UNITED STATES AIR FORCE ACADEMY

INTRODUCTION

The Department of Defense (DoD) assessed the United States Air Force Academy's (USAFA) policies, training and procedures for Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) Programs during Academic Program Year (APY) 2010-2011. The Department's SAPR and POSH Programs assessment is organized by the DoD-wide strategic priorities. Policy compliance was measured against:

- DoD Directive 6495.01, *Sexual Assault Prevention and Response Program*, dated November 7, 2008;
- DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*, dated November 13, 2008;
- DoD Directive 1350.2 *Department of Defense Military Equal Opportunity Program*, dated November 21, 2003; and
- DoD Directive 1020.02 *Diversity Management and Equal Opportunity in the Department of Defense*, dated February 5, 2009.

Additionally, the Department looked at Service and Academy sexual harassment and assault policies outlined in Appendix C.

Overall, USAFA is in compliance with the Department's policies regarding sexual harassment and assault. However, there are areas for continued improvement of USAFA's program. Additionally, USAFA demonstrated commendable practices that should be considered for replication by other Military Service Academies (MSAs).

Overall Status of Compliance:

In Compliance

PRIORITY 1: INSTITUTIONALIZE PREVENTION STRATEGIES IN THE MILITARY COMMUNITY

The first DoD-wide strategic priority is to institutionalize prevention strategies in the military community. This priority focuses on the overall reduction of sexual harassment and assault involving cadets in the academy environment. A key feature of sexual harassment and assault prevention is education and training.

Throughout APY 10-11, USAFA conducted extensive training for all cadets. Ongoing prevention and education continue to be implemented at all levels to address the policies covering sexual harassment and sexual assault, consent, sexual assault reporting options, support resources, and

Status of Compliance Priority One:

In Compliance

bystander intervention. USAFA is in compliance with the Department's Policy in regards to Priority One.

Sexual Assault Prevention and Response Program

Cadets received extensive SAPR training from the outset of the school year. Prior to Basic Cadet Training (BCT), the Cadet Cadre received SAPR Training, which provided specialized information designed to enable cadets to recognize behaviors that might lead to a sexual assault during BCT and to learn reporting options and points of contact to accept Restricted and Unrestricted Reports at USAFA.

SAPR training continues throughout a cadet's four years at USAFA. Fourth class cadets (freshmen) received Sex Signals, a 90-minute live audience-interactive program. The program includes skits dealing with dating, rape, consent, and other associated topics, such as paying attention to body language, alcohol use, and safe bystander intervention. USAFA uses pre and post-presentation evaluation for Sex Signals. Fourth class cadets also received Air Force SAPR Accessions Training, a mandatory SAPR training conducted at all Air Force accession points.

As cadets progress at USAFA, SAPR training is developmental, reinforcing SAPR training from the previous year and building upon it. It is also customized to the military skills emphasized in the core curriculum of that cadet year and is co-led by the squadron Personal Ethics and Education Representatives (PEER). Third class cadet (sophomore) annual SAPR training re-emphasized Air Force Policy, definitions, and services using developmental scenarios and case studies. Second class cadet (junior) annual SAPR training for Second class cadets focused on leadership through example, team support, and legal issues surrounding sexual assault.

First class cadet (senior) annual SAPR training provided an overview of Air Force Policy, definitions and services focusing on preparing cadets for their futures as Second Lieutenants. This training incorporated real-world scenarios featuring their future role as a mandatory reporter of sexual assaults to the SARC, deployments, interactions with joint forces, and dealing with investigators and legal issues surrounding sexual assault.

In addition to the mandatory, annual SAPR training, USAFA also incorporated guest speakers for additional developmental training to reinforce the messages of the annual training. Many of these guest speakers presented during Sexual Assault Awareness Month (SAAM). Veraunda Jackson,⁴⁴ a rape survivor and nationally recognized speaker, held gender separate sessions for Fourth class cadets underlining the importance of reporting sexual assaults, victim support, and help-seeking behavior. She presented "You Belong Here" to the female cadets, which focused on self-confidence and looking out for and supporting fellow cadets. For the male cadets, she presented "Why Are You Here," discussing focused on combating victim-blaming

⁴⁴ Veraunda Jackson is the founder and CEO of EHAP Inc., a professional and personal development company. She previously was a prosecutor in the specialized sex crimes and child abuse unit in Florida.

behavior. Mike Domitrz⁴⁵ presented "May I Kiss You?" to Third class cadets, teaching them prevention and education concepts of mutual respect, respectful communication, consent, critical thinking, and effective decision-making.

Second class cadets participated in an interactive training with Brett Sokolow's⁴⁶ "Drunk Sex or Rape: You Decide." Cadets acted as a "jury" to better understand the misuse of alcohol in relationship to sexual assault, especially in regard to legal consent. Lastly, Russell Strand⁴⁷ addressed First class cadets on "The Third Persona: Perpetrators and You." This training focused on preparing cadets for difficult leadership situations, such as victim and perpetrator relationship dynamics, the effect on the squadron or unit, and legal and investigative issues for a supervisor.

In addition to training and guest speakers, USAFA held many SAAM activities to raise awareness about the issue of sexual assault and the role that each cadet has to prevent a sexual assault. The Air Force Wingman concept, to step in and do something if you see a friend or co-worker in a questionable situation, was highlighted throughout SAAM activities encouraging cadets to intervene if a fellow cadet is in

Commendation:

USAFA executed an extensive SAAM campaign to reinforce prevention training, especially bystander intervention.

danger of a sexual assault. The entire month of April was filled with events promoting improved awareness and prevention of the problems of, sexual harassment and assault, as well as alcohol abuse and the role it plays in sexual assault.

Also during SAAM, USAFA launched the Green Dot Campaign, with a "fireside chat" created and executed by the Cadet Wing Commander. The fireside chat explained how the Green Dot Competition works and the prizes for the top three squadrons that were announced at the end of the month. The Green Dot Campaign is based upon Dr. Dorothy Edwards'⁴⁸ Green Dot Violence and Prevention Strategy, a comprehensive approach to violence prevention that capitalizes on the power of peer and cultural influence. Dr. Edwards also spoke to cadets as part of a new SAAM Workshop, to reinforce the Green Dot Campaign's intervention strategies. This SAAM workshop also

⁴⁵ Mike Domitrz is the founder of The Date Safe Project, Inc., and a healthy relationships and sexual assault, expert, author and speaker.

⁴⁶ Brett Sokolow, JD, is the founder, president and managing partner of the National Center for Higher Education Risk Management, a national multidisciplinary risk management consulting firm. He is an expert in preventive law and risk management.

⁴⁷ Russell Strand is currently the Chief of the U.S. Army Military Police School Family Advocacy Law Enforcement Training Division with specialized expertise, experience and training in the area of domestic violence intervention, critical incident peer support, and sexual assault, trafficking in persons and child abuse investigations.

⁴⁸ Dr. Dorothy Edwards is the executive director of the Green Dot, etc, and the founder of the University of Kentucky Violence Intervention and Prevention Center. She also holds a Ph.D. in Counseling Psychology.

included a Colorado Springs Community Resource panel, to provide cadets with awareness of additional support resources.

In order to help cadets understand the range of disrespectful and destructive behaviors involved in sexual harassment and assault, USAFA placed a "Continuum of Harm" display in a high traffic area for cadets. The first half of the month, the display had an education emphasis. The display was updated for the second half of the month to focus on empathy building. In another high traffic area, USAFA displayed the results from a SAAM kickoff event poll on the number one reason to stop or report sexual harassment, as well as what cadets believed were the most aggravating and/or offending sexual behaviors.

In addition to the SAPR specific prevention training, USAFA also reinforced SAPR themes and bystander intervention messaging into other mandatory courses for graduation. As part of the Air Force's warrior ethos, all cadets take a two-part physical education course on unarmed combat. In addition to teaching them physical combat skills, USAFA added an education piece on safety, situational awareness to avoid a potential conflict, and self-empowerment building self-confidence and teaching risk avoidance.

Identifying Spring Break as a high-risk time for cadets, USAFA began SAAM activities before spring break. One activity, Target Hardening, is a self-defense curriculum focusing on how to respond to a traumatic situation, bystander intervention, and the impact of alcohol on intervention, preparing cadets for situations they may encounter on Spring Break. PEERs manned a table in a

Commendation:

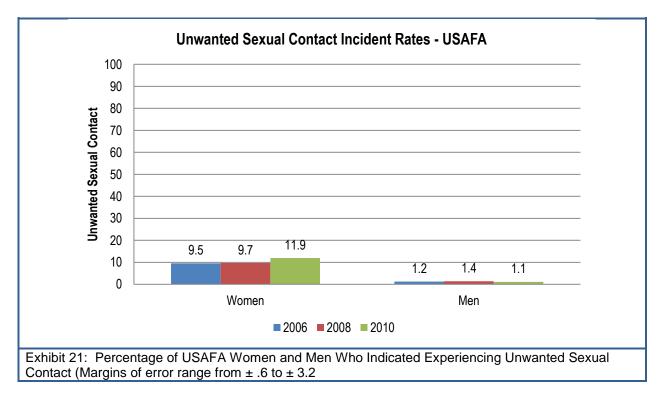
USAFA identified Spring Break as a highrisk time for cadets and begins SAAM events prior to Spring Break.

cadet high traffic area to encourage cadets to stop by and learn more about Target Hardening and receive sexual harassment and assault prevention materials.

USAFA's SAPR Program continued its social norming/marketing campaign as reported in the APY 09-10 report. This approach provided baseline SAPR Policy information intended to increase the likelihood that a victim of sexual assault will access the assistance offered by the SAPR Program. The social norming activity also addressed false or mistaken beliefs about sexual assault. The SARC's contact information is displayed on messaging materials and giveaway items, as is the 24 hours a day, seven days a week availability of personnel.

Reducing the occurrence of sexual assault is the ultimate goal of any prevention program. As noted in last year's report, there has been a statistically significant increase in the rate of unwanted sexual contact incidents reported by female USAFA

cadets, as estimated by the 2010 Service Academy Gender Relations (SAGR) Survey.⁴⁹ For female cadets, the past year rate of unwanted sexual contact increased from 9.7 percent in 2008 to 11.9 percent in 2010. There was no such change in the rate of unwanted sexual contact reported by male cadets. Exhibit 21 provides the unwanted sexual contact incident rates for the last three SAGR Surveys.



While some of the increase may be attributed to better-educated cadets on sexual assault behaviors, taking the survey,⁵⁰ USAFA must focus attention to improving

prevention outcomes to decrease the incidence of unwanted sexual contact. To shape future prevention training efforts, USAFA should build upon the pre and post guest speaker presentations measures and develop outcome-based metrics for all their current prevention efforts. The outcome data should be applied to program development and revision, and identify data points for trend analysis.

Action Item:

Develop outcome-based metrics to address all prevention efforts and further develop trend analysis around changes to the SAPR Program.

⁴⁹ Defense Manpower Data Center. (2010). The 2010 Service Academy Gender Relations Survey. Retrieved from <u>http://www.sapr.mil/media/pdf/reports/FINAL_SAGR_2010_Overview_Report.pdf.</u>

Statistical significance on the SAGR is calculated at the .05 confidence level. ⁵⁰ One unexpected result of prevention programming is that education about a problem may enable individuals to better recognize it when it occurs.

Additionally, USAFA should assess the feasibility of utilizing an expert for sexual assault prevention curriculum development

The 2011 SAGR Focus Groups delved deeper into cadets' views on various aspects of sexual assault and the incidence rates of sexual assault. These views do not reflect actual SAGR survey research findings. Rather, the views reflect the

Action Item:

Access the feasibility of utilizing an expert for sexual assault prevention curriculum development.

cadets' own independent opinions. Some focus group participants indicated that the 2010 SAGR Survey incidence rates of unwanted sexual contact were higher than expected for their Academy, while for others it was what they expected for their Academy. Cadets provided several reasons why they believed the incident rate for women increased at USAFA between 2008 and 2010 including:

- Increased emphasis being placed on prevention and response;
- Greater availability of reporting channels;
- Greater understanding of the behaviors that constitute sexual assault; and
- An artifact of the culture or generation in general.

According to the 2010 SAGR Survey, the unwanted sexual contact incidence rate is greatest for sophomore women.⁵¹ Cadets indicated that the rate for sophomore women might be higher due to:

- The lifting of restrictions on relationships;
- New opportunities for relationships when they change squadrons;
- Lifting of restrictions as freshmen and fewer responsibilities than the upper class years;
- Attempts to fit in or impress others; and
- Inexperience handling new found freedom.

According to the 2010 SAGR Survey, 48 percent of incidents of unwanted sexual contact involved alcohol and/or drugs.⁵² Cadet focus group participants commented that 48 percent seemed low. Additionally,

cadets offered suggestions to instill

responsible drinking behaviors, including:

- Improve training on alcohol use; and
- Shift the focus on policies regarding alcohol use.

USAFA should evaluate all suggestions given to instill responsible drinking

Action Item:

Evaluate suggestions given to instill responsible drinking behaviors and address them in training and education.

⁵¹ Defense Manpower Data Center. (2010). The 2010 Service Academy Gender Relations Survey. Retrieved from http://www.sapr.mil/media/pdf/reports/FINAL_SAGR_2010_Overview_Report.pdf

⁵² Defense Manpower Data Center. (2010). The 2010 Service Academy Gender Relations Survey. Retrieved from <u>http://www.sapr.mil/media/pdf/reports/FINAL_SAGR_2010_Overview_Report.pdf</u>

behaviors address them in training and education.

Prevention of Sexual Harassment Program

Throughout their four years at the USAFA, all cadets receive POSH training that is class-specific and developmental. Initial training for cadets began on day two of their arrival at BCT when the Equal Opportunity (EO) Specialists present the EO Policy, including sexual harassment and complaint procedures as part of the "Helping Agencies Brief." Later in BCT, the EO specialists provided POSH training using a combination of platform instruction, followed by small-group discussion facilitated by trained Air Force EO specialists.

During BCT, cadets received the USAFA Education Lesson Plan within 30 duty days of arrival, in accordance with Air Force Policy. The training is developed by USAFA's Human Resource Training and Education Office to address Air Force Policy, consent, and bystander intervention. Fourth and Third year cadets received the "Gender Role and Socialization and Sexism" training which emphasizes sexual harassment prevention.

Second year cadets received a scenario-based training, "The Supervisor's Role in Equal Opportunity and Treatment." These lessons include supervisory-level discussions of leadership across the diversity spectrum, including gender-related issues. First year cadets received "Addressing Human Relations Issues," a class taught by Air Officers Commanding and Academy Military Training Instructors, which presented in-depth discussions of actual case studies and how leaders of character should respond. This class also informed cadets about available support resources and helping agencies.

Air Officer Commanding and Academy Military Training Instructors provided POSH

training at the squadron level. The EO Specialists trained the Air Officer Commanding and Academy Military Training Instructors to teach and facilitate these training modules. Although cadet attendance and participation is mandatory at these training, the classes are not immediately graded, which may diminish their perceived relevance and importance to cadets. USAFA should assess the effectiveness of training that is not graded. However, it should be noted that the material presented at these training events is included in the Commissioning Education exam given at the end of the APY.

During SAAM, the EO Specialists collaborated with the SARC to develop a quiz and bulletin board display. The quiz

Action Item:

Assess the effectiveness of training that is not graded.

Commendation:

USAFA incorporated POSH into SAAM events.

included questions designed to increase awareness of sexual harassment and assault. The bulletin board displayed the "Continuum of Harm" which showed the relationships between sexual harassment and assault, including the misuse of alcohol. The display also included posters and information about the emotional impact of sexual harassment and assault, alternatives for complaint processing, and reporting options.

USAFA continued to use a "social norming/marketing" campaign using cadetgenerated data to inform poster campaign to increase awareness and address reporting of sexual harassment and discrimination. Additionally, the two EO specialists sat in on the "Women's Forum," where female cadets met to discuss issues uniquely affecting them.

Commendation:

USAFA implemented a cadet data driven social norming/marking campaign.

The 2011 SAGR Focus Groups also provided insight into POSH. Most cadet focus group participants acknowledged that crude and offensive behavior, such as sexual jokes and locker room talk, is pervasive, but is not regarded as sexual harassment. Oftentimes sexual harassment behaviors resulted from poor judgment and the maturing process. Cadet focus group participants indicated that their training helps them understand the behaviors associated with sexual harassment. According to the focus group participants, USAFA command staff is serious about sexual harassment prevention. However, cadets leading the student wing might not be as serious about sexual harassment prevention as USAFA command staff.

Overall, there is a great deal of training and education for cadets at USAFA addressing prevention of sexual harassment and assault. However, there is little outcome data to show the training and education has imparted the desired skills and knowledge. Ideally, USAFA should identify cadet baseline knowledge and skills upon matriculation and then use metrics to demonstrate changes in skills and knowledge over time.

PRIORITY 2: INCREASE CLIMATE OF VICTIM CONFIDENCE ASSOCIATED WITH REPORTING

The second DoD-wide strategic priority is to increase the climate of victim confidence associated with reporting. While one incident of sexual harassment or assault is too many, the Department works to increase sexual assault reporting to ensure that victims come forward to receive needed support and services and hold those who commit sexual assault accountable, as appropriate.

Sexual Assault Prevention and Response Program

For sexual assault, this priority focuses on increasing the number and percentage of sexual assaults that are reported. USAFA

Status of Compliance Priority Two:

In Compliance

is in compliance with the Department's Policy in regards to Priority Two.

Table 6 provides the total number of sexual assault⁵³ reports at USAFA during APY 10-11.

TOTAL APY 2010-2011 REPORTS OF SEXUAL ASSAULT AT USAFA	
NUMBER OF UNRESTRICTED REPORTS OF SEXUAL ASSAULT	16
NUMBER OF REPORTS OF SEXUAL ASSAULT REMAINING RESTRICTED	17
NUMBER OF TOTAL REPORTS OF SEXUAL ASSAULT – UNRESTRICTED AND RESTRICTED	33
Table 6: Total Number of Sexual Assault Reports Made to USAFA Authorities in APY 10-11.	

During APY 10-11, USAFA received 20 Restricted Reports, three of which converted to an Unrestricted Report at the victims' request. The 17 remaining Restricted Reports at the end of the APY represent an increase from the four reports remaining Restricted at the end of APY 09-10.

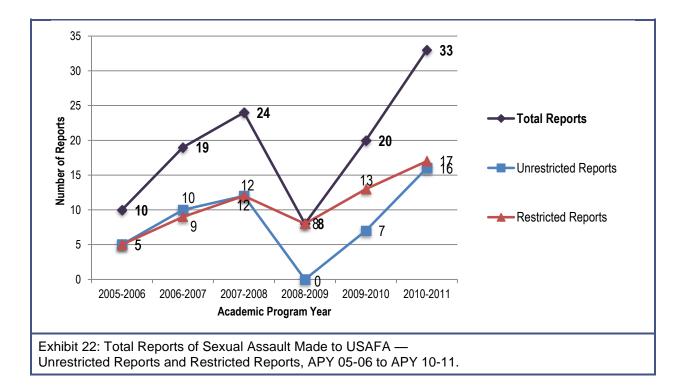
Overall, sexual assault reporting by victims at USAFA increased from APY 09-10 to APY 10-11. In prior years' assessments, the Department identified areas where USAFA could take steps to bring more victims forward to report. Some of the increased reporting of sexual assault may be attributed to these efforts. However, the Department lacks the capability to identify all the factors that contributed to the increase in reports. Nevertheless, bringing more victims forward to report is consistent with the Department's strategic priority. Differences by reporting type are in Table 7.

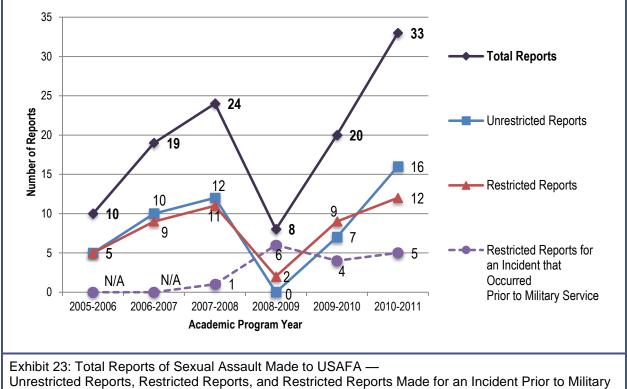
COMPARISON OF REPORTS OF SEXUAL ASSAULT AT USAFA	APY 09-10	APY 10-11
NUMBER OF UNRESTRICTED REPORTS OF SEXUAL ASSAULT	7	16
NUMBER OF INITIAL RESTRICTED REPORTS OF SEXUAL ASSAULT	16	20
NUMBER OF CONVERSIONS FROM RESTRICTED REPORT TO UNRESTRICTED REPORT	3	3
TOTAL NUMBER OF REPORTS	20	33
Table 7: Comparison Between APV 00-10 and APV 10-11 of Sexual Assault Penerts by Case Type		

 Table 7: Comparison Between APY 09-10 and APY 10-11 of Sexual Assault Reports by Case Type.

Exhibit 22 shows the differences in reporting types over time. Exhibit 23 breaks out the USAFA cadets who made a Restricted Report for coping with incidents that occurred prior to entry at the Academy and is represented by the purple dotted line.

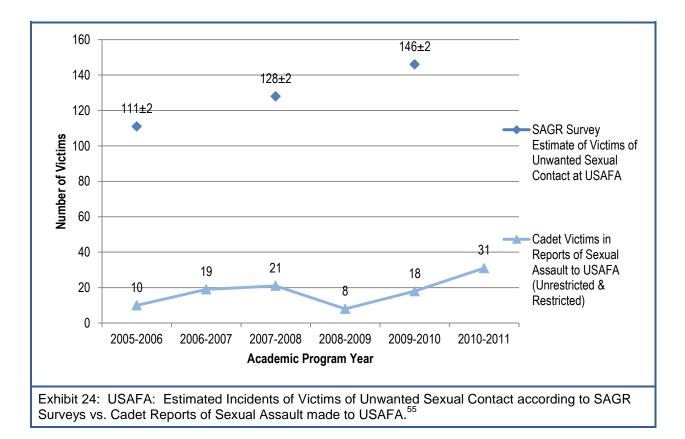
⁵³ The term sexual assault in the DoD includes the crimes of rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, nonconsensual sodomy, and attempts to commit these offenses.





Service, APY 05-06 to APY 10-11.54

⁵⁴ This graph includes reports of sexual assault for incidents that occurred prior to military service.



Reports of sexual assault made to Department authorities provide limited insight into the overall phenomenon of sexual assault at the MSAs. As previously mentioned, sexual assault in the United States and military society is underreported, meaning that reports to authorities are outnumbered by the sexual assaults estimated to occur using surveys of a given population. At the MSAs, the SAGR Survey is conducted every two years to estimate the annual incidence rate of sexual assault in the MSA population. The Department uses the SAGR Survey estimates to track progress on the DoD-wide SAPR Strategic Plan Priority 1, which institutionalizes prevention efforts.

Exhibit 24 displays how past SAGR survey estimates of sexual assault incidents known on the survey as "unwanted sexual contact" at USAFA compare to the Unrestricted and Restricted Reports received by USAFA.⁵⁶

⁵⁵ Note this graph does not include cadets and midshipmen who were identified as subjects in reports of sexual assault made to

⁵⁶ The estimated number of victims is developed using the SAGR survey estimated unwanted sexual contact incidence rates multiplied by the academy cadet/midshipmen population at the time of the survey. It should be noted that the timeframe covered by the SAGR Survey question pertaining to unwanted sexual contact experienced in the year prior to when the survey was conducted and does not always align exactly with the APY. As a result, the SAGR Survey victim numbers are only estimates, due to the sampling error associated with survey data and the slightly different timeframes. Nevertheless, the Department uses these estimates as an indicator of problem severity at each of the academies.

To increase the climate of confidence associated with reporting, USAFA provided education and training about reporting options and increased the accessibility of first responders who can receive both

Unrestricted and Restricted Reports. Based on conversations with a number of cadets, it appeared that many cadets knew the SARC and how to contact the SARC and SAPR VAs. This information is provided extensively at trainings and added to social marketing prevention posters in all cadet high traffic areas on campus. While the message is currently reaching cadets successfully, it is essential to make the training

Action Item:

Ensure training is applicable for cadets and vary mediums to prevent message fatigue

successfully, it is essential to make the training applicable to cadets and to vary mediums for delivery in order to prevent message fatigue.

USAFA also instituted an eSARC program, a single email address that reaches the SARC, Deputy SARC, and the two full-time SAPR VAs. Additionally, USAFA provided the recipients of the eSARC emails with a smart phone to enhance the 24 hours a days, seven days a week coverage provided by the individual on call.

Commendation:

USAFA instituted an eSARC program to enhance the 24 hours a day, seven days a week coverage.

Recognizing that it is often more comfortable for a cadet to reach out to another cadet, USAFA expanded the PEER Program. PEERs are highly respected cadets that are selected after thorough interviews, certified by the BACCHUS Network^{™57} and trained monthly on issues affecting cadets, including but not limited to, sexual assault, stress, alcohol abuse, and performance improvement. Each cadet squadron had two PEERs for a total of 80 PEERs to serve as a resource for cadets. During APY 10-11, USAFA added 32 additional PEERs in the Athletic Department to provide more resources and support for cadets.

To better understand the climate of confidence associated with reporting, USAFA is in the early stages of incorporating trend analysis of reports of sexual assault into program development. USAFA is looking to identify trends by comparing reports of sexual assault for each APY to annual alcohol related offenses, the introduction of new training, and enhancements to the cadet disciplinary system to see if there is a connection and identify practices that should be continued or enhanced to improve reporting.

The 2011 SAGR Focus Groups sought to better understand from the cadets' perspectives the motives for reporting and non-reporting of sexual assault. Between APY 08-09 and 09-10, reports made to Academy authorities increased at USAFA.

⁵⁷ The BACCHUS Network[™] is an international university and community based network focusing on comprehensive health and safety initiatives.

Cadet focus group participants offered a variety of reasons for the increase in reports, such as:

- Increased comfort in reporting;
- Because the Academy has become more encouraging and less reactive;
- Better knowledge of what constitutes inappropriate;
- Better knowledge of how to report; and
- Increased confidence in the reporting process.

Despite the increase in the number of reports made in 2010, cadet focus group participants indicated most incidents remain unreported.

Cadet focus group participants indicated several reasons why a victim of sexual assault would make a report at USAFA. Reasons include to:

- Stop the offender from hurting anyone else;
- Seek justice or punish the offender;
- Seek help dealing with an emotional incident;
- Raise awareness that it occurs at the Academy; and
- Identify a fellow cadet who is acting inappropriately.

Participants noted that there is an assumption at USAFA that women report sexual assault to get out of trouble. While the Department's Policy does allow a commander the discretion to delay

punishment for collateral misconduct, it does not condone immunity for collateral misconduct for victims of sexual assault. USAFA should devise materials to address misperceptions regarding collateral

misconduct in training.

According to the 2010 SAGR Survey, there were several reasons why most USAFA women chose not to report their unwanted sexual contact incident.⁵⁸ The top three reasons were dealing with the incident themselves, fearing gossip, and feeling the incident was not important enough to report. Additionally, cadet focus group participants

Action Item:

Address collateral misconduct misperceptions in training.

Action Item:

Evaluate all reasons for not reporting and address them appropriately in training and educational materials.

discussed the potential negative effects of someone making a report of sexual assault and offered suggestions to encourage reporting. Providing statistics about repeat offenders and sharing "success stories" from the investigation outcomes might enhance the climate of confidence and encourage reporting, as well as continuing to provide the necessary information on how to report if one choses. USAFA should evaluate all

⁵⁸ Defense Manpower Data Center. (2010). The 2010 Service Academy Gender Relations Survey. Retrieved from <u>http://www.sapr.mil/media/pdf/reports/FINAL_SAGR_2010_Overview_Report.pdf</u>

reasons given for not reporting and devise materials to address them in training and education.

Prevention of Sexual Harassment Program

During APY 10-11, there were one formal and eight informal complaints of sexual harassment at USAFA. USAFA's formal complaints remained constant from the previous APY and there was a slight increase in informal complaints.

In accordance with DoD and Air Force Policy, USAFA encouraged cadets to resolve sexual harassment issues at the lowest level possible. Cadets receive ongoing training on the formal and informal complaint resolution processes for sexual harassment. Additionally, cadet leadership resolved some issues of sexual harassment through the cadet chain-of-command.

Contact information to report sexual harassment is posted throughout the installation in high traffic areas and in all squadrons. Cadets who believe they have been sexually harassed may report to their chain-of-command, the USAFA EO Office near the cadet area, or the 10th Air Base Wing EO Office. USAFA placed an EO Specialist in a satellite office in the cadet area. This provided the EO specialist with high visibility of the cadets and their leadership. Additionally, it provided the cadets easier access to the EO specialist. This is especially important since the USAFA is spread out over a large geographic area.

Additionally, Air Officers Commanding and Academy Military Training Instructors addressed allegations of unlawful discrimination or sexual harassment within their squadrons. Air Officers Commanding and Academy Military Training Instructors provided the 10th Air Base Wing EO office a written memorandum regarding military sexual harassment issues worked within the unit. These commander-worked issues are documented, and included in the 10th Air Base Wing EO office's report of informal complaints. USAFA's report of sexual harassment complaints is higher than the other academies. This may be due to the reporting of commander-worked issues as informal complaints, which is unique to the Air Force.

PRIORITY 3: IMPROVE RESPONSE

The Department's third priority is to improve sexual assault response. This priority focuses on increasing the availability, access, and quality of response for victims of sexual assault. USAFA implemented and advanced policies, training, procedures, and initiatives to improve its response to allegations of sexual harassment and

Status of Compliance Priority Three: Partially in Compliance

assault. However, USAFA is partially in compliance with the Department's Policy in regards to Priority Three.

Sexual Assault Prevention and Response Program

USAFA has a robust program and hardworking SAPR personnel that take an aggressive approach to response. As the Department's Policy directs, USAFA maintains a full-time SARC dedicated solely to the SAPR Program. USAFA's SAPR Office also includes a Deputy SARC and two full-time SAPR VAs, which is a response benchmark for the MSAs. The

Commendation:

USAFA has two full-time SAPR VAs to support cadets.

Department encourages continued support of this staffing model by USAFA leadership.

The USAFA SARC is also responsible for support to the 10th Air Base Wing, the USAFA

Preparatory School, and a geographically separated unit in Pueblo, Colorado. Due to the size of the population served and distances involved -- even on the USAFA grounds -- the Academy should establish a second SARC dedicated to some or all of these other units so as to not diminish the services provided to USAFA cadets.

The SAPR VAs provided a full range of support to sexual assault victims including assistance in participation in hearings and trials, services typically rendered by the Victim Witness Liaison (VWL). Given current staffing levels, SAPR VAs should allow the VWL to serve as the single point of contact for sexual assault victims in the military justice process, especially during hearing and trials. The SAPR VAs should continue to provide victim advocacy as long

as the victim requires.

For future trainings, the SAPR staff should receive refresher training with the Chief of Military Justice to ensure that all parties understand the advocacy support that can and cannot be offered to victims of sexual assault within the constraints of the military justice system.

Action Item:

Establish a second SARC to support other units.

Action Item:

Utilize VWL as the single point of contact for sexual assault victims in the military justice process.

Action Item:

Conduct refresher training for the SAPR Staff with the Chief of Military Justice.

The SARC and SAPR staff collectively have many years of experience in victim assistance at USAFA. The SARC and SAPR VAs have all received the requisite training required by the Department's Policy. The SARC and SAPR VAs continued their

education by attending courses and seminars on a wide range of topics such as, working with sexual assault victims, trauma victims, and military families, and self-care.

Department Policy requires first responder training to ensure a standardized response to sexual assault throughout the Department. Mental health providers, the Peak Performance Center (PPC) personnel, Air Force Office of Special Investigations (AFOSI) agents, and judge advocates received SAPR Program training as required by the Department's Policy. USAFA chaplains have not received first responder training. The Department will work with the Services to clarify roles and responsibilities for first responder training and to ensure that all first responder training is conducted in accordance with Department policy.

In addition to first responder training, the USAFA SARC conducted trainings for SAPR VAs, AFOSI, healthcare providers, and judge advocates. Despite not receiving first responder training, the chaplains did receive the annual training from the SARC. Also, security forces attended a Specialized Security Forces 2010 training, which discussed Restricted Reporting and the SARC's role in safety planning for sexual assault victims.

USAFA faculty and staff received the appropriate response-related USAFA SAPR Program training, which reinforces the SAPR Program and addresses the response differences for sexual harassment and assault. As part of this training, the participants explore the entire cycle of an assault, the reporting options available, the exceptions and limitations of those options, response and associated services, and accountability.

However, during interviews it was mentioned that some Air Officers Commanding did not understand their role as an Unrestricted Report recipient and as a mandatory reporter to the SARC. Strategic messaging should be used to reinforce the different reporting options and the commander's role as a mandatory reporter to the SARC as part of the Unrestricted Reporting process.

Action Item:

Reinforce messaging to Air Officers Commanding on reporting options and their role in the Unrestricted Reporting process.

Mental health providers and the PPC provided support to victims of sexual assault. In addition, experienced mental health providers were available for consultation by the Flight Surgeon's office to answer questions about cadet suitability in pre-commissioning

physicals. This practice likely minimizes the potential for re-victimization by preventing a sexual assault victim from having to recount their history to multiple new providers. However, PPC and mental health providers were not aware of their duty to report sexual assaults to the SARC, disclosed during treatment. PPC and mental health providers should update their

Action Item:

Update PPC and mental health providers' local operating procedures and intake documentation. local operating procedures and intake documentation to reflect this requirement. Additionally, the Department of the Air Force should review the training given to mental health providers throughout the Service to ensure that providers are made aware of their affirmative duty to report to the SARC sexual assaults disclosed during treatment.

Victims who disclose a sexual assault during treatment must be made aware of the full spectrum of care and support, to include the SARC and SAPR VA. Giving the victim multiple avenues to receive additional care creates a strong victim centered SAPR Program. When sexual assaults are not reported to the SARC, the victim risks not being provided the full amount of information regarding medical care, the option of having a SAPR VA assigned, or the opportunity to begin an official investigation into the allegation of an assault with law enforcement.

Sexual Assault Forensic Exams (SAFE) are conducted at Memorial Hospital in Colorado Springs and USAFA had a Memorandum of Understanding (MOU) with Colorado Spring's Memorial Hospital in place. USAFA needs to build on the relationship with Memorial Hospital ensuring the SARC's personal engagement with Sexual Assault Nurse Examiners (SANE) to shore up knowledge of the SAPR program policies and procedures. Additionally, USAFA should address concerns regarding the maintenance of patient confidentiality. During the interview with Memorial Hospital

Action Item:

The SARC and Deputy SARC should meet every six months with Memorial Hospital's SANE Manager to review the MOU, procedures that have changed, address how cases have been handled, and to make recommendations for improvement.

the SANE expressed that the military community should have a better understanding of patient confidentiality and should be made aware that patient information is not available to be shared without written consent or court order. For example, commanders of cadets should not call the hospital for information about the cadet.

In addition to implementing the APY 08-09 recommendations regarding Memorial Hospital that were not completed at the time of assessment, the SARC and Deputy SARC should meet every six months with Memorial Hospital's SANE Manager to review the MOU, procedures that have changed, address how cases have been handled, and to make recommendations for improvement to ensure quality care for sexual assault.

A USAFA physician with a specialty in adolescent medicine conducts medical treatment and screening for sexual assault. Upon assignment to USAFA, the physician developed and initiated a standard of care checklist especially designed for the adolescent age, 18-25 years old, of cadets. This checklist uses a developmental

Commendation:

USAFA has a physician with a specialty in adolescent medicine that developed a standard of care checklist.

approach to cadet health. As part of an overall health assessment, the medical providers used this approach to screen patients for a history of non-consensual sexual activity such as abuse, rape, assault, molestations, and assessed the patient's knowledge of available resources to help with such issues. This provided another avenue to introduce SAPR services to individuals who may need them or know someone who needs them. The assignment of an adolescent physician, who provides an exceptional approach to care for the cadet population, is a best practice suggested for consideration by the United States Military Academy and the United States Naval Academy.

Part of response for Unrestricted Reports of sexual assault is an investigation of the crime. To enhance the investigative capabilities of its personnel, AFOSI 8th Field Investigations Region at Peterson Air Force Base in Colorado Springs, Colorado has hosted a Sexual Assault Investigations Training Conference each March for the past several years.

While primarily for criminal investigators, AFOSI invited other first responders in the Colorado Springs area to participate. The training covered interviews, interrogations, alcohol-facilitated sexual assault, crime scene processing, military law, SAPR Policy, improving victim collaboration skills, and many other important topics. USAFA AFOSI special agents, judge advocates, area defense counsel, and SAPR personnel all reported attending or participating in this training. USAFA first responders should



Commendation:

continue to participate in this conference and USAFA should include Security Forces investigators as well.

Prevention of Sexual Harassment Program

The EO Superintendent in the cadet area responded to complaints of sexual harassment in a timely manner. Additionally, the EO Superintendent followed up with each complainant to ensure that the issue was resolved.

All the EO and Human Relations Training and Education staff were graduates of the Defense Equal Opportunity Management Institute's Equal Opportunity Advisor Course. Additionally, they had received additional service-specific training through the Air Force.

USAFA EO Specialists work closely with the USAFA SARC. There have been situations where the EO Specialist has referred a cadet to the SARC to determine if the

incident constituted sexual assault, rather than sexual harassment, thereby protecting the cadet's options to file a Restricted or Unrestricted Report of sexual assault. There have also been situations where the SARC has referred a cadet to the EO Specialist when the incident, initially considered sexual assault, was determined to be sexual harassment.

PRIORITY 4: IMPROVE SYSTEM ACCOUNTABILITY

The Department's fourth DoD-wide strategic priority is to improve system accountability. This priority focuses on improving the reliability and sustainment of SAPR and POSH services, and ensuring those services function in the way they were designed. Part of oversight at the MSAs is this annual Report to Congress,

Status of Compliance Priority Four:

In Compliance

which included an on-site assessment of each academy, the results from the 2011 SAGR Focus Groups, and a review of previous reports submitted by the academy Superintendents, as well as the recommendations to the MSAs from the APY 08-09 report. USAFA is in compliance with the Department's Policy in regards to Priority Four.

Sexual Assault Prevention and Response Program

Appropriate mechanisms are in place both at Headquarters Air Force and USAFA to ensure oversight of the effectiveness of the USAFA SAPR Program. In additional to the Department's Policy, the USAFA SAPR Program is governed by the Air Force Instruction 36-6001, *Sexual Assault Prevention and Response Program*, dated September 30, 2009.

The Assistant Secretary of the Air Force for Manpower and Reserve Affairs continues to provide guidance, direction, and oversight for all matters pertaining to the formulation, review, and execution of plans, programs, and budgets addressing sexual assault for the Air Force to include the Academy.

USAFA's leadership briefed the USAFA Board of Visitors on SAPR related trends and program improvements. The Air Force Inspector General conducted a bi-annual Unit Compliance Inspection of SAPR and EO using a SAPR Inspection Checklist developed by Air Force SAPR. USAFA's SAPR office also used the new SAPR Inspection Checklist during unit self-inspections.

USAFA's Superintendent and Commandant provided direct oversight of the SAPR Program, while the program is administered by the USAFA Vice Commandant of Cadets for Culture and Climate (CWP). The Vice Commandant of Cadets for CWP was functionally responsible for the USAFA SAPR Program and ensured resources were available. USAFA CWP included SAPR in its quarterly unit self-inspections The primary point of contact for the SAPR Program at the USAFA was the SARC who reports directly to the Vice Commandant for CWP. The SARC responded to allegations of sexual assault involving USAFA cadets and ensured appropriate agencies were notified for appropriate action. SARC services are available 24 hours a day, seven days a week via the sexual assault response hotline 719-333-SARC (7272). The SARC is further supported by a full-time trained staff consisting of a Deputy SARC and two SAPR VAs. There are no contracted personnel serving as a SARC or SAPR VA. Therefore, USAFA is in compliance with the Defense Task Force on Sexual Assault in the Military Services recommendation⁵⁹ requiring SARCs be full-time Service members or DoD civilian employees.

USAFA developed and implemented a SARC victim feedback form. Feedback provided has been used by the Academy to make program adjustments where needed. USAFA should continue to use the SARC victim feedback form as a mechanism for oversight and program improvement. USAFA should consolidate all outcome data and metrics into a single product that addresses SAPR and POSH Program progress against the Department's strategic priorities. These results should be presented to USAFA's leadership and the Academy Response Team (ART).

Action Item:

Consolidate all POSH and SAPR outcome data and metrics into a single product organized by the Department's strategic priorities.

The SARC also supervised the ART, a multi-disciplinary sexual assault case management team made up of AFOSI, Security Forces, Medical personnel (including the PPC), chaplains, and judge advocate communities and each reporting victim's commander, as required.⁶⁰ The ART's support ranged from immediate victim care to extended support throughout the investigative and legal process. The ART reported monthly to the USAFA leadership and made recommendations for program improvements and provided trends identified.

The ART consists of two tiers. Tier One members are first responders to reports of sexual assault. Tier One worked in conjunction with AFOSI, answering victims' questions while agents gathered important details of the alleged incident. The second tier includes chaplains, medical personnel and counselors. After the initial response provided in Tier One, the ART conducted long-term care management. The ART also

⁵⁹ Department of Defense. (2009) *Report of The Defense Task Force on Sexual Assault in the Military Services, December 2009.* Retrieved from <u>http://www.sapr.mil/media/pdf/research/DTFSAMS-Rept_Dec09.pdf</u> recommendation 6.a.1.

⁶⁰ It is noted under Priority 3 of this report that USAFA must ensure all first responders are trained according to DoD Instruction 6495.02, enclosure 6. Mental health providers and the PPC personnel are to be trained to be mandatory reporters to the SARC in accordance with DoD Instruction 6495.02 and Air Force Instruction 36-6001.

functioned as the case management group, which met twice each month to conduct case reviews.

Part of system accountability is holding those who commit sexual assault appropriately accountable based upon available evidence. Under the supervision of the 8th Field Investigative Squadron, the USAFA AFOSI office can augment its capabilities with personnel from nearby AFOSI units to ensure timely investigations of criminal activity. Continued use of this AFOSI agent surge capability will enhance USAFA's investigative capacity and on-thejob training opportunities.

AFOSI conducted a debrief after each sexual assault investigation to identify any gaps and related trends. This initiative is a best practice. Additionally, AFOSI should include the SARC's input as part of their efforts to maintain and improve a quality investigative response. AFOSI should continue its efforts to collaborate with and report/record the dispositions and sentences of security forces investigations of wrongful sexual contact allegations.

To enhance the capabilities of the USAFA SAPR Program, the incoming USAFA Chief of Military Justice should attend, as appropriate and as determined by the Air Force Judge Advocate General, a specialized sexual assault prosecution course prior to or upon assumption of duties.

A review of USAFA sexual assault reports of investigation showed competent investigations of criminal complaints and evidence of efforts to establish effective working relationships with victims of sexual assault. However, for two cases, case disposition information, including sentences imposed, was not in the AFOSI computer system or case file. The AFOSI 8th Field

Commendation:

AFOSI can surge capability for investigations of sexual assault at USAFA.

Action Item:

Include SARC feedback in AFOSI debriefs.

Action Item:

Collaborate with and report the dispositions and sentences for wrongful sexual contact allegations

Action Item:

Coordinate with the Air Force Judge Advocate General to ensure, as appropriate, the incoming Chief of Military Justice attends a specialized sexual assault prosecution course.

Action Item:

Document completely and consistently the case disposition and offender sentencing in case records.

Investigations Region responded quickly with this information when queried. USAFA AFOSI should document consistently and completely the case disposition and offender sentencing information in case records.

If a victim of sexual assault reported collateral misconduct as part of the allegation, AFOSI advised they immediately seek legal advice from a judge advocate and then proceed accordingly. The Chief of Military Justice reported that victim collateral misconduct is addressed by holding victims appropriately accountable, usually after action has been taken against an offender.

USAFA's Priority One section described an extensive Cadet Development Plan for SAPR and POSH training. To measure the effectiveness of the Cadet Development Plan, USAFA implemented an oversight tool using pre and post-test measures for SAPR presentations by staff and guest lecturers using immediate data collection devices. These results are routinely briefed to USAFA leadership. These pre and posttest measures should be part of the consolidated outcome metrics previously advised.

Finally, it should be noted that throughout the visit, the Assessment Team received numerous comments on the commitment demonstrated by the USAFA leadership to aggressive sexual assault response, active SAPR Program participation, and forceful championship of the SAPR Program. One such example of this commitment was USAFA's leadership in to facilitating continuous SAPR Program improvement by including sexual assault as a "high institutional interest" item within the Institutional Effectiveness Program.⁶¹ The other Service Academies should include SAPR within their respective institutional effectiveness/assessment programs

Prevention of Sexual Harassment Program

Appropriate mechanisms are in place both at Headquarters Air Force and USAFA to ensure oversight of the effectiveness of the USAFA POSH Program. The USAFA POSH Program is governed by:

- Air Force Policy Directive 36-27, Equal Opportunity, dated May 22, 2009;
- Air Force Instruction 36-2706, *Equal Opportunity Program Military and Civilian*, dated October 5, 2010;
- The 10th Air Base Wing Memorandum, *Policy on Equal Opportunity Treatment and Employment*, dated October 8, 2009; and
- The USAFA Memorandum Policy on Sexual Harassment, dated November 4, 2009.

USAFA has established cadet standards of behavior and consequences for sexual harassment offenses in the Air Force Cadet Wing Manual, 36-3501, and indicates that it

Action Item:

Monitor EO staffing to prevent extended vacancies or shortages.

⁶¹ United States Air Force Academy. (2011). *The United States Air Force Academy Instruction 36-350, Institutional Effectiveness*. Retrieved from <u>http://www.af.mil/shared/media/epubs/USAFAI36-3502.pdf</u>

may be punished under the Uniform Code of Military Justice.

At the time of the site visit, the 10th Air Base Wing EO office was fully staffed by a civilian EO Director and four EO specialists, two military and two civilian. There was an additional civilian position in the EO office, which was eliminated during APY 10-11. The EO office provided EO services in two USAFA locations. The EO staff expressed confidence in their ability to meet the needs of cadets with their current staffing. Prevention of extended staffing vacancies or shortages is currently closely monitored to ensure a continuity of quality services and support to the USAFA. This monitoring should be continued to prevent extended staffing vacancies or shortages that could impact the quality of service and support provided to the USAFA and Cadet Wing Program.

USAFA performed an anonymous Cadet Climate Survey biennially. The survey covered issues affecting cadets, including: religious proselytizing, gender relations, discrimination, and sexual harassment. Summarized results are briefed to leadership, providing an ongoing tool to assess the organizational climate and track trends against successive years.

PRIORITY 5: IMPROVE KNOWLEDGE AND UNDERSTANDING

The fifth DoD-wide priority is to improve knowledge and understanding of the SAPR and POSH Programs. This priority focuses on improving pro-active communication of information to stakeholders. This priority is not governed by the Department's Policy and therefore, there is no status of compliance.

USAFA SAPR is a member of the Colorado Coalition Against Sexual Assault (CCASA), an organization that works to improve coordination of state resources, provide education and training to sexual assault service providers.

USAFA is also member of the Colorado Springs Advocacy Resource Team, which is comprised of Memorial Hospital, Shriver and Peterson Air Force Bases, CCASA, TESSA, and Memorial Hospital. This group developed a SAAM Workshop where they discussed a new approach to violence prevention. The event included a Community Resource Panel, and hosted guest speaker Dr. Dorothy Edwards. These relationships allowed USAFA the opportunity to educate stakeholders on DoD and USAFA SAPR policies and procedures. USAFA is encouraged to continue outreach efforts to stakeholders.

ASSESSMENT OF RECOMMENDATIONS FROM THE APY 08-09 REPORT

In the APY 08-09 Report, the Department provided nine recommendations to USAFA. During the on-site assessment and analysis of the background data provided by USAFA, the Department found sufficient evidence to close the following five recommendations. **Recommendation:** USAFA Command should continue to proactively release messages to the Cadet Wing via training venues that strongly advise all cadets to treat each other with dignity and respect. This would include both cadets who are outside observers of sexual assault cases within the military criminal justice process as well as those who participate in the process as either defendants or victims.

Recommendation: USAFA personnel should strategize how best to educate the Cadet Wing on the fact that a "not guilty" verdict means that the burden of proof of the accused's guilt beyond a reasonable doubt was not met.

USAFA leadership has taken a proactive stance in communicating the importance of the SAPR Program and sexual assault related issues to cadets. USAFA leadership, from the Superintendent on down, attends SAPR trainings and often makes the introduction.

Recommendation: USAFA should continue to strategize ways to reduce the stigma perceived by cadets who seek counseling services from the PPC. This might involve the revision of procedures for visiting the counseling center, or increasing cadet education regarding the benefits and services the PPC provides. USAFA leadership should continue to encourage all cadets to use the Center's services.

USAFA worked to reduce the stigma associated with using the PPC. Because the PPC does not treat mental health disorders, they are not required to disclose information about their cadet patients. This arrangement has led to the PPC being known as "the place" to go when cadets need assistance. The PPC provides on average about 125 appointments per month.

Recommendation: It is recommended that USAFA's ART team members continue to explore and innovate ways to support and act as a source of information for victims who are suspected of engaging in collateral misconduct.

USAFA implemented the Cadet Helping Agency Team, chaired by the USAFA Vice Commandant of Cadets for CWP. It is comprised of medical, mental health and counseling, SAPR, and cadet leadership with the intent to monitor and have "eyes on" all cadets placed on the Cadets At Risk List. The Cadet Helping Agency Team meets monthly or on an as needed basis.

Recommendation: The 10th Air Base Wing EO staffing should be monitored closely to prevent extended staffing vacancies or shortages that could impact the quality of service and support provided to the USAFA and Cadet Wing Program.

At the time of the assessment, the 10th Air Base Wing EO was fully staffed. Additionally, the EO office has a satellite office in the cadet area to better support cadets. The Department did not find sufficient evidence to close the following three recommendations at the time of the on-site assessment.

Recommendation: USAFA should improve its efforts to communicate and coordinate with its community partners to leverage these resources more effectively. Inclusion of these relevant community members in USAFA SAPR functions and initiatives may improve overall communication and increase service usage among cadets.

Recommendation: USAFA should continue to strengthen its cross-training with local community resources on each other's roles, the roles of command, the Military Justice process, the military's policies and procedures respecting the USAFA SAPR Program as well as pertinent aspects of military culture and customs.

USAFA hosted a Colorado Springs Advocacy Resource Team workshop during 2011

SAAM. This team is comprised of TESSA, Memorial Hospital, Shriever Air Force Base, Peterson Air Force Base, and the CCASA Campus Coalition. However, greater communication, coordination and training are required. Additionally, USAFA should expand training with local resources to include the SAPR Programs at other military installations in the Colorado Springs area.

Action Item:

Expand training with local resources to include other military installations in the Colorado Springs area.

Recommendation: USAFA leadership should consider training volunteer SAPR VAs and/or additional full-time staff to work with victims originating within the Air Base Wing, the Preparatory School, and the Pueblo populations. At least two full-time SAPR VAs should continue to concentrate on the cadets.

While the Preparatory School has volunteer SAPR VAs, the 10th Air Base Wing should train volunteer SAPR VAs to support a second SARC for these additional populations.

USAFA must implement the remaining recommendations from the APY 08-09 Report, as well as the necessary action items put forth in the APY 10-11 Report in a timely manner. Additionally, USAFA will provide an update on implementation before the end of the APY 11-12.

CONCLUSION

USAFA's SAPR and POSH Programs are mature and robust. These programs were taken seriously and given the appropriate attention at the Academy. The overall USAFA command climate and treatment of sexual assault victims represent a fundamental change from what was observed by the Fowler Commission in 2004.

All working in the USAFA SAPR Program appeared dedicated and motivated to accomplish their mission. While a number of challenges remain, the Department believes the greatest of these pertain to the prevention and reporting of sexual assault. Using the survey and focus group data, the Department encourages USAFA to employ their considerable academic and programmatic resources to implement meaningful, inspiring, evidence-based prevention and reporting interventions that are resistant to message fatigue. In addition, identifying and tracking key measurements over time will be critical to demonstrating to stakeholders the exemplary work underway at USAFA.