



DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE



Sexual Assault: Know Your Rights, Know Your Options

You are not alone. As a Service member, you have many protections, services, and resources to help you recover after a sexual assault. Knowing your rights and options can help you take your next steps. Be sure to speak with your Sexual Assault Response Coordinator (SARC) or Sexual Assault Prevention and Response (SAPR) Victim Advocate (VA) about legal rights and protections if you decide to participate in an investigation or the military justice process.

What are my rights? You are entitled to...

Safety.

Receive a Safety Assessment to determine if you need additional assistance or protections. A SARC or SAPR VA can help file a restraining order, obtain a military protective order (MPO), find you temporary shelter, or help you request a transfer from your duty location or installation if you made an Unrestricted Report.

Protection from Retaliation.

If you make a report and you believe your career has been negatively impacted, or you are being socially excluded or mistreated, tell your SARC or SAPR VA right away. You may have the right to have a General or Flag Officer review the career impacts.

What are my options? You can...

Make a report.

File an Unrestricted Report to receive all available services and participate in an investigation. Your commander will update you regularly during the investigation and justice process. File a Restricted Report to receive healthcare, advocacy, and legal services without notifying command or law enforcement. Keep in mind, you can report an incident of sexual assault that occurred before you entered the military, including incidents from your childhood. You can also report retaliation in the SAPR program.

Participate in the CATCH Program.

If you are not ready to file a report, ask the SARC about the CATCH A Serial Offender Program where you can anonymously submit an entry on your suspect to help the DoD identify serial offenders. You can also submit an entry if you filed a Restricted Report or an Unrestricted Report where the name of the suspect was not provided to law enforcement.

Receive emergency care, medical treatment, and counseling.

You can receive both physical and mental care even if you report a sexual assault that occurred in the past. Every sexual assault is treated as an emergency, even if you wait several days to report. Emergency care consists of emergency medical care and the offer of a Sexual Assault Forensic Examination (SAFE), which includes both medical care and a collection of samples which may be used as evidence. Even if you don't want a SAFE, you are always entitled to medical and behavioral health care.

Free Forensic Exam and Medical Care.

All Service Members making a report are entitled to a free forensic examination and follow-up medical care. The forensic exam collects DNA and other evidence that can be used to identify your attacker. It will be safeguarded in case you decide to participate in the justice process. Medical care can address other health concerns such as treating sexually transmitted infections, preventing pregnancy, and helping with stress.

Check with an attorney.

Retain a military attorney to protect your interests when speaking to investigators, prosecutors, and defense attorneys. Your attorney is called a Special Victims' Counsel (SVC) in the Army, Victims' Counsel (VC) in the Air Force and Space Force, or a Victims' Legal Counsel (VLC) in the Navy and Marine Corps. SVC/VLC/VCs are free of charge and your conversations with them are private and protected under military law.

Request an expedited transfer, if you made an Unrestricted Report.

Ask your leadership for a change in duty location, which can be a different place to work at your unit, on the military installation, or at a different installation altogether. The transfer can be for any reason, such as feeling afraid, uncomfortable, or being concerned about retaliation.

WHO CAN HELP?

- >> **SARC:** An installation or unit resource who supports you throughout the recovery and military justice processes, depending upon your choices
- >> **SAPR VA:** An installation or unit member who assists the SARC in providing you with confidential support, information, and assistance. Your SAPR VA will explain resources available to you and escort you to appointments, meetings, or other support services as needed.
- >> **SVC/VLC/VC:** A military attorney who represents you in a confidential, attorney-client relationship, whether or not you choose to file a report. SVC/VLC/VCs cannot take a report of sexual assault.
- >> **Chaplain:** A military officer who provides confidential, spiritual advice and the opportunity to privately discuss your concerns, even if you are not religious. Conversations with a chaplain are confidential and protected by military law. Chaplains cannot take a report of sexual assault.
- >> **Victim Witness Assistance Personnel (VWAP):** Specially-trained legal personnel assisting victims and witnesses of crimes from initial contact through investigation, prosecution, and the suspect's confinement. VWAPs can help you get to military proceedings, arrange for transportation, and apply for crime victim's compensation. Conversations with VWAPs are not confidential.
- >> **DoD Inspector General (IG):** Your point of contact to report any form of retaliation. You can access information about retaliation and connect to the DoD IG at www.SafeHelpline.org.

