultural awareness and diversity training complemented by the entire PME2 curriculum which focuses on character development. During Cadet Basic Training, new cadets receive an introduction to the Sexual Harassment / Assault Response & Prevention Program (definitions of sexual harassment, sexual assault, reporting options and points of contact), in addition to three other Respect Classes which focus on the full-spectrum of Respect (race, color, religion, gender, or national origin). Cadet Cadre for Cadet Basic Training and Cadet Field Training also receive Respect training prior to the arrival of their subordinates in preparation for their leadership roles which includes information on gender relations, appropriate behavior on and off-duty, and reiterates reporting procedures for sexual harassment and sexual assault. Fourth Class Cadets received approximately five hours of training throughout the year on Respect/EO/Prevention of Sexual Harassment (POSH)/ and prevention of sexual assault. Third Class Cadets receive at least four hours of training including a significant amount of cultural awareness training integrated into the Cadet Field Training. The Second and First Class Cadets receive approximately three to four hours of training and also serve as the instructors for the junior classes. Additionally, all company Respect Representatives received at least 14 hours of training lead by USCC EOA utilizing materials directly from the Defense Equal Opportunity Management Institute (DEOMI).

The Respect Officers and NCOs in each cadet company provide peer assistance to their Cadet chain of command and fellow company members. The presence of trained Respect Cadets in the Cadet companies and at Camp Buckner for Cadet Field Training affords the cadets an additional resource for reporting or discussing situations that they may be uncomfortable bringing directly to their chain of command.

Elements of the Respect Program include:

- A formal command policy demonstrating commitment to an environment free of harassment;
- Comprehensive prevention and response awareness training and education through the Professional Military Ethic Education (PME2) Program;
- 24 hours a day, seven days a week (24/7) response and support;
- Established reporting procedures and an environment that encourages incident reporting; and prompt, thorough investigative procedures, and case resolution;
- Cadet Respect Committee which develops a Respect Campaign Plan under the mentorship of the Special Assistant to the Commandant for Respect and the Equal Opportunity Advisor for USCC;
- Cadet Command Climate Surveys administered by cadets each semester;
- A Cadet Respect Officer and NCO in each cadet company to promote reporting and support awareness, education and EO activities; and
- 10 Sensing Sessions a year that are initiated by the Respect Office for the USCC Commandant of Cadets covering topics from gender relations, summer assignments, and diversity issues.

Prevention of Sexual Assault Education consists of two guest lectures by Ms.

Veraunda Jackson (a nationally recognized speaker) for Fourth Class (freshman) Cadets, and “Sex Signals” for Second Class (junior) Cadets and USMA Staff and Faculty. Seniors and sophomores receive their prevention of sexual assault training through small group discussion-based classes emphasizing their responsibility as leaders and as friends to prevent sexual assault.

At the end of the Academic year, Cadets are surveyed to identify perceptions by cadets on the presence of sexist and sexual harassment behaviors at USMA and the factors affecting a potential victim’s propensity to report incidents of harassment.

USMAPS Program

Initiatives and Programs at the United States Military Academy Preparatory School (USMAPS) largely follow similar initiatives at USMA. At USMAPS, the Cadet Candidates received an initial briefing as part of in-processing (within 48 hours of arrival) detailing contacts and resources for sexual harassment and assault, restricted and unrestricted reporting, and the concept of consent.

All Cadet Candidates participated in a pilot study of the Sexual Harassment/ Assault Response and Prevention (SHARP) Program Online Training designed by HQDA G-1 for use with ROTC cadets. The Cadet Candidates completed training (2-3 hours average time to complete) through the Nformd.Net Sexual Assault Prevention Program, and offered feedback on the modules. Cadet Candidates also attended two nationally known programs: Sex Signals, including the post-show workshop, and Voices of Men.

Installation Support Program

In addition to the Cadet and Cadet Candidate programs, West Point’s Installation Sexual Assault Response Coordinator (SARC) who provides support to the Garrison Soldiers, Civilian employees and adult Family members, provided training to all Garrison Soldiers and Civilian employees through small group presentation and large group briefings. The Installation SARC provided the “I. A.M. STRONG” message training tailored to the Civilian and adult Family member audience. Additionally, formed a partnership with the Better Opportunities for Single Soldiers (BOSS) program, thereby opening an avenue of assistance for prevention and education efforts with younger single or geographically-separated married Soldiers. Both the Installation and USCC SHARP Program leaders (the Installation SARC and the USCC SARC (a.k.a. the SAC-HR)) routinely shares training and materials and augmented each other with technical assistance. The representatives were featured on a West Point Radio show, which was also broadcast via internet radio through partnership with the Association of Graduates. During the radio show, the SHARP Program leaders were interviewed and they discussed their respective roles and responsibilities as members of the Sexual Assault Review Board, program definitions of sexual assault and sexual harassment, training opportunities available in support of annual and quarterly training or by request to all Soldiers and Civilian employees through small group presentation and theatre

briefings. The Installation SARC described the BOSS partnership to assist in prevention/education efforts and visibility with younger Soldiers (ages 18-25) and her availability as another reporting source for Cadets. A SHARP Program training session conducted by the Installation SARC was video-recorded and posted to the USMA intranet for instructional use or reference by West Point staff and faculty, Garrison employees and adult Family members.

1.2. Increase Reporting — Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to increase reporting of sexual harassment and sexual assault:

The USMA chain of command supported the SHARP program by staffing the USMA policy memorandum on the Sexual Assault Prevention and Response Program. The APY staffing process resulted in a comprehensive policy that was subsequently signed by the Superintendent on 10 June 2010. Leaders across the staff and faculty continually emphasized prevention of sexual harassment and sexual assault as contained in the EO and POSH policy. Within the Respect curriculum, increased awareness of reporting procedures and EO/Respect goals for the Corps of Cadets is aimed at contributing to a preventive cultural mindset and increase victim propensity to report incidents of harassment. Respect Representatives in each Cadet company are specifically taught that they are considered a peer resource for reporting Sexual Harassment or Sexual Assault. All Respect Representatives are aware that they have to defer all reports to the EOA or SARC, but are educated that this is a duty. Respect Cadets also promoted the use of Cadet chain of command open door policies so that reporting to chain of command members would have a greater propensity of occurring. Lastly, Cadets who are not members of the Cadet chain of command were approved to serve as non-mandatory reporting sources for Cadets who are victims to speak about their sexual assault and seek assistance. Affording Cadet victims the option to speak with a fellow Cadet, such as, their roommate and/or a Respect Officer, is a method of encouraging reporting without mandating reporting, by allowing peer confidants to assist Cadet victims in making informed decisions subsequent to a sexual assault, and to relieve the stress of breaking confidence under the previous USCC policy. Prior to this year, all cadets were required, as are all Active duty members that do not serve in a SARC, unit victim advocate, health care provider, or chaplain role, to report any knowledge of a sexual assault to their chain of command.

Reporting options with contact information are posted in barracks, published in the training materials, and presented during each training session. Additionally, contact information for the Installation SARC and Victim Advocate (VA) are on the DFMWR/ACS/FAP web site. The Installation SARC and the Installation Victim Advocate maintain 24/7 contact capability with established hotline numbers for the West Point community. The USCC SARC also maintains 24/7 contact capability; information is posted in the Cadet barracks and throughout the Academy in educational, athletic and support activity locations. On the USCC shared portal

accessed by the Cadets daily is the Sexual Assault resource page with the 24 hour information for Cadets to call regarding a sexual assault, reach a victim advocate, or the SARC.

The Installation SARC and Victim Advocate also take several steps to increase awareness and increase the victim propensity to report incidents by meeting with BOSS participants, participating in community fairs and events, and providing briefings and training for new and currently assigned personnel. Additionally, the Installation SARC ensures the prominent placement of posters and information pamphlets containing talking points and contact information for response personnel.

1.3. Improve Response – Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to respond to or improve the response to allegations of sexual harassment and sexual assault including but not limited to:

- steps taken to publicize reporting options
- steps taken to encourage the reporting of sexual harassment and sexual assault by Academy personnel
- the number of personnel trained to be “first responders” to incidents (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)

Reporting options are included in command policy letters publicized and distributed throughout USCC. Policy memorandums, issued in accordance with Army Command Policy are published in all Cadet company areas by their designated company Respect Representatives. Staff and Faculty leadership and Respect representatives are also advised of protections granted to complainants IAW Chapter 5-34, AR 600-20 and the Federal Whistleblower Protection Act.

Reporting options with contact information are also posted in barracks and advertised at each training session. The Installation SARC and the Installation Victim Advocate maintain 24/7 contact capability with established hotline numbers for the West Point community. The USCC SARC also maintains 24/7 contact capability; contact information is posted in the Cadet barracks and throughout the Academy in educational, athletic and support activity locations. On the USCC shared portal accessed by the Cadets daily is the Sexual Assault resource page with the 24 hour information for Cadets to call regarding a sexual assault, reach a victim advocate, or the SARC. A weekly feature box is published in the post newspaper “Pointer View” with names and contact phone numbers of SAPR points of contact (Installation SARC and VA; USCC SARC).

Additionally, two female members of the Brigade Tactical Department (one commissioned officer and one non-commissioned officer) received training to serve as additional restricted reporting option and/or Victim’s Advocate.

The Installation SARC and VA regularly presented an overview of the sexual assault prevention and response program with reporting options and response to several local and regional ancillary agencies including:

- Medical providers and nursing staff at Keller Army Community Hospital (June 2009)
- The Police Interactive Training Conference hosted by the Westchester County (NY) Chiefs of Police Association (October 2009)
- The Orange County (NY) Sexual Assault Response Team (March 2010)

These initiatives have increased the strength and width of the response network thereby enabling a more coherent response to victims, and increasing the knowledge base of SHARP on West Point, but within the surrounding community, as well.

1.4. Ensure Program Oversight

1.4.1 Please provide a description of how your Academy executes its oversight of programs supporting the prevention and response of sexual harassment and sexual assault.

The principal means of the USMA SHARP program oversight is through the monthly SARB meetings chaired by the Superintendent. The Board meetings afford senior Academy leaders the opportunity to assess the current state of the program, provide procedural guidance and feedback to members of the Board and Sexual Assault Response Team. At USMAPS, an instructor is assigned to serve as the Special Assistant to the Commandant for Human Relations (SAC-HR) to address education and response for sexual assault, and to serve as liaison to the Installation and USCC SARCs and serving as a member of the USMA SARB.

Additionally, USMA EO office advises the leadership on EO/POSH training and policy directives IAW AR 600-20 Chapters 6 and 7. USCC EO is embedded in the Simon Center for the Professional Military Ethic (SCPME) with the Respect Program, providing oversight and training for Cadet Respect representatives who advise their cadet chains of command on Respect issues impacting the Corps of Cadets and manage PME2 within their Cadet companies. The USCC EOA develops training and provides direct input on Prevention of Sexual Harassment training in all PME classes. The USCC EOA manages complaints of sexual harassment with oversight from the USMA EO.

1.4.2 Please include a synopsis of the formal processes, participants, and data collection activities that support oversight of the programs including but not limited to:

- program management reviews
- steps taken to address recommendations from past external oversight activities, such as those performed by:

- Government Accountability Office (GAO)
- Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)

Annual reviews of the POSH program training and effectiveness are conducted by the USMA IG office. The IG findings and recommendations are provided to the office of the Superintendent for action by the USMA EO Office. USMA continually participates in assessments and self-assesses its performance through numerous formal and informal means. In addition to the APY 09-10 Gender Relations Survey conducted by the Defense Manpower Data Center (DMDC), with subsequent interviews of Cadets, West Point participated in the following assessments during APY 09-10:

- The Installation SARC and VA participated in the DOD SAPRO Assessment through in-person interviews on 2 June 2009.

- The Installation SARC and VA participated in the DAIG Inspection through in-person interviews on 27 October 2009.

- As part of preparation for Army Community Service accreditation, the Installation SARC participated in a pre-site review of all Installation SAPR documents on 15 March 2010.

- The Installation SARC provides a semi-annual update to the Superintendent and the SARB on the current status and the way ahead for the Garrison SAPRP.

- Cadet Respect Representatives conducted two informal command climate surveys last year which gathered data about incidents of sexual harassment and sexual assault which were reported or went unreported. These cadet-led surveys provided valuable information to the USCC chain of command, the Respect Office and USCC SARC on the veracity of current programs and whether reporting procedures were familiar and understood.

Pre- and post-training tests were given to Cadet Candidates of USMAPS in the online modules (Nformd.Net Sexual Assault Prevention Program). Average post-test result was 83%, which showed a 21% average increase for females and a 31% average increase for males for the training provided. Additionally, the USMAPS program was reviewed as part of USMA's IG inspection. A SurveyMonkey survey conducted at the USMAPS after Sex Signals and Voices of Men training indicated that while the majority of Cadet Candidates did not find the topic of sexual violence of interest, most indicated they learned something from the programs, and that this topic is important and should be discussed with future classes.

As a result of concerns raised during the USMA IG inspection about potential confusion between the USMA Respect Program and the US Army SHARP Program reporting requirements, POSH and EO training will be expanded in the PME2

curriculum during APY 10-11 for fourth year (senior) Cadets. Cadet Respect staff will receive an additional two-four hours of training on EO climate detractors and sexual harassment prevention provided by the USCC EO.

1.5. Educate Stakeholders — Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 09-10 to inform and educate stakeholders about sexual harassment and sexual assault

Staff and faculty training was increased during APY 09-10 to include their own DA-funded Sex Signals session at the same approximate time that cadets were receiving the training. Previously such training was only available to the Corps of Cadets. Reaching out to the West Point staff and faculty provided them with insight into the training the Cadets receive regarding prevention of sexual assault and sexual harassment, educated them on the subject matter, and prepared them for informal discussions that may occur in both formal and informal settings.

The SCPME/ Respect Program website published a number of real world scenarios and their outcomes. This published information allows cadets, staff and faculty and anyone internal to West Point to see the outcome of certain scenarios and lessons learned from those situations.

Other initiatives taken during APY 09-10 include:

- The Installation SARC completed a review and update of the Memorandum of Understanding with the Mental Health Association in Orange County (NY) Inc., covering rape crisis advocacy response, victim/survivor support services.
- The Installation SARC and VA continued to be active participants in the Orange County (NY) Sexual Assault Response Team.
- The USMAPS SAC-HR serves on a county-wide Community Coalition for the Primary Prevention of Sexual Violence funded by a grant from the CDC. Coalition focuses on bystander intervention and the Green Dot Campaign (social norms).

2. DATA FOR CADET/MIDSHIPMAN REPORTS

2.1. Please provide a narrative that summarizes the reports made during APY 09-10 including but not limited to:

- total number of sexual assault reports
- number of Unrestricted reports
- number of Restricted reports
- reports converted from Restricted to Unrestricted
- dispositions for investigations of Unrestricted reports
- number of formal and informal sexual harassment reports

For APY 09-10, USMA received a total of eleven official reports of sexual assault, five unrestricted and six restricted reports. Of the six restricted reports, one was later converted to an unrestricted report. The five unrestricted reports received from Cadets identified the subjects as Cadets. The reports were adjudicated as follows: one case was not investigated because the victim was unwilling to cooperate with law enforcement and identify the subject; one subject was awarded 80 hours area tours, 45 days restriction, 60 days withdrawal of privileges, and 35 demerit; one subject was separated from the Academy, and the subject in two of the cases was tried by court martial and received a sentence of 42 months confinement.

There was one formal sexual harassment complaint against a field grade officer. This complaint was raised by multiple female Cadets. The subject received a General Officer Letter of Reprimand and was relieved of his duties.

USMAPS had one Unrestricted report involving two Cadet Candidates (CC) The incident was reported by a female CC with a male CC as the subject. It was fully investigated by CID, information was supplied to the Staff Judge Advocate (SJA), and SJA determined there was not enough evidence to press charges. The report was closed.

3. GENDER RELATIONS SURVEY

3.1. Please describe your thoughts on the analysis of the APY 09-10 Gender Relations Survey conducted by the Defense Manpower Data Center (DMDC) including but not limited to:

- climate of confidence to report and seek help
- access and knowledge of resources for medical care and counseling
- understanding of Restricted and Unrestricted reporting options
- knowledge of the reporting process for sexual harassment and sexual assault
- training on how to avoid situations that increase risk of sexual violence
- underreporting of sexual harassment and sexual assault
- usage of data to improve program and outreach efforts in the next APY
- areas/topics that should be addressed in future surveys

As of this report, the Academy continues to await the results and analysis of the APY 09-10 Gender Relations Survey conducted by DMDC.

3.2. Please describe any actions you will take or any improvement needed, if applicable, as a result of the APY 09-10 Gender Relations Survey

Not applicable.

4. PLANS FOR APY 10-11

4.1 Please describe the plan for actions that are to be taken in APY 10-11 regarding prevention and response to sexual harassment and sexual assault involving Academy personnel including but not limited to:

- prevention and training
- Restricted reporting
- response to victims
- oversight activities
- stakeholder outreach

Starting with the summer training period, an increase in Respect education is being added to the Cadet training schedule. Cadet Cadre of both Cadet Basic Training and Cadet Field Training will each receive a 90-minute block of instruction on gender relations appropriate behavior on and off-duty, and reiterates reporting procedures for sexual harassment and sexual assault. The format of the training is facilitated discussion.

The SCPME Respect Office will conduct 15 desk-side briefings with each of the academic department directors and conduct briefings to each of the academic departments with all staff and faculty present. These department briefs allow the USCC to educate staff and faculty on the number of reported and unreported incidents that occur and garner support for the Respect Program, prevention of sexual harassment and sexual assault. Every military instructor also serves as a mentor and officer representative for the Cadet athletic teams and clubs. They have additional opportunities to informally promote the positive climates on those teams and with Cadets. The Respect Office will also brief the Office Directorate of Intercollegiate Athletics (ODIA) enlisting their support to prevent sexual harassment and sexual assault as well as foster a positive command climate on their teams. The Respect Office plans to increase its interaction with all club and corps squad athletic teams. The Department of Physical Education (DPE) plans on increasing communication with the Respect office concerning their club team climate assessments and possibly incorporating the company Respect Representatives into its "Champions of Character" Program. The Respect Office will conduct a special training session with the Army Football team and the Women's Basketball team.

Respect Representatives training was increased from 14 hours to 17 hours for APY10-11 provided by the USCC and USMA EOAs. While moral and ethical character will be covered in the sessions, but the bulk of the training covered will be EO subjects to include the organization of the EO program at West Point, the purpose of the EO program, and prevention of and reporting of sexual harassment. The overall training program for the entire Corps of Cadets increased approximately two hours per year group with small group discussion being added for the first year (freshman) Cadets and third year (junior) Cadets.

At the USMAPS, gender relations and SHARP Program training are provided via

facilitated discussion for USMA Cadets working the summer detail with CCs. The CCs receive their initial briefing on the SHARP program within 48 hours of their arrival. During the APY 10-11, USMAPS will receive Sex Signals with the post-show workshop. The USMAPS policy, the Command Guidance Memorandum, on sexual assault prevention and response will be updated. Professional posters are posted in the barracks advertising 24-hour number for sexual assault reporting. Presentations are made to staff and faculty on the SHARP Program. The USMAPS SAC-HR will continue to serve on the Community Coalition for Primary Prevention of Sexual Violence and utilize information for training with CCs and staff.

The Installation SARC will prepare a separate web page for the SHARP/I. A.M. STRONG program on the West Point Directorate of Family and Morale, Welfare, and Recreation / Army Community Services / Family Advocacy web page. The Installation SARC will host "Walk a Mile" Awareness Walk/Event in April in observance of Sexual Assault Awareness Month and Victim Rights Week. The Installation SARC will invite colleagues from the Mental Health Association of Orange County, New York to partner and participate in the Walk. The effort will be the first of what is expected to become an annual event. The Installation SARC plans to invite the IG Chief of Inspections to conduct an inspection of the Garrison Sexual Assault Prevention and Response Program to ensure appropriate oversight. The Installation SARC will continue to collaborate with the USCC SARC.

1a. Unrestricted Reports (A-E)

| Sexual Harassment and Violence at the US Military Service Academies APY09-10 US Military Academy | |
|--|------------------------|
| A. APY09-10 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen | APY09-10 Totals |
| # VICTIMS in APY09-10 Unrestricted Reports | 5 |
| # Cadet/Midshipman victims | 3 |
| # Non-Cadet/Midshipman victims | 2 |
| # Unrestricted Reports in the following categories | 5 |
| # Cadet/Midshipman on Cadet/Midshipman | 2 |
| # Cadet/Midshipman on Non-Cadet/Midshipman (includes other Service Members or Civilians) | 2 |
| # Non-Cadet/Midshipman (includes other Service Members or Civilians) on Cadet/Midshipman | 0 |
| # Unidentified Subject on Cadet/Midshipman | 1 |
| # Unrestricted Reports of sexual assault occurring | 5 |
| # On Academy Grounds | 3 |
| # Off Academy Grounds | 2 |
| # Unidentified location | 0 |
| # Investigations Initiated (From APY2009-2010 Unrestricted Reports) | 5 |
| # Investigations pending completion as of 31-May-10 | 0 |
| # Completed Investigations as of 31-May-10 | 5 |
| # Restricted Reports | 6 |
| # Converted from Restricted Report to Unrestricted Report* | 1 |
| # APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED | 5 |
| B. DETAILS OF UNRESTRICTED REPORTS IN APY09-10 | APY09-10 Totals |
| Length of time between sexual assault and Unrestricted Report | 5 |
| # Reports made within 3 days of sexual assault | 1 |
| # Reports made within 4 to 30 days after sexual assault | 2 |
| # Reports made within 31 to 365 days after sexual assault | 1 |
| # Reports made longer than 365 days after sexual assault | 1 |
| # Unknown | 0 |
| Reported Time of sexual assault | 5 |
| # Midnight to 6 am | 4 |
| # 6 am to 6 pm | 0 |
| # 6 pm to midnight | 0 |
| # Unknown | 1 |
| Reported Day of sexual assault | 5 |
| # Sunday | 1 |
| # Monday | 0 |
| # Tuesday | 0 |
| # Wednesday | 0 |
| # Thursday | 0 |
| # Friday | 1 |
| # Saturday | 2 |
| # Unknown | 1 |
| C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN APY09-10) | APY09-10 Totals |
| # Investigations initiated and completed during APY09-10 | 5 |
| # Investigations with more than one victim, subject, or both | 1 |
| # SUBJECTS in the completed investigations | 5 |
| # Cadet/Midshipman subjects | 4 |
| # Service Member subjects | 0 |
| # Non-Service Member subjects | 0 |
| # Unidentified subjects | 1 |
| # VICTIMS in the completed investigations | 5 |
| # Cadet/Midshipman victims | 3 |
| # Service Member victims | 0 |
| # Non-Service Member victims | 2 |
| # Unknown | 0 |
| D. FINAL DISPOSITIONS FOR SUBJECTS IN APY09-10 INVESTIGATIONS | APY09-10 Totals |
| # SUBJECTS in APY09-10 completed investigations | 5 |
| DoD Action Precluded: | 1 |
| # Unknown Subjects | 1 |
| # Unfounded by Investigative Agency | 0 |
| # Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ | 0 |
| # Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ | 0 |
| # Total Command Action Precluded or Declined for Sexual Assault | 0 |

1a. Unrestricted Reports (A-E)

| | |
|--|------------------------|
| # Probable cause for only non-sexual assault offense | 0 |
| # Subject deceased or deserted | 0 |
| # Victim deceased | 0 |
| # Victim declined to participate in the military justice action | 0 |
| # Insufficient evidence of any offense | 0 |
| # Statute of limitations had expired | 0 |
| # Unfounded by Command | 0 |
| # Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1) | 0 |
| # Subjects awaiting completion of command action as of 31-May-10 | 0 |
| # Subjects for whom command action was completed as of 31-May-10 | 4 |
| # Evidence Supports Command Action for the following APY09-10 Sexual Assault Subjects | 4 |
| # Courts-martial charge preferred (Initiated) | 2 |
| # Honor board actions (Initiated) | 0 |
| # Nonjudicial punishments (Article 15 UCMJ) | 0 |
| # Administrative discharges | 0 |
| # Other administrative actions | 2 |
| E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY09-10 INVESTIGATIONS (From prior year investigations completed in APY09-10) | APY09-10 Totals |
| # Total Number of Investigations, from all reporting periods prior to current APY, pending completion at the end of APY09-10 | 3 |
| # Pre-APY09-10 Investigations STILL PENDING completion as of 31-May-10 | 0 |
| # Pre-APY09-10 Investigations completed of 31-May-10 | 3 |
| # SUBJECTS from Pre-APY09-10 investigations completed as of 31-May-10 | 3 |
| # Final APY09-10 DISPOSITIONS for SUBJECTS from Pre-APY09-10 investigations that were completed in APY09-10 | 3 |
| DoD Action Precluded: | 1 |
| # Unknown Subjects | 0 |
| # Unfounded by Investigative Agency | 0 |
| # Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ | 0 |
| # Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ | 1 |
| # Total Command Action Precluded or Declined for Sexual Assault | 0 |
| # Probable cause for only non-sexual assault offense | 0 |
| # Subject deceased or deserted | 0 |
| # Victim deceased | 0 |
| # Victim declined to participate in the military justice action | 0 |
| # Insufficient evidence of any offense | 0 |
| # Statute of limitations had expired | 0 |
| # Unfounded by Command | 0 |
| # Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1) | 0 |
| # Pre-APY09-10 Subjects awaiting completion of command action as of 31-May-10 | 0 |
| # Pre-APY09-10 Subjects for whom command action was completed as of 31 May-10 | 2 |
| # Evidence Supports Command Action for the following Pre-APY09-10 Sexual Assault Subjects | 2 |
| # Courts-martial charge preferred (Initiated) | 2 |
| # Honor board actions (Initiated) | 0 |
| # Nonjudicial punishments (Article 15 UCMJ) | 0 |
| # Administrative discharges | 0 |
| # Other administrative actions | 0 |
| * The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A. | |

| sment and Violence at the Military Service Academies APY09-10 - Unrestricted Reports by Status and Gender - US Milit | | | | | | | | | | | | | | | | | | | | |
|--|--|-----------------------------|----------------------------------|---------------------------------------|--|--------------------------------------|--------------------------------------|----------------------------------|------------------------------------|----------------------------------|---------------------------------------|--|--------------------------------------|--------------------------------------|----------------------------------|------------------------------------|-----------------------------------|---------------------------------------|-----------------|---|
| F. REPORTED SEXUAL ASSAULTS INVOLVING CADETS/MIDSHIPMEN AS SUBJECTS OR VICTIMS IN THE BELOW CATEGORIES FOR ALL APY09-10 UNRESTRICTED REPORTS | Male on Female | Male on Male | Female on Male | Female on Female | Unknown on Male | Unknown on Female | APY09-10 Totals | | | | | | | | | | | | | |
| | 5 | 0 | 0 | 0 | 0 | 0 | 5 | | | | | | | | | | | | | |
| | # Cadet/Midshipman on Cadet/Midshipman | 3 | 0 | 0 | 0 | 0 | 3 | | | | | | | | | | | | | |
| | # Cadet/Midshipman on Non-Cadet/Midshipman | 1 | 0 | 0 | 0 | 0 | 1 | | | | | | | | | | | | | |
| | # Non-Cadet/Midshipman on Cadet/Midshipman | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |
| | # Unidentified subject on Cadet/Midshipman | 1 | 0 | 0 | 0 | 0 | 1 | | | | | | | | | | | | | |
| | Sexual Harassment and Violence at the US Military Service Academies APY09-10, UNRESTRICTED REPORTS BY OFFENSE TYPE | | | | | | | | | | | | | | | | | | | |
| REPORTS MADE IN APY09-10 | Pre-UCMJ Change INCIDENTS (Prior to 1 Oct 07) | | | | Pre-APY09-10 INCIDENTS (Occurred between 1 Oct 07 and 31 May 09) | | | | | | | APY09-10 INCIDENTS (Occurred between 1 Jun 09 and 31 May 10) | | | | | | | | |
| G. REPORTED SEXUAL ASSAULTS BY or AGAINST CADETS/MIDSHIPMEN IN THE FOLLOWING CATEGORIES FOR ALL APY09-10 INVESTIGATIONS (UR) | Rape (Art. 120) | Indecent Assault (Art. 134) | Non-Consensual Sodomy (Art. 125) | Attempts to Commit Offenses (Art. 80) | Rape (Art. 120) | Aggravated Sexual Assault (Art. 120) | Aggravated Sexual Contact (Art. 120) | Abusive Sexual Contact (Art.120) | Wrongful Sexual Contact (Art. 120) | Non-Consensual Sodomy (Art. 125) | Attempts to Commit Offenses (Art. 80) | Rape (Art. 120) | Aggravated Sexual Assault (Art. 120) | Aggravated Sexual Contact (Art. 120) | Abusive Sexual Contact (Art.120) | Wrongful Sexual Contact (Art. 120) | Non-Consensua l Sodomy (Art. 125) | Attempts to Commit Offenses (Art. 80) | APY09-10 Totals | |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Cadet/Midshipman on Cadet/Midshipman | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 |
| # Cadet/Midshipman on Non-Cadet/Midshipman | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 |
| # Non-Cadet/Midshipman on Cadet/Midshipman | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Unidentified subject on Cadet/Midshipman | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| # TOTAL Cadet/Midshipman Victims | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 4 |
| # Cadet/Midshipman Victims: Female | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 4 |
| # Cadet/Midshipman Victims: Male | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TIME OF INCIDENT BY OFFENSE TYPE FOR UNRESTRICTED REPORTS OF SEXUAL ASSAULT MADE IN APY09-10 | | | | | | | | | | | | | | | | | | | | |
| Time of sexual assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Midnight to 6 am | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 4 |
| # 6 am to 6 pm | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # 6 pm to midnight | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Unknown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Day of sexual assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Sunday | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| # Monday | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Tuesday | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Wednesday | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Thursday | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Friday | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| # Saturday | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 |
| # Unknown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| DEMOGRAPHICS ON VICTIMS IN COMPLETED APY09-10 INVESTIGATIONS | | | | | | | | | | | | | | | | | | | | |
| Gender of VICTIMS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Male | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Female | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Unknown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Grade/Status of Victims | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Prep School Student | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # 1st Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| # 2nd Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| # 3rd Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # 4th Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Other Cadet Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Active Duty Service Member | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # US Civilian | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 |
| # Foreign national/foreign military | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Unknown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DEMOGRAPHICS ON SUBJECTS IN COMPLETED APY09-10 INVESTIGATIONS | | | | | | | | | | | | | | | | | | | | |
| Gender of SUBJECTS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Male | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Female | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Unknown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Grade/Status of SUBJECTS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 5 |
| # Prep School Student | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # 1st Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 |
| # 2nd Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # 3rd Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 |
| # 4th Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Other Cadet Year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Active Duty Service Member | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # US Civilian | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Foreign national/foreign military | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # Unknown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

2. Restricted Reports

| RESTRICTED REPORTS OF SEXUAL ASSAULT - MILITARY SERVICE ACADEMIES, APY09-10 U.S. Military Academy | |
|--|--------------------|
| A. APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT | APY09-10 TOTALS |
| # Cadet/Midshipman VICTIMS in Restricted Reports | 6 |
| # Converted from Restricted Report to Unrestricted Report* | 1 |
| # APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED | 5 |
| # Reported sexual assaults AGAINST Cadet/Midshipman victims in the following categories | 6 |
| # Cadet/Midshipman on Cadet/Midshipman | 6 |
| # Non-Cadet/Midshipman on Cadet/Midshipman | 0 |
| # Unidentified subject on Cadet/Midshipman | 0 |
| # Reported sexual assaults occurring | 6 |
| # On Academy Grounds | 6 |
| # Off Academy Grounds | 0 |
| # Unidentified location | 0 |
| B. INCIDENT DETAILS | APY09-10 TOTALS |
| Length of time between sexual assault and Restricted Report | 6 |
| # Reports made within 3 days of sexual assault | 3 |
| # Reports made within 4 to 30 days after sexual assault | 2 |
| # Reports made within 31 to 365 days after sexual assault | 0 |
| # Reports made longer than 365 days after sexual assault | 0 |
| # Unknown | 1 |
| Time of sexual assault incident | 6 |
| # Midnight to 6 am | 2 |
| # 6 am to 6 pm | 3 |
| # 6 pm to midnight | 0 |
| # Unknown | 1 |
| Day of sexual assault incident | 6 |
| # Sunday | 2 |
| # Monday | 0 |
| # Tuesday | 0 |
| # Wednesday | 0 |
| # Thursday | 1 |
| # Friday | 0 |
| # Saturday | 2 |
| # Unknown | 1 |
| C. DEMOGRAPHICS FOR APY09-10 RESTRICTED REPORTS OF SEXUAL ASSAULT | APY09-10 TOTALS |
| Gender of VICTIMS | 6 |
| # Male | 0 |
| # Female | 6 |
| # Unknown | 0 |
| Grade/Status of VICTIMS | 6 |
| # Prep School | 0 |
| # 1st Year | 4 |
| # 2nd Year | 0 |
| # 3rd Year | 2 |
| # 4th Year | 0 |
| # Other Cadet Year | 0 |
| # Active Duty Service Members | 0 |
| * The Restricted Reports that converted to Unrestricted Reports are now included in the total number of Unrestricted Reports provided in Worksheet 1a. | |

3. Victim Services

| APY09-10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT U.S. Military Academy | |
|--|----------------------------|
| <i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made .</i> | |
| A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS: | APY09-10 TOTALS |
| # Support service referrals for VICTIMS in the following categories | |
| # MILITARY facilities | 15 |
| # Medical | 5 |
| # Counseling | 5 |
| # Legal | 5 |
| # CIVILIAN facilities (Referred by DoD) | 1 |
| # Medical | 0 |
| # Counseling | 1 |
| # Legal | 0 |
| # Unrestricted Reports where SAFEs were conducted | 1 |
| # Unrestricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam | 0 |
| # Cadets/Midshipmen making an UR that received service referrals for an incident that occurred prior to military service | 0 |
| B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS: | APY09-10 TOTALS |
| # Support service referrals for VICTIMS in the following categories | |
| # MILITARY facilities | 11 |
| # Medical | 3 |
| # Counseling | 6 |
| # Legal | 2 |
| # CIVILIAN facilities (Referred by DoD) | 1 |
| # Medical | 0 |
| # Counseling | 1 |
| # Legal | 0 |
| # Restricted Reports where SAFEs were conducted | 3 |
| # Restricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam | 0 |
| # Cadets/Midshipmen making a RR that received service referrals for an incident that occurred prior to military service | 0 |
| C. APY09-10 MILITARY PROTECTIVE ORDERS (MPO)* | APY09-10 TOTALS |
| # Military Protective Orders issued due to an APY09-10 Unrestricted Report of Sexual Assault | 3 |
| # Reported MPO Violations in APY09-10 Completed Investigations | 1 |
| # Reported MPO Violations by Subjects | 1 |
| # Reported MPO Violations by Victims of Sexual Assault | 0 |
| *In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim. | |

4. Sexual Assault Case Synopses

| Number | Month Closed | Subject Status | Subject Gender | Victim Status | Victim Gender | Initial Allegation Reported | Misconduct Charged | Disposition | Brief Synopsis of Incident and Outcome |
|--------|--------------|-----------------|----------------|--------------------------------|---------------|---|---|---|--|
| 1 | Dec-10 | unk | Male | 1st Year | Female | Victim reported being raped by unidentified male cadet (former boyfriend). | | | The investigation determined that an unknown person, who the victim would not identify committed the offense of rape when he continued to engage in sexual intercourse after the victim verbally withdrew her consent. A review by the SJA determined there was probable cause to believe the victim was raped, but without the identification of the subject and the victim's unwillingness to cooperate no further action was taken. |
| 2 | Jan-10 | 1st Year | Male | 1st Year | Female | Victim reported being raped by male cadet in barracks | Regimental Board - sexual relations in the barracks | Awarded 80 hours area tours, 45 days restriction, 60 days withdrawal of privileges, and 35 demerits | The cadet identified in the allegation was the subject of a Regimental conduct board and was found guilty of having sexual relations in the barracks. |
| 3 | May-10 | 3d when initial | Male | Civilian & 1st Year | Female x 2 | Civilian victim reported that she had been raped. Cadet victim reported being raped by male cadet in barracks | Rape, Article 120 x2 | Court Martial, guilty of 1 count of rape (Civilian victim), 1 count indecent conduct (Cadet victim), subject pled guilty to 3 violations of a general order; 42 months confinement, forfeiture of all pay and allowances, dismissal | Civilian victim alleged rape at an off post party hosted by a junior officer and recent graduate. Subject was convicted of rape and indecent conduct. |
| 4 | Mar-10 | 1st Year | Male | 1st Year | Female | Victim reported subject entering room and inappropriately touching her despite her protest | Commandant's Board Underage drinking and alcohol consumption in the barracks | Awarded 90 days loss of privileges, reduction of rank, no driving privileges for DCA clubs/teams until 01 Jan 2012, 90 days restriction, 100 hours | The cadet identified in the allegation received a Commandant level conduct board and was found guilty of underage drinking and alcohol consumption in the barracks. |
| 5 | Jun-10 | 3rd Year | Male | 3rd Year ROTC cadet (civilian) | Female | Victim reported subject inappropriately touching her despite her protest | Brigade Board - Cadet previously had a separation suspended. The suspension was vacated and the cadet was separated. | Awarded 100 hours area tours, 60 days restriction, 90 days withdrawal privileges, reduction in rank; violation vacated a previous award of suspended separation | The cadet identified in the allegation prior to this incident had a separation suspended due to an alcohol related incident; a misconduct investigation was initiated as a result of the most recent incident and the suspended separation was vacated, and the cadet was separated. |
| 6 | Aug-10 | 2nd Year | Male | 2nd year (x 3) | Female (x3) | Victim reported that she had been sexually assaulted. | Wrongful Sexual Contact-Article 120; Assault Consummated by Battery-Article 128 x 2; Violation of USCC SOP-Article 92 x 2 | Separation was suspended; subject retained at USMA. | Victim reported in April 2009 that Subject had wrongful sexual contact with her while she was giving him a massage. On the first incident, when Victim finished massaging him, Subject followed her toward the door and pinned her against a dresser by her shoulders and repeatedly tried to kiss her. Victim told Subject to stop several times before he let her go. At the completion of a second massage a couple of days later, Subject pinned her down on the bed and began touching her breasts and grabbed her buttocks after he pulled her on top of him. Subject also allegedly threatened Victim. Victims Two and Three were mentioned in Victim One testimony as victims of unwanted sexual contact; Victim Two sought advocacy. Victims Two and Three claims were unsubstantiated. |
| 7 | Apr-10 | Civilian | Male | 4th Year | Male | Victim reported that he has been sexually assaulted. | None | LVPD investigated; case closed due to lack of evidence (delayed reporting compounded by lack of DNA evidence and reused hotel surveillance video) | Cadet reported in April 2009 that he was sexually assaulted, forcibly sodomized, on 13 March 2009 by unknown individuals while on spring break in Las Vegas. Cadet recalls blacking out, only to wake up later in a hotel room where he was being sexually assaulted by two men. Las Vegas Police Department closed the case as |

Data Dictionary

Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)

Month Closed - the month and year that investigative activity was concluded

Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown

Subject Gender = Male, Female or Unknown

Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian

Initial Allegation Reported = Very short summary of allegation (Victim reported being touched on genitals by subject while asleep)

Misconduct Charged = Offense and Article of UCMJ

Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)

5. Formal Sexual Harassment Rpts

| Formal Sexual Harassment Reports at the US Military Service Academies APY09-10 U.S. Military Academy | |
|---|-----------------------------|
| A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment. | APY 09-10 TOTALS |
| A. Formal Sexual Harassment Complaints (total) | 1 |
| # Cadet/Midshipman Victims | 1 |
| # Non-Cadet/Midshipman Victims | 0 |
| B. Location of Incident | 1 |
| # On Academy Grounds | 1 |
| # Off Academy Grounds | 0 |
| # Unidentified location | 0 |
| C. # Total Sexual Harassment Investigations opened during APY09-10 | 3 |
| # Investigations pending completion as of 31 May 10 | 0 |
| # Completed investigations as of 31 May 10 | 3 |
| D. Sexual Harassment Details - Length of time between incident and formal report | 3 |
| # Reports made within 60 days of the sexual harassment | 3 |
| # Reports made more than 60 days following the sexual harassment | 0 |
| # Unknown | 0 |
| E. # Reports forwarded to General Court Martial Convening Authority | 1 |
| # Reports forwarded to GCMCA within 72 Hours | 1 |
| # Reports forwarded to GCMCA beyond 72 Hours | 0 |
| F. Time of Sexual Harassment Incident | 3 |
| # Midnight to 6 am | 0 |
| # 6 am to 6 pm | 1 |
| # 6 pm to midnight | 1 |
| # Unknown | 1 |
| G. Day of Sexual Harassment Incident | 3 |
| # Sunday | 0 |
| # Monday | 1 |
| # Tuesday | 0 |
| # Wednesday | 0 |
| # Thursday | 0 |
| # Friday | 1 |
| # Saturday | 0 |
| # Unknown | 1 |
| H. # APY09-10 COMPLETED INVESTIGATIONS | 3 |
| # Investigations with more than one victim, more than one subject, or both | 1 |
| # of Subjects in Completed Investigations | 3 |
| I. APY08-09 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS | 3 |
| # Subjects with Unsubstantiated Complaints | 1 |
| # Pending command action as of 31 May 10 | 1 |
| # Subjects for whom command action was completed of 31 May 10 | 1 |
| J. # Commander Actions (APY09-10 Subjects) | 1 |
| # Courts-martial | 0 |
| # Nonjudicial Punishments | 0 |
| # Discharges in lieu of courts-martial | 0 |
| # Discharges in lieu of disciplinary actions | 0 |
| # Honor board actions | 0 |
| # Other administrative actions | 1 |

| Synopsis of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen | | | | | | | | | |
|---|---------------|----------------|----------------|-----------------|---------------|--|------------------------------------|--|---|
| Number | Month Closed | Subject Status | Subject Gender | Victim Status | Victim Gender | Initial Allegation Reported | Misconduct Charged | Disposition | Brief Synopsis of Incident and Outcome |
| <i>Ex:</i> | <i>Jun-08</i> | <i>Captain</i> | <i>Male</i> | <i>1st Year</i> | <i>Female</i> | <i>Victim's supervisor pressured her to sleep with him in order to get a good rating.</i> | <i>Conduct Unbecoming, Art 134</i> | <i>Pending; Court-Martial scheduled for 10/09</i> | <i>Cadet was working a special project with a staff officer. This was 3rd time officer had made an overt sexual overture. Investigation substantiated misconduct.</i> |
| 1 | Nov-10 | Major | Male | Multiple | Female | Multiple victims were subjected to unwanted and unsolicited comments that were offensive and sexual in nature. Victims alleged that supervisor touched them in a manner that made them feel uncomfortable. | Conduct Unbecoming, Art 133 | Officer received a General Officer Memorandum of Reprimand (GOMOR) and relieved of duties. | Multiple cadets were under the direct supervision of the officer. The officer made numerous unwanted comments and engaged in physical and verbal sexually harassing behaviors that created a hostile work environment for female cadets in the unit and created unfair conditions for male cadets in regards to professional development opportunities. |

Data Dictionary

Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)

Month Closed - the month and year that investigative activity was concluded

Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown

Subject Gender = Male, Female or Unknown

Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian

Initial Allegation Reported = Very short summary of allegation

Misconduct Charged = Offense and Article of UCMJ or other statute as applicable

Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)