



## Enclosure 4: National Guard Bureau





**NATIONAL GUARD BUREAU**  
1636 DEFENSE PENTAGON  
WASHINGTON DC 20301-1636

**MAR 01 2018**

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

**SUBJECT: National Guard Sexual Assault Prevention and Response Program 2017 Review**

The National Guard (NG) Sexual Assault Prevention and Response (SAPR) Program review is attached for inclusion in the Department of Defense Annual Report on Sexual Assault in the Military.

This report details NG efforts to enhance SAPR initiatives along the five goals, overarching tenets, and Secretary of Defense Initiatives for Title 32 Service members.

The point of contact for this action is Major General Kevin L. McNeely, Director of Manpower and Personnel, National Guard Bureau Joint Staff, at 703-604- 9540.

A handwritten signature in black ink, appearing to read "Langyel", is positioned above the typed name.

Joseph L. Langyel  
General, USAF  
Chief, National Guard Bureau

Attachment:  
As stated

## FY 2017 Annual Report on Sexual Assault in the Military Executive Summary: National Guard Bureau

The National Guard (NG), as a joint activity of the Department of Defense (DoD), emphasized Sexual Assault Prevention and Response (SAPR) key messaging developed by the National Guard Bureau (NGB) and the United States Army and Air Force (AF) throughout fiscal year 2017 (FY17).

The Chief of the National Guard Bureau's (CNGB) key messaging for FY17 included:

- Senior leader influence is critical in achieving a culture of dignity and respect, in an environment absent of sexist behaviors, sexual harassment, sexual assault, and other derisive behaviors, such as hazing and bullying.
- Each Guard member to pledge support in elevating awareness and raising his or her voice and acting when inappropriate behavior occurs.
- We must reach out to create lasting partnerships with our civilian communities to increase awareness and prevention of sexual assault, improve training resources, and ensure readily available resources for the health and welfare of our survivors of sexual assault.
- We can best eliminate the acts that demoralize our people and degrade our readiness by using a holistic approach toward building a better environment in which to live and work.
- To demonstrate our commitment and resolve to eliminate acts that demoralize our people and degrade readiness, we must increase our accountability efforts in cooperation with civilian law enforcement organizations (LEOs).

NGB and the states' senior leadership demonstrated their resolve to address the derisive and risky behaviors that may lead to sexual assault. They also addressed the importance of other aspects of the SAPR program, including survivor advocacy, investigation, accountability, and assessment. They accomplished this through conferences, senior leader briefings, discussions, and policy and procedural updates.

One of the main areas of emphasis was challenging every Guard member to take a stance against inappropriate sexist and derisive behaviors by speaking up and safely intervening when possible to avoid a potential sexual assault. This theme was particularly evident during April's Sexual Assault Awareness and Prevention Month (SAAPM). In concert with this theme was the CNGB's strong emphasis on establishing partnerships with both the military and civilian communities in support of the SAPR program. The CNGB SAPR Office recognized the value of the Office for Victims of Crimes' (OVC) "Strengthening Military-Civilian Community Partnerships to Respond to Sexual Assault" and volunteered to spearhead the program on behalf of the DoD SAPR Office (SAPRO). This program and the numerous collaborations that occurred within the states epitomized

the NG's uniqueness as a community-based organization dedicated to serving the public in the fight against sexual assault. The NG of the states continued to maintain and establish new relationships in prevention and awareness, survivor advocacy, investigation, and accountability.

A benefit from establishing the variety of associations within the communities was the move toward integrating their efforts in a holistic approach to provide better support to the survivor. The NG Joint Services Support (JSS) program under the NGB Manpower and Personnel Division (NGB-J1) was a leading program to pull together services such as SAPR, NGB Equal Opportunity (NGB-EO), Office of Diversity and Inclusion (NGB-DIV), and Transition Assistance Advisor (TAA). Of particular note is Colorado's initiative to set up a Warrior Support Center to house multiple support services together to offer a holistic approach toward survivor recovery.

The NG also strengthened its relationship with civilian LEOs to enhance its accountability efforts. The NGB SAPR Office Compliance and Accountability Officer increased the emphasis on accurate accounting of sexual assault case investigation and closure on the Defense Sexual Assault Incident Database (DSAID). Also collaborating in this task were the NGB Office of Complex Administrative Investigations (NGB-JA/OCI) and State Staff Judge Advocates (SJA).

Another significant improvement during FY17 was the creation of two working groups (WG) composed of members of the NG SAPR Advisory Council (SAPRAC), Army National Guard (ARNG) Sexual Harassment/Assault Response and Prevention (SHARP) program office, Air National Guard (ANG) SAPR program office and NGB-J1-SAPR program office. The function of the WGs was to improve the process for gaining valuable state input while developing CNGB policy, procedures, and training designed for the non-Federalized Guard member.

FY17 culminated with the resolution of a significant challenge for NG SAPR personnel regarding requirements for recertifying under the DoD Sexual Assault Advocate Certification Program (D-SAACP). The NGB SAPR Office campaigned on behalf of the states for a review of the requirements by DoD SAPRO and the National Organization for Victim Assistance (NOVA). The result was the removal of a training requirement deemed unnecessary. This action reduced expenditures and improved the response to the sexual assault survivors by ultimately speeding up the recertification process for Service members in a specific category.

**1.1 Summarize your efforts to achieve the Prevention goal. (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 1 – Prevention, p. 6)**

**In this strategic summary, consider the following for inclusion, especially when there have been significant or force-wide changes to how your Military Service**

addresses the following matters (there is no need to repeat prior Annual Report submissions if these processes have remained largely the same as in prior years):

- Overall Approach: What force-wide initiatives did your Military Service employ this year to reduce the occurrence of sexual assault? What prevention initiatives did your Military Service employ with targeted subgroups of your population or for specific locations? (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016))
- Communications and Engagement: How do you align prevention communications and training across your Military Service? (DoD 2014-2016 Sexual Assault Prevention Strategy (April 30, 2014), para 5 (Communications), p. 11)
- Leader Involvement: How do you prepare and include command to support the Military Service prevention approach? How does the Military Service prepare and help command address unit climate challenges and climate survey results? (DoDI 6495.02, "Sexual Assault Prevention and Response (SAPR) Program Procedures," (July 7, 2015), Encl 5, para 9f)
- Community Involvement (Internal to DoD): How does your Military Service prepare and configure military communities and their resources to support the prevention approach? (DoD 2014-2016 Sexual Assault Prevention Strategy (April 30, 2014), para 5 (Community Involvement), p. 11 / SecDef Memo (May 1, 2014), Develop Collaborative Forum for Sexual Assault Methods, p. 2)
- Community Involvement (External to DoD): How does your Military Service employ resources external to your military communities to advance prevention initiatives? These can be force-wide initiatives or initiatives taken with specific locations or subgroups based on risk or some other factor. If this section is included, examples of these external collaborations, rationale for their use, and an assessment of the collaboration's outcome should be included. (DoD 2014-2016 Sexual Assault Prevention Strategy (April 30, 2014), para 5, (Community Involvement), p. 11 / SecDef Memo (May 1, 2014), Develop Collaborative Forum for Sexual Assault Prevention Methods, p. 2)
- Education and Training: How are education/training activities used to advance the Military Service's prevention approach? What specific training programs are used (e.g., interpersonal communication, healthy relationships, and improving alcohol choices) and how/when were they distributed throughout the Military Service population? (DoD 2014-2016 Sexual Assault Prevention Strategy (April 30, 2014), para 5 (Education and Training), p. 12)

**REQUIRED:**

- What metrics are being used to assess the effectiveness of prevention efforts intended to reduce the prevalence of sexual assault? Include a discussion of the metrics used to assess your sexual assault prevention program, and how they support or supplement DoD's core prevention metrics (i.e., prevalence and bystander intervention experience). Describe how the results of those metrics are informing prevention planning? (DoD 2014-2016 Sexual Assault Prevention Strategy (April 30, 2014), para 5 (Harm Reduction), p. 12) / DoD 2014-2016 Sexual

## **Overall Approach**

The primary initiative used within the NG during FY17 for prevention, as well as survivor assistance and advocacy, investigation, and accountability, was outreach. The NG, with its limited full-time SAPR staffing and organic resources, was obliged to engage in outreach efforts to obtain the tools and resources necessary toward eliminating sexual assault and other derisive behaviors.

The NGB SAPR Office took advantage of training opportunities in both the military and civilian sectors to stay abreast of current trends, insights, and new approaches to addressing various SAPR topics to update NGB SAPR personnel training. Some of these venues were the Trauma Training Institute Conference (Male Victims of Violence), End Violence Against Women International Conference, 43rd NOVA Conference for Victim Assistance, Leadership Green Dot training, and Mind's Eye 2 training. Other pertinent events aligned with the training focus for FY17 (male victimization and retaliation) were "Talking Trash: Retaliation Against Victims of Sexually Based Offenses within the Military" and "Out of the Darkness: Addressing the Sexual Exploitation of Boys and Men." During FY17, the NGB SAPR Office provided staff to support various NG SAPR personnel training events, including SAPR Victim Advocate (SAPR VA) refresher training, Sexual Assault Response Coordinator (SARC) and SAPR VA initial training, and SARC and Joint Force Headquarters-State (JFHQs-State) Victim Advocate Coordinator (VAC) Annual Refresher training in several states and regions.

The ARNG SHARP program office deferred the contribution and implementation of specific initiatives to the JFHQs-State SARCs. These full-time employed SARCs serve under the direction of The state Adjutant General (TAG) to execute the state SAPR program and function as the SHARP SARC under the direction of the ARNG SHARP PM for the ARNG units within the state.

The ANG SAPR program office implemented guidance from Headquarters Air Force (HAF) and incorporated the commanders' toolkit for 2017, used the Green Dot model, and provided 12-month Commanders Talking Points. This satisfied both SAPR and Suicide Prevention annual training requirements through a consolidated delivery. Additionally, the ANG SAPR program funded travel for training to achieve, for each wing, one Green Dot Coordinator and multiple training Implementers, to ensure the Coordinators and Implementers received the proper training and engagement for growth as subject matter experts.

The Director of the Air National Guard realigned the SAPR program under the Deputy Director, Air National Guard to optimize the visibility and momentum of the program, as

well as further advancement towards prevention efforts. There is a Director of Psychological Health (DPH) assigned to each ANG Wing: they are accessible and engaged in facilitating treatment and care for victims. The DPHs are also trained as Master Resiliency trainers which is a step towards collaboration on prevention efforts.

Besides supporting initiatives developed by the Services and CNGB, some TAGs developed initiatives based on the specific needs or climate of their states. Factors, including results from various surveys, such as the Defense Equal Opportunity Management Institute Organizational Climate Survey (DEOCS), Workplace and Gender Relations Survey—Reserve Component (WGRR); staff assistance visits (SAVs); and direct observations; served as the basis to determine the focal point within each state.

The Arkansas NG SAPR team's innovative "Protecting Our People Protects Our Mission Cut-Out Campaign" brought an exciting and interactive element to prevention and support messaging for SAAPM. The wing and brigade campuses were populated with life-size, full-color, stand-up cutouts of key leaders and survivor support members—each promoting a unique but important prevention and support message. These unique elements provided in-your-face messaging while motivating members to seek out each message, then take selfies and hashtag on social media for maximum reach and benefit. Additional interaction included solving clues from signs then decoding an additional message for a chance to win a prize. Sample messaging: "Protecting Our People Protects Our Mission"; "Dignity and Respect"; "Speak Up against Sexual Harassment"; "Peace over Violence"; "Everyone Matters"; "Be the Solution."

### **Communications and Engagement**

The CNGB conveyed FY17 messages and other important information regarding the NG SAPR program throughout the NG using memoranda, letters, and emails distributed to the Director of the Army National Guard (DARNG) and Director of the Air National Guard (DANG), TAGs, and, NGB senior leaders. He also used personal engagements, such as the Guard Senior Leader Conferences (GSLCs) and Guard Senior Leader Updates (GSLUs), and his various trips throughout the states and deployment areas, to share his messages and information on SAPR. The Director of the NGB-J1 also distributed information to the state Chiefs of Joint Staff, Directors of Joint Staff Personnel (J1s), and other Joint Staff personnel. Besides coordinating information flow through the ARNG SHARP Office, ANG SAPR Office, and National SAPRAC, the NGB SAPR Office routinely used its site on Guard Knowledge Online to disseminate policies, procedures, key messages, program information, and taskings.

The ANG established a senior officer embedded with HAF to disseminate consistent messages on both the response and prevention focuses of the SAPR program, as well as to focus on writing appropriate ANG-specific guidance in AF Directives and Instructions. The ANG provided implementation oversight of 91 ANG SAPR programs (90 wings) and

communicated training opportunities across the 54 states, territories, and the District of Columbia NG.

Two similar methods used by some states to distribute consistent SAPR messages:

- Messages using emails and other means to case management group (CMG) members; major subordinate commands; Training, Plans and Operations (G3); Personnel (S1); commanders; Training Managers; SAPR VAs; and others as appropriate.
- Distributing new policies via the G3, posting them on SharePoint, and in the policies folder. Additionally, sending out SAPR messages and announcements through the state's "ALL Distribution List."

Some other methods of communication and engagement used in the states:

- Multiple social media accounts to include Facebook, Twitter, and Instagram.
- Semi-monthly or monthly newsletters.
- Bulletin boards.
- Displaying materials, such as DoD Safe Helpline materials and business cards, throughout all NG facilities, to include bathrooms.

### **Leader Involvement**

The CNGB continued to disseminate information to TAGs using the GSLCs and GSLUs. TAGs further disseminated this information to their senior leaders and commanders within the states.

The DARNG engaged leaders at all levels through weekly Status Update meetings, including discussion of upcoming SHARP program events, full-time vacancies, and reported numbers of sexual assaults. Additionally, the DARNG conducted monthly meetings with all TAGs to discuss the readiness status of Soldier and leader SHARP training. SHARP annual refresher training developed by the ARNG SHARP program office incorporated any issues identified in the command climate surveys along with DoD training requirements. The ARNG SHARP program office provided the slides to the 54 states, territories, and the District of Columbia NG to focus on those areas.

The ANG used the Commanders Toolkit developed by HAF along with SAPR Talking Points to assist local commanders with creating a regular and repeated dialogue for the mandated SAPR areas of emphasis.

One of the primary methods used to gain active support of their leaders in the NG SAPR program, as well as becoming engaged with addressing command climate challenges, was through leaders' participation in the monthly CMG. In one state, The Assistant Adjutant General (TAAG)-Army, TAAG-Air, and Chief of Staff (CoS) for Army attended all CMGs to stay updated on policies, sexual assault cases, and climate survey results. The



JFHQs-State SARC also pushed out initiatives through the CoS, TAAG-Army, and TAAG-Air to disseminate down to the commands.

The Kentucky NG (KYNG) took its own approaches at the state level to prepare and include command support of the prevention approach. The KYNG SAPR Office provided training to new command teams at the Company Commander/First Sergeant Pre-Command Course during FY17. This training taught new command teams their responsibilities under the SAPR/SHARP program, provided them the opportunity to get answers to those “what if” questions, and gave them the tools to develop a healthy command environment that is intolerant of sexual violence of any kind, while encouraging and supporting those who report sexual harassment and sexual assaults. The published FY17 KYNG SHARP training guidance required commanders at all levels to get involved in the SHARP training process and to assess their command continuously to identify risks and behaviors. The commanders then addressed the risks and behaviors to create environments that are not conducive to sexual harassment, sexual assault, or misogynistic behaviors. The KYNG conducted a Basic Officer Leadership Course and discussed SAPR/SHARP repeatedly to teach future officers their role in prevention efforts, along with the process to follow if someone in the unit reported a sexual assault. The KYNG SAPR Office, in collaboration with the State Equal Employment Manager (SEEM), reviewed all DEOCS reports conducted to assess command climates. These reviews provided an accurate analysis of the reports as they pertained to sexual violence and the SAPR/SHARP program. They assisted commanders in formulating and developing a targeted and personalized action plan to address their individual unit’s results. The reviews also identified trends across the KYNG and targeted prevention efforts to assist commanders in developing improved command climates.

### **Military Community Involvement**

NGB SAPR Office routinely communicated with the NGB-EO and various entities in the NGB-J1 Family Program, NGB Chaplain office, NGB Chief Counsel (NGB-JA), and NGB Surgeon’s office. However, the NGB SAPR Office took additional steps in FY17 to institutionalize the integrated efforts between these offices and others to move the NG into taking a holistic approach to prevention of high-risk behaviors that affect many areas. This initiative has continued into FY 2018 (FY18).

The ANG also partnered with other services providers, Directors of Psychological Health, SARCs, chaplains, Airmen and Family Readiness Centers, and suicide prevention to spread awareness collectively.

Many of the states mirrored the actions taken by the District of Columbia (DC) NG. They engaged a unity of effort and built a partner capacity approach to prevention. As a team, they recognized that domestic violence, sexual assault, sexual harassment, workplace violence, alcohol or drug issues, and suicides all share similar primary risk and protective factors. Using this knowledge, they sought to partner on as many activities as practical. This included the typical support agencies and those involved in protection because of the

common protective factors in the realm of workplace violence, as well as sexual harassment and assaults.

### **Civilian Community Involvement**

In coordination with the DoD SAPRO, the NGB SAPR Office expanded its responsibilities in FY17 to include serving as the cooperative agreement liaison between the DoD and the Office of Justice Programs, OVC, military sexual assault initiative. This program pairs up both civilian and military SAPR VAs to conduct an in-person course, "Strengthening Military-Civilian Community Partnerships to Respond to Sexual Assault," on military culture, justice system, and services. The NGB SAPR Office assisted in coordinating certified military trainers and locations near military sites to conduct this training.

The states excelled at collaborating with various community resources to support prevention and other SAPR goals. In the Alaska NG (AKNG), community engagement remained one of TAG's focus areas. On multiple occasions, SAPR personnel visited local community members' organizations to build, rekindle, and maintain relationships with them. AKNG SAPR personnel attended many training opportunities hosted by their community partners and always included them on invitations to participate in training hosted by the AKNG. The state began updating memorandums of understanding (MOUs) and memorandums of agreement with many of their community partners and continued to be a part of various WGs, such as the Domestic Violence/Sexual Assault Caucus, held monthly at one of the local shelters. An example of community involvement: the opening of a new barracks facility for Arctic training in Utqiagvik (formerly Barrow, AK), the northernmost village in Alaska and the United States. During a site visit, the SARC saw a need to ensure that community resources were available to any of the Service members using the facility in the event of a sexual assault. Through collaboration with the local shelter and rape crisis center, the SARC was able to ensure all Service members (including males) would have access to 24-hour crisis intervention services and housing should the need arise. Additionally, the 168th Wing SARC attended a quarterly Sexual Assault Response Team (SART) meeting at a local hospital. At this meeting, representatives from local agencies discussed topics such as sexual assault and domestic violence trends, along with upcoming events or training scheduled in the community.

The California (CA) NG SAPR team participated in a local meeting to discuss sexual assault cases. Participants at the meeting ranged from sexual assault forensic exam (SAFE) nurses, police departments, local county sheriff departments, therapists, victim advocates, the District Attorney (DA), and forensic lab professionals. In the meeting, they shared trends in the local area and used it as a platform to share best practices and to build up programs.

The Illinois (IL) NG established an MOU with the Illinois Coalition Against Sexual Assault that details the relationship civilian community crisis centers have with the ILNG. The community partners willingly participate in military training. Each year, the crisis centers send a representative to the annual SHARP refresher training. The counselors give instruction crisis intervention and sexual assault crisis center functions to the SAPR VAs

attending the training. The Illinois NG received an invitation to attend various civilian events that occurred throughout the state. In kind, the Illinois National Guard sponsored the “Strengthening Military-Civilian Partnerships to Respond to Sexual Assault” training conducted through the OVC. The training was an interactive 1-day training that encouraged civilian rape crises centers to establish partnerships with local military installations to respond effectively and graciously gave materials for the SARC to hand out detailing the organization and what it offers.

The Louisiana (LA) NG JFHQ-State SARC and JFHQ-State VAC were members of the New Orleans SART and the SART Prevention Committee. Through the SART, they helped facilitate the 2<sup>nd</sup> Annual Prevention Summit, which targeted key personnel (teachers, coaches, etc.) who worked with children ages 13 -18. This Prevention Summit educated participants on the importance of prevention, fostering healthy climates for students, teaching students about healthy relationships, healthy masculinity, and more. There was a second track for teens to educate them on healthy relationships, consent, sexting, and other ways to use social media to promote sexual violence. Educating key personnel who work with children and teens focused on helping to dispel misinformation regarding sexual assault, identify at risk children and peers, understand how to offer assistance, and mentor others in these areas as well. The rationale was to start prevention as early as possible through education. This long-term approach to prevention intends to reduce childhood sexual assaults, thereby reducing the number of adult survivors entering the Armed Forces. Reducing pre-service victimization is important to reducing the number of sexual assaults in the military. Key results from the *Full report of the prevalence, incidence, and consequences of violence: Findings from the National Violence Against Women Survey* (<https://www.ncjrs.gov/pdffiles1/nij/183781.pdf>) shows that 50% of women and 75% of men reported their first attempted or completed sexual assault occurred prior to age 18. Women who reported being raped before age 18 were twice as likely to report being raped as an adult. Due to the distinct correlation between prior victimization and re-victimization, preventing sexual assault before a citizen enters military service can statistically decrease the chances they will experience a sexual assault while serving.

The New Mexico (NM) NG SAPR Office was very involved with community outreach. During FY17, the SAPR office engaged with the State Attorney General’s office and talked with over 300 community members, including approximately 200 high school students, about sexual assault and their community. They also collaborated with the Rape Crisis Center of Central NM to help host the first Rally against Sexual Assault, which included many community leaders. The NMNG SAPR Office also partnered with the City of Rio Rancho during NM’s Domestic Violence Awareness Month. They helped to tie purple ribbons along streets in the city and to coordinate and take part in the Mayor’s BBQ. The NMNG SAPR Office participated as a member of the Bernalillo County SART and the Sandoval County Coordinated Community Response Team. These teams met every month with the Sexual Assault Nurse Examiner, civilian LEOs, DA’s office, Attorney General’s office, and other community leaders and advocacy groups to discuss real cases within the community. Items discussed included how the civilian LEO handled the cases

and how to change the process to make it better in the future. They also discussed the backlog of SAFE kits and other issues that affected their communities.

### **Education and Training.**

Each ANG wing implemented Green Dot training at 100% of the installations, as well as provided the 12 Commander's talking points. Additionally, best practice training topics included suicide prevention, healthy choices, active bystander intervention, awareness, wingman approach.

Many NG of the states, such as the AKNG, used integrative approaches with Risk Reduction Program Coordinator, Suicide Prevention Coordinator, and Substance Abuse Prevention Coordinator. The Colorado (CO) NG tackled improving alcohol choices directly this year. The training program educated Service members on the correlation between drinking and impaired judgement by comparing consent to driving while intoxicated. This analogy helped emphasize how alcohol reduces the ability to make sound decisions. The CONG also used exercises to engage service members instead of using a power point presentation. These exercises included loss exercise, gender role exercise, string exercises, and the continuum of harm walk through.

The Florida (FL) NG also used an integrative approach to some of their training. During the FLNG 5K Race for Respect, the Alcohol and Drug Control Officer set up an Army Substance Abuse Program (ASAP) booth. Concurrently, the SHARP training provided to SAPR VAs for continuing education units (CEUs) included "the responsible use of alcohol" as a point of focus to address the intersections of alcohol and sexual assault. The training also included a briefing from the SJA to help Soldiers grasp the legal definitions of "black out" and "passed out", and their relationship to sexual assault. The JFHQ-State SARC added Information from the ASAP related to the responsible use of alcohol to the new commander in brief. The FLNG SARC Office also began to provide leadership focused training to all 14 series Military Occupational Skill courses at the Regional Training Institute.

The Michigan (MI) NG focused their training on specific command climate issues. SAPR personnel strived to push out information and guidance to the units and command to assist them on how to erase mistrust and misunderstanding, sometimes considered part of the "culture" of a unit. Training also addressed reviewing unacceptable behavior, which often had accents of bullying and hazing, considered a norm in some units. This focused training allowed personnel to report at a lower level, and to feel comfortable and supported by the organization as a whole.

### **Metrics.**

The NGB SAPR Office routinely prepared metrics to assess the effectiveness of prevention efforts, such as prevalence rates taken from the WGRR and reporting rates per the DSAID.

The ARNG SHARP Program Manager compiled mitigation action plans from each of the 54 states, territories, and the District of Columbia NG, which were briefed by the DARNG at the Army Professional Forum on 7 December 2016, in accordance with the ARNG SHARP Readiness Effort Implementation Guidance Policy, dated 3 August 2016.

Within the ANG, the 2017 Integrated SAPR/Suicide Prevention Training Feedback Survey, implementing the Green Dot Strategy and supporting prevention capacity building among violence prevention integrators, allowed members to provide a descriptive critique of both strengths and areas of improvement for the technical assistance and support received. The results provided information on how to inform prevention and support efforts as they move forward.

Representative of the metrics used in some of the states, the KYNG SAPR Office reviewed all reported sexual assault cases over the last five years to identify trends in cases involving alcohol, locations of sexual assaults, duty status of the NG member at the time of the sexual assault, and other criteria. The SAPR staff collated this information according to the trend analysis to assist in developing targeted prevention measures. This resulted in targeted prevention measures addressing the use of alcohol during inactive drill training and annual training for units, to lower the use of alcohol during training, and for units to use the deliberate risk assessment method before allowing alcohol during these time frames. It led to an updated alcohol and substance abuse policy published by TAG to address risks associated with alcohol use such as sexual assault. This trend analysis identified specific locations such as hotels used during training as a high-risk location for sexual assaults, and allowed commanders to implement prevention measures to keep their Soldiers safer in these environments. They also identified high-risk periods such as Basic Training and Advanced Individual Training, and allowed the Recruit Sustainment Command and individual units to provide additional targeted SHARP training to personnel scheduled to attend. The result of this training was lowered numbers of sexual assaults reported for Soldiers in these categories. The KYNG SAPR Office used after action reviews at training and prevention events as a means of getting feedback from Guard members attending training to better improve training guidance for future iterations of training. Feedback from their civilian partners on training and education they provided them on their program and prevention efforts has led to improvements in messaging and prevention tactics for future events across the KYNG. The KYNG SAPR Office used feedback provided from victims and survivors of sexual assault to identify possible ways to have prevented the sexual assaults. By sharing this information, the goal is to prevent future sexual assaults from occurring. Feedback from victim service providers was instrumental in identifying additional means of improving our prevention efforts across the state and the KYNG.

However, in many of the states, such as the New Hampshire (NH) NG, new reports in FY17 were minimal, which limited their ability to compare data versus prevention efforts to reduce prevalence. In such a short time period, it is hard to conclude whether or not it is due to any type of risk mitigation captured in this plan. In order to reach the desired end-state of creating a climate free of sexual harassment and sexual assault, continued efforts are required to improve training and promote awareness. Command emphasis on TAG's

Alcohol Policy and the development of standard operating procedures for lodging during drill weekends and inactive duty training (IDT) will play a vital role in reaching this desired end-state. The NHNG will continue to monitor the WGRR survey data, DEOCS data, and other avenues to evaluate prevalence and tailor prevention efforts appropriately based on the needs of the service members.

**1.2 Future Efforts: Briefly describe your leadership-approved future plans to reduce the occurrence of sexual assault in your Military Service.**

The NGB SAPR Office developed a 12-month Prevention and Awareness Campaign for the 2018 calendar year. This campaign identifies a key topic for each month and key messages in support of the topic. Some of the topics include primary prevention, bystander intervention, the power of language, and male victimization.

The ANG will continue to focus on Green Dot training. In 2018, the Green Dot Training for Coordinators and Implementers will be presented virtually to increase immediate training efforts.

Within the states, the CONG SAPR Office will focus future training on identifying perpetrator tactics and behaviors to help service members identify inappropriate behavior and encourage bystander intervention. They will continue efforts in marketing the SAPR program and increase volunteer Victim Advocate (VVA) visibility throughout the units to highlight leadership's support of the program.

Moving forward, the DCNG SAPR Office will leverage the Army Community Health Promotion Counsel and the AF Community Action Information Board/Integrated Delivery Systems models to drive unity of effort and develop internal and external partner capacities towards prevention. They will look to their leadership teams to establish and maintain clear standards to improve their organizational legitimacy and internal rule of law as they transform the mission of the sexual assault program from one of response that works at prevention to one of prevention that maintains an ability to respond.

The Puerto Rico (PR) NG SAPR Office is an active member of the Sexual Assault Primary Prevention Committee, under the PR Health Department, National Rape Crisis Center. This committee consists of the PR Police Department, PR Department of Justice, PR National Coalition Against Sexual Assault, Center for Disease Control and Prevention, Department of Children and Families, state and community agencies, and nonprofit organizations. This committee will work together to create a three-year plan with new strategies, initiatives, policies, and procedures to promote a Puerto Rico free of sexual assault.

The Utah (UT) NG SAPR Office will support TAG Mitigation Plan for FY 18. This will include the following:

- Accountability of command teams and their influence on climate. This includes unit specific prevention and response efforts lead by commanders.

- Offender accountability within the UTNG ranks. All cases of reported sexual assault investigated through the proper channels and held accountable accordingly.
- Improve integration within the UTNG with emphasis on initial entry Soldiers.
- Key leadership training to focus on policy, procedures, and best practices when dealing with sexual assault incidents.
- Increase the number of SAPR VAs throughout the UTNG.
- Continue to build strong relationships with community partners.

Plans to reduce the occurrence of sexual assault in the West Virginia (WV) NG include:

- Increasing the amount of site visits by the SARCs during drill weekends.
- Increasing SARC led trainings across the state.
- Holding quarterly conferences with all assigned and active SAPR VAs to discuss trends and the programs' way forward.
- Identifying key Soldier transitions that provide moments of vulnerability.
- Formulating relationships with more community resources especially in counties of the state where there currently is no involvement.
- Continuing to work toward fostering an environment where individuals feel comfortable and confident enough in the program to come forward and report.

**2. Goal 2—Victim Assistance & Advocacy—“Deliver consistent and effective advocacy and care for all military Service members or their adult dependents, such that it empowers them to report assaults, promotes recovery, facilitates dignified and respectful treatment, and restores military readiness.”**

**2.1 Summarize your efforts to achieve the Victim Assistance & Advocacy goal. (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 2 – Victim Assistance & Advocacy, p. 7)**

**In this strategic summary, consider the following for inclusion, especially when there have been significant or force-wide changes to how your Military Service addresses the following matters (there is no need to repeat prior Annual Report submissions if these processes have remained largely the same as in prior years):**

- **Overall Approach: What force-wide initiatives did your Military Service employ this year to improve response to sexual assault? What victim assistance and advocacy initiatives did your Military Service employ with targeted subgroups of your population or with specific locations? (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016))**
- **What are your oversight processes for reviewing D-SAACP credentials, qualifications, continuing education, inappropriate behavior, and revocation of certification, if appropriate? What progress is being made to ensure SAPR**

personnel meet D-SAACP screening requirements prior to attending your Military Service's SAPR certification training? What are your procedures for suspending, revoking, or reinstating certification of SARCs and SAPR VAs in accordance with the D-SAACP guidelines? (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 2 – Victim Assistance & Advocacy, Objective 2.1, p. 8 / DoDI 6495.03, “Defense Sexual Assault Advocate Certification Program (D-SAACP),” (September 10, 2015), Encl 2, para 4c / DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance and Advocacy, Objective 2.1, Task #6, p. 3)

- What efforts is your Military Service utilizing to encourage SARCs and SAPR VAs to renew their certification at a higher level in order to increase the quality of victim assistance providers? Are there any identified challenges that SARCs and SAPR VAs have in obtaining continuing education advanced training, to included training on emerging issues and victim-focused trauma-informed care? What is being done to address these challenges? (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 2 – Victim Assistance & Advocacy, Objective 2.1, p. 8 / DoDI 6495.03, “Defense Sexual Assault Advocate Certification Program (D-SAACP),” (September 10, 2015), Encl 3, para 3)

- What progress has your Military Service made in collaborating with the Department of Veterans Affairs (VA) to develop a protocol for routinely communicating the availability of VA resources and benefits to your Service members? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance and Advocacy, Objective 2.1, Task #10, p. 3)

- What progress has your Military Service made in performing a gap analysis between the actual role being performed by SARCs and SAPR VAs in the field and the requirements of DoDI 6495.02 and Military Service regulations to ensure current policies are adequate and appropriate? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance and Advocacy, Objective 2.1, Task #4, p. 3)

- What efforts are underway to strengthen service provider participation in an integrated victim services network of care to effectively integrate SAPR support and victim services (e.g., legal, health, investigations, SARCs, SAPR VAs, Victim Witness Assistance Programs, and IG)? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance and Advocacy, Objective 2.1, Task #9, p. 3)

- What efforts are underway to strengthen service provider participation in an integrated victim services network of care to effectively integrate SAPR support and victim services (e.g., legal, health, investigations, SARCs, SAPR VAs, Victim Witness Assistance Programs, and IG)? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance and Advocacy, Objective 2.1, Task #9, p. 3)

#### REQUIRED:

- What metrics or assessment processes are being used to address the effectiveness of victim assistance and advocacy efforts intended to deliver consistent care for all Service members and/or their adult dependents? What is your status in developing indicators for measuring SARCs and SAPR VAs “quality response” in support of D-SAACP? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance and Advocacy, Objective 2.1, Task #7, p. 3)



- What are your procedures for suspending, revoking, and reinstating certification of SARCs and SAPR VAs in accordance with the D-SAACP guidelines? How many SARCs and SAPR VAs in your Military Service received a suspension? A revocation? A reinstatement? (Identify how many SARCs and VAs in each category) (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 2 – Victim Assistance & Advocacy, Objective 2.1, p. 8 / DoDI 6495.03, “Defense Sexual Assault Advocate Certification Program (D-SAACP),” (September 10, 2015), Encl 3, para 3)
- How is your Military Service continuing to ensure that both male and female victim input is included in the development of your SAPR policy? (SecDef Memo (May 1, 2014), *Improve Reporting for Male Victims*, p. 2) / GAO Report 15-284, *Actions Needed to Address Sexual Assaults of Male Service Members* (March 2015), p. 20)
- How is your Military Service improving its response to male victims, to include implementing and monitoring methods to increase reporting of male sexual assault allegations? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance & Advocacy, Objective 2.3, Task #1, p. 4)
- What progress is being made to improve victim care services and conduct Case Management Groups at Joint Bases, in Joint Environments, and for the Reserve Components? For the Reserve Components, how are you promoting timely access to Sexual Assault Response Coordinators by members of the National Guard and Reserves? What are your recurring challenges in this area (if any) and how are you accommodating those challenges? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 2 – Victim Assistance and Advocacy, Objective 2.1, Task #5, p. 3)
- How many Service member victims requested that a GO/FO review their separation action and how many Service members received the GO/FO review of their separation action? (DoDIs 6495.02, 1332.14 and 1332.30)
- How many Military Protective Orders were issued as a result of an Unrestricted Report (e.g., number issued, number violated) and what steps were taken to improve protections? (DoDI 6495.02, “Sexual Assault Prevention and Response (SAPR) Program Procedures,” (July 7, 2015), Encl 5, para 7)
- How many Service members who reported a sexual assault (if any) had their medical care hindered due to a lack of Sexual Assault Forensic Examination (SAFE) kits, timely access to appropriate laboratory testing resources, mental health counseling, or other resources? What actions did your Military Service take to remedy the situation? (NDAA for FY 2006, section 596)

### Overall Approach.

CNGB policy calls for cross-Service joint response capabilities with trained and certified SAPR personnel and other responders, such as Special Victims’ Counsels (SVCs), chaplains, and healthcare providers. This is especially important for states, such as California, working to fill vacancies, that has armories or facilities in remote areas within the state.

During FY17, the ANG began to fill fulltime Wing SARC positions across the enterprise. This fulltime, dedicated resource will ensure wings have a 24/7 response capability for survivor care and program management. Wing SARCs trained VVAs to be available to respond to sexual assault reports, provide advocacy, and market local and base SAPR services. Additionally, while fulltime SARC positions were filled, the ANG partnered with the DoD Safe Helpline adding wing SAPR program contact information for local victim contact.

Examples of state initiatives include the Wisconsin (WI) NG SAPR Program, which planned, hosted, and facilitated a retreat targeted at current and former WING Service members who had common experiences to share as survivors and advocates. The event took place at a location that afforded the attendees privacy and security. Attendees participated in and learned about equine-assisted therapy, facilitated by a non-profit veteran service organization. In addition to the various other activities available to attendees (such as art, music, nature, and more), survivors, and advocates interacted with each other in context of common-organization, shared-experience, reporting-process, program-support discussions.

The Minnesota (MN) NG SAPR Office's response approach remained dedicated to providing the best available services and resources to their survivors of sexual assault. However, the number of available resources within the state is in constant flux, due largely to funding issues experienced by their community partners. For this reason, the MNNG SAPR program office regularly checked in with their resource providers to ensure they were available when needed. The MNNG SAPR personnel also expanded their search for resources, to include targeted subgroups such as the Lesbian Gay Bisexual Transgender Queer (LGBTQ) community, as well as cultural groups that exist in Minnesota. An example of this is in their outreach efforts to the LGBTQ community through Outfront MN and the Hmong Community through the Hmong Crisis Center. They are also currently working to increase their efforts in the Hispanic and Somali communities in MN. An additional initiative of the MNNG SAPR Program focused on male survivors. Their research included 1in6, whose mission is to help men, who have had unwanted or abusive sexual experiences, to live healthier, happier lives, and MaleSurvivor, an organization dedicated to creating resources and partnerships unparalleled in their ability to provide life-changing support to survivors and their loved ones.

The 2017 Arkansas NG SAPR Office Vicarious Trauma workshop was a break-thru partnering event that provided critical advocacy insight and self-care awareness to the responders of sexual assault and its survivors. The ARNG SAPR Office teamed up with the local Vet Center, Veteran's Administration, and Red Cross to address a prevention gap they recognized in their program - understanding how a trauma responder and his or her advocacy actions can potentially be affected by secondary traumatization, and the steps to take to mitigate the risk of burn out. The team's exemplary program made great strides in the prevention of burn-out and vicarious trauma in their members that work directly with survivors. This new and now planned annual event raises the bar on "self-care" talk, while bringing innovative resiliency tools, and a deeper and more thorough

understanding of trauma to the table. They found that when they take care of responders, it has a positive effect on response to assault.

### **D-SAACP Oversight.**

NGB SAPR Office provided oversight of the D-SAACP program. CNGB Manual 1300.01 established the basic procedures for D-SAACP certification and renewal. During FY17, DoD SAPRO distributed the D-SAACP Application Status report on a weekly basis to the Services and NGB. Upon receipt, the NGB SAPR Office distributed the spreadsheets to the ARNG SHARP and ANG SAPR program offices for their oversight procedures and actions. The JFHQs-State SARC and VAC, and Wing SARC are responsible for reviewing the credentials, qualifications, continuing education, inappropriate behavior, and revocation of certification of the volunteer SAPR personnel under their purview.

The ARNG SHARP program office followed the Department of the Army Memo, dated January 19, 2017, "Subject: Sexual Harassment/Assault Response & Prevention (SHARP) Department of Defense Sexual Assault Advocate Certification program (D-SAACP), Background Screening, SHARP Training, and Additional Skill Identifies (ASI) 1B and 1H Procedures." The ARNG followed additional requirements in accordance with (IAW) Army EXORD 193-14 and PPOM #15-040, "Suitability and Security Screening Policy for Personnel Identified in or Nominated to occupy a Position of Significant Trust and Authority (POSTA)," which required broadened screening of selected personnel.

- These selected personnel include the ARNG full-time SARCs and VACs, and collateral duty SARCs and SHARP VAs.
- All applicants applying for or already occupying a POSTA are required to complete Parts 1 through 3 of Annex A: Military SARC/SHARP Victim Advocate Screening Worksheet of EXORD 193-14 every three years. The JFHQ-State SARC reviews the SAPR personnel credentials on a regular basis and uses the Personnel Accreditation and Selection Screening (PASS) system to verify completion of the POSTA requirements during the D-SAACP application preparation. PASS is the database used to track the screening and waiver process for POSTA and is a module in the Strength Maintenance Management System.
- For applicants who did not complete Parts 1 through 3 within the past three years, the JFHQ-State SARC completes Part 1. After Part I background checks return with no derogatory information the JFHQ-State SARC sends a request to the ARNG SHARP office to request Part 2 checks. ARNG Human Resources Personnel Division and Army Human Resources Command, Inspector General (IG), and Criminal Investigation Command conduct Part 2 checks. Upon completion of the screenings, the ARNG SHARP office notifies the SARC of

personnel without derogatory information. ARNG G-1 notifies TAG of a Soldier prohibited from being in the program or requires a waiver.

- ARNG service members must have a favorable Part 2 before attending the 80-hour foundation course. Brigade SARC monitors all SAPR VAs within their perspective commands and ensure that the SAPR VAs received the required 32 hours of CEUs for recertification.
- The JFHQ-State SARC has two options to submit the prepared application packets. He or she may forward the application packets directly to NOVA and provide a courtesy copy to the ARNG SHARP program office, or may forward the application packets to the SHARP program office for review. Following the review of the application packets, the SHARP program office forwards the approved application packets to NOVA and returns unapproved packets back to the JFHQ-State SARC with identified deficiencies.

The ANG followed the application processes IAW AFI 90-6001, "Sexual Assault Prevention and Response (SAPR) Program." The ANG SAPR office ensured that only certified ANG SAPR members provided direct care to survivors and possessed a favorable Tier 2 investigation, and included a check against the sex offender national database, [www.nsopw.gov](http://www.nsopw.gov). The ANG SAPR office maintained all SARC and VVA appointments letters signed by the Wing Security Manager and Wing Commander and included their Tier 2 and above screening requirements. The ANG SAPR office reviewed the weekly D-SAACP Application Status report of all ANG applicant or certified SARCs and VVAs to ensure compliance or upcoming expiration. Each Wing SARC was responsible for ensuring the VVAs received their continuing education and met qualifications for certification. The Wing Commander followed AFI 90-6001, Chapter 10, before suspending or revoking of a SARC or VVA certification.

- The Wing SARCs complete their own application package and supervise the completion of the new and renewal application packages of the VVAs. As part of the process, the Wing SARC prepares and obtains the appropriate signatures on the appointment letters. The Wing Commander verifies that the SARC and VVAs were not registered as sexual offenders in the National Sex Offender Public Website database. All new applicants must complete the screening process satisfactorily prior to enrollment in the initial SARC and SAPR VA course.
- Once the application packet is complete, the Wing SARC sends the packets directly to NOVA. The Wing SARC maintains a copy of the VVA application packet locally and uploads it to the ANG SAPR Database

CNGB Manual 1300.03, 21 September 2016, "National Guard Implementation of The Department of Defense Sexual Assault Advocate Certification Program" establishes the procedures for suspending, revoking, and reinstating certification of SARCs and SAPR VAs in accordance with D-SAACP guidelines. The following are the extracted procedures.

#### REVOCATION AND SUSPENSION GUIDELINES

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

a. Upon receipt of information that a NG SARC, NG JFHQs-State VAC, or SAPR VA is alleged to have committed or attempted to commit a sexual assault, or any other punitive offense identified in Enclosure A of CNGB Manual 1300.03, regardless of when the alleged offense occurred, the responsible commander, director, or civilian counterpart will:

(1) Report all allegations of sexual assault, including attempts, against a NG SARC, NG JFHQ-State VAC, or SAPR VA to the appropriate Military Criminal Investigative Organization (MCIO) or civilian law enforcement agency.

(a) Inform The Adjutant General (TAG) of all Unrestricted Reports declined by the MCIO or local law enforcement for considered referral to NGB-JA/OCI.

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

(2) File an 8-day report IAW CNGB 1301.01.

(3) Notify the NG SARC, NG JFHQ-State VAC, or SAPR VA immediately in writing that a complaint was received, an inquiry has been initiated, and his or her authority to perform NG SARC, NG JFHQ-State VAC, and SAPR VA duties is suspended pending the investigation outcome and reinstatement by the responsible commander.

b. Upon receipt of any other complaint that is not a sexual misconduct allegation, the responsible commander or appropriate approving authority will:

(1) Notify the NG SARC, NG JFHQ-State VAC, or SAPR VA immediately in writing that a complaint was received, an inquiry has been initiated, and his or her authority to perform NG SARC, NG JFHQ-State VAC, and SAPR VA duties is suspended pending the investigation outcome and reinstatement by the responsible commander or appropriate approving authority.

(a) Complaints Made Against Technicians. Consult the Human Resources Officer (HRO) and SJA to ensure additional procedural requirements, if any, are appropriately addressed before issuing the notification.

(b) Complaints Made Against Non-Technicians. Consult the SJA before notifying the NG SARC, NG JFHQ-State VAC, or SAPR VA to ensure procedural requirements are appropriately addressed before and during the inquiry.

(2) Notify appropriate stakeholders.

(a) Inquiries Involving SARCs. Notify the NGB ARNG SHARP or ANG SAPR Program Manager (PM), who in turn notifies NGB SAPR Office.

(b) Inquiries Involving NG JFHQs-State VACs or SAPR VAs. Notify the supervisory NG SARC; the NG SARC then notifies the NGB ARNG SHARP or ANG SAPR PM, who in turn, notifies NGB SAPR Office.

(3) Verify a timely and comprehensive inquiry is conducted. The inquiry process follows established NG adverse action, administrative inquiry, or investigative procedures. NGB-JA/OCI or command-directed investigation is used for non-sexual misconduct allegations, and technician inquiries are conducted IAW NG Technician Personnel Regulation 752. The inquiry process is used to determine whether the D-SAACP certified NG SARC, NG JFHQ-State VAC, or SAPR VA has done one or more of the following:

(a) Violated the D-SAACP code of professional ethics provided on the DD Form 2950 or 2950-1.

(b) Presented a danger of immediate or serious harm to survivors of sexual assault or to the general public.

(c) Intentionally made a false statement in the application for certification or renewal on the DD Form 2950 or 2950-1.

(d) Used a controlled substance or alcoholic beverage while serving on-call that impaired his or her ability to perform NG SARC, NG JFHQ-State VAC, or SAPR VA duties properly.

(e) Charged, arrested, or convicted of any criminal activity.

(f) Charged, arrested, or convicted of domestic violence; child abuse; violent crimes; and any felony offense determined by the commander or the appropriate appointing authority to be inconsistent with the NG SARC, NG JFHQ-State VAC, or SAPR VA core duties.

(g) Convicted at court-martial of an offense under the Uniform Code of Military Justice carrying with it a maximum sentence of confinement for greater than 1 year or punitive discharge from the Military Service or of a felony criminal offense in State or Federal courts.

(h) Engaged in or solicited sexual relations with a sexual assault victim currently under the NG SARC, NG JFHQ-State VAC, or SAPR VA's care, or a victim known to be currently under care of any NG SARC, NG JFHQ-State VAC, or SAPR VA.

(i) Failed to maintain the privacy of victims before, during, and after the professional relationship IAW Reference c, and applicable federal, DoD, Service, and state privacy laws and regulations.

(j) Intentionally provided false or misleading guidance or advice to a victim.

(k) Demonstrated a lack of competency or ability that jeopardized the delivery of professional victim advocacy.

- c. If the commander or other appropriate appointing authority finds, in consultation with the HRO and SJA, a preponderance of evidence to support the allegation, the commander determines whether to suspend or revoke the D-SAACP certification.
- d. The commander or other appropriate appointing authority immediately notifies the NG SARC, NG JFHQ-State VAC, or SAPR VA in writing when suspending or revoking a D-SAACP certification, and provides a copy of the notification to the NGB ARNG SHARP or ANG SAPR PM. This letter must include the following:
- (1) The effective date of suspension or revocation of certification.
  - (2) Grounds for suspension or revocation, including the specific misconduct, ethical violation, substandard performance, professional or personal impairment, or the reason the commander or appropriate appointing authority lost faith and confidence in the NG SARC, NG JFHQ-State VAC, or SAPR VA's ability to perform his or her assigned duties.
  - (3) Direction for the NG SARC, NG JFHQ-State VAC, or SAPR VA to surrender his or her D-SAACP certificate and wallet identification card to the first person in the chain of command or supervisor within 24 hours of receipt of the letter.
  - (4) Notification of the NG SARC, NG JFHQ-State VAC, or SAPR VA's right to appeal the decision to suspend or revoke certification IAW NG appeals procedures in paragraph 4 of this enclosure.
- e. Upon receiving the commander's or appropriate appointing authority's notification letter, the NGB ARNG SHARP or ANG SAPR PM immediately forwards a copy to NGB SAPR Office.
- f. The commander or appropriate appointing authority provides a written report to the applicable NGB ARNG SHARP or ANG SAPR PM within three business days of concluding an inquiry. The report must document:
- (1) The complaint received.
  - (2) Facts surrounding the complaint.
  - (3) Findings made during the inquiry process to include the grounds for the action taken, the specific action of the individual, or reason the commander or appropriate appointing authority lost confidence in the NG SARC, NG-JFHQ-State VAC, or SAPR VA to perform assigned duties.
  - (4) Decision to suspend or revoke the NG SARC, NG JFHQ-State VAC, or SAPR VA's D-SAACP certification.
  - (5) Signature of the NG SARC, NG JFHQ-State VAC, SAPR VA acknowledging the suspension or revocation.
- g. Upon receiving the commander's written report, the respective NGB ARNG SHARP or ANG SAPR PM immediately forwards a copy of it to with a request to suspend or revoke the NG SARC, NG JFHQ-State VAC, or SAPR VA's D-SAACP certification.
- h. Upon receiving the NGB ARNG SHARP or ANG SAPR PM's request, NGB SAPR Office immediately:

(1) Provides DoD SAPRO with written notification and the commander's or appropriate appointing authority's written report within five business days of receiving the commander's notification to take appropriate action to suspend or revoke the D-SAACP certification.

(2) Takes action to suspend or revoke access to DSAID.

i. NGB SAPR Office must coordinate with TAG to initiate or continue the revocation process when the commander fails to seek revocation once a violation is identified. If necessary, TAG may request NGB-JA/OCI investigate.

j. If the complaint is unfounded, the NG SARC, NG JFHQ-State VAC, or SAPR VA may be reinstated IAW the guidance in Enclosure E.

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

a. Submits a written request for closure.

b. No longer serves in the role of NG SARC, NG JFHQ-State VAC, or SAPR VA.

3. NG SARC, NG JFHQs-State VAC, and SAPR VA Self-Reporting. NG personnel performing the duties of a NG SARC, NG JFHQ-State VAC, or SAPR VA immediately self-report if they are involved in an incident that would invalidate their current national agency check status, Service suitability standing, or commander or supervisor recommendation.

a. NG SARCs. NG SARCs report to their respective:

(1) TAG or Wing Commander.

(2) NGB ARNG SHARP or ANG SAPR PM.

b. NG JFHQs-State VACs and SAPR VAs. NG JFHQs-State VACs and SAPR VAs report to their respective:

(1) Appointing commander.

(2) NG SARC.

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

a. The written appeal request will be submitted to the next level in the revocation authority's chain of command. The appeal authority must be a minimum rank of colonel.

b. The appeal authority will review all documentation, interview pertinent personnel as applicable, and render a decision within 30 days of appeal request submission. The appeal authority's decision is final and not subject to further review.

## REINSTATEMENT GUIDELINES

1. Unfounded Complaint. If a complaint proves unfounded.



- a. The commander or appropriate appointing authority will consider the allegations to determine if they are inconsistent with NG SARC, NG JFHQ-State VAC, or SAPR VA core duties.
- b. The NG SARC, NG JFHQ-State VAC, or SAPR VA requests reinstatement by reapplying through the D-SAACP application process with DD Form 2950.
- c. The commander or appropriate appointing authority provides written notification and the DD Form 2950 to the NGB ARNG SHARP or ANG SAPR PM within three business days concluding a determination for reinstatement and includes:
  - (1) Notification of the NG SARC, NG JFHQ-State VAC, or SAPR VA of his or her reinstatement.
  - (2) The appropriate commander or SARC signed DD Form 2950 for reinstatement with the NG SARC, NG JFHQ-State VAC, or SAPR VA's signature.
- d. The applicable NGB ARNG SHARP or ANG SAPR office will immediately submit a request to NGB SAPR Office to reinstate D-SAACP certification upon receiving the commander's or appropriate approving authority's written notification and the DD Form 2950.
- e. NGB SAPR Office will submit written notification and the DD Form 2950 to DoD SAPRO within five business days of receipt to reinstate the NG SARC, NG JFHQ-State VAC, or SAPR VA's D-SAACP certification, upon receiving the written request and accompanying documentation from the applicable NGB ARNG SHARP or ANG SAPR.
- f. The applicant, upon receiving notification from the D-SAACP Committee of his or her reinstatement, will submit a written request to the NGB ARNG SHARP or ANG SAPR office to reestablish DSAID access.
- g. The NGB ARNG SHARP or ANG SAPR will submit the request to reestablish DSAID access to NGB SAPR Office.
- h. The NGB SAPR Office will reestablish the NG SARC or NG JFHQ-State VAC's DSAID access upon receipt of the request.

## 2. Administrative Error.

- a. In the event a NG SARC, NG JFHQ-State VAC, or SAPR VA D-SAACP certification is revoked or suspended due to an administrative error, the commander or appropriate appointing authority will provide a reinstatement letter to the NGB ARNG SHARP or ANG SAPR PM within three business days.
- b. The NGB ARNG SHARP or ANG SAPR PM will immediately forward the commander's or appropriate appointing authority letter to the NGB SAPR Office.
- c. The NGB SAPR Office will provide a copy of the commander's reinstatement letter to DoD SAPRO within five business days of receipt.
- d. The D-SAACP administrator will process the reinstatement and notify the applicant.

### **Higher certification level.**

The NG encourages SAPR personnel to gain as much experience as possible and to participate in advanced educational events to meet the requirements for higher-level certification. Although some full-time SAPR personnel achieved this goal, the vast majority of NG SAPR personnel, mostly part-time Guard members who served in a volunteer capacity, faced a variety of challenges to include the following:

- The low number of sexual assaults in the Guard impedes the SARCs and SAPR VAs from achieving the required number of hours for a higher-level certification.
- Juggling civilian jobs, family responsibilities, and Guard responsibilities, the average Guard member does not have the time available to serve as a VA in the civilian sector.
- Guard members serving as SAPR VAs in isolated locations in the civilian sector may still not receive sufficient opportunity to gain the required number of assistance hours to achieve a higher level of certification.

The ANG SAPR office encouraged ANG wing programs that are co-located to partner with active duty/host wing or JFHQ-State SAPR program. Additionally, the ANG SAPR office stressed the importance of partnering with their local Coalition Against Sexual Assault as volunteers to get hours and experience working with survivors, expanding their knowledge and learning about local resources. The ANG SARCs have not experienced limitations in receiving continuing education. The ANG SAPR office provided updated lists of DoD SAPRO approved on-line CE courses for SARCs and VVAs. The ANG SAPR office also conducted a joint annual SARC refresher course with ARNG for SARCs to receive their CEUs. Wing SARCs offer CEU training and partner with service providers for CEUs. Wing SARCs have a travel budget for their SAPR teams to continue their education on advocacy. Many take advantage of local, state, and national training events.

The GANG SAPR Office coordinated with civilian education and outreach programs that provide training conferences and volunteer opportunities for certified SAPR VAs. They provided this information to SAPR VAs through emails and during the CMG monthly meetings. The GANG SAPR Office invited civilian survivor support service representatives to military CEU trainings. The challenge their program identified with SAPR VAs receiving a higher recertification level was the lack of additional time available for the SAPR VAs to volunteer. Consideration to allow the SAPR VAs to use their drill time to volunteer at crisis centers would help them obtain the necessary survivor support hours.

The LANG SAPR Office offered another possible way to address the challenge of lack of survivor support time. For SARCs and SAPR VAs who are not close to an active duty installation and live in rural areas away from rape crisis centers, the recommendation was to explore the possibility of serving as chat room monitors, similar to DoD Safe Helpline for sexual assault survivors. This allowed them to monitor behavior of survivors to ensure the online environment promoted healthy communication and support.

#### **Victim Advocate Resources.**

The NG Transition Assistance Program provided at least one TAA in every state to offer reliable, professional support to Guard members with “veteran status”. The TAA helped veterans access the benefits and entitlements within the Department of Veterans Affairs (VA) system by providing valuable information about programs and services addressing a variety of issues, to include Military Sexual Trauma (MST). The TAA also built strong partnerships and coalitions with the DoD TRICARE, Department of Labor, State Departments of Veterans Affairs (DVA), and Veterans Service Organizations (VSOs). The VSOs included organizations such as American Veterans, Disabled American Veterans, Veterans of Foreign Wars, and American Legion. The TAA also partnered with other organizations within each state such as chaplains, licensed social workers, and Employer Support of the Guard and Reserve (ESGR).

While NGB worked through contacts at the DVA, the KYNG worked with Congressman Andy Barr’s Office to address the issue of Title 32 (T32) NG members not being able to access the MST Services at DVA Hospitals across the nation due to the definition of “veteran” used by the DVA when providing these services. After speaking extensively with a member of his office, and explaining the issue in depth, Congressman Barr’s office wrote legislation and submitted it for inclusion in the FY18 National Defense Authorization Act. This legislation would expand DVA MST services to include T32 NG members who experienced a sexual assault while in an IDT status. The KYNG SAPR Office will continue to work with Congressman Barr’s Office to expand these services in the future to NG members who were sexually assaulted in a non-duty status as well, since the sexual trauma will still impact their role as a NG member.

#### **Actual Role of SARC and SAPR VA versus DoD, Service, and NGB Requirements.**

The NGB and the states did not perform formal analyses of the actual role of the SARC and SAPR VA against the responsibilities of these positions as defined in DoD Instruction 6495.02, Service regulations, and NGB issuances. However, the following is a collection of the informal observations captured by NGB entities and many of the states.

- The role of the JFHQ-State SARC, particularly performing advocacy services, community outreach, and training responsibilities, far exceed those specified in the issuances. As opposed to performing these requirements on an installation, the JFHQ-State SARC is required to perform these duties across an entire state wherever NG units exist.
- In a T32 status, the NG SARC, trained under the Title 10 (T10) SHARP program does not and is not authorized to address sexual harassment issues. This responsibility falls upon the SEEM or Equal Opportunity Advisor within each state. As a result, training skills are degraded.
- The ANG wings use the AF Managers’ Internal Control Toolkit (MICT) to assess programs such as the SAPR program. Although Wing SARCs generally fulfill the duties as prescribed in the issuances, some Wing SARCs have additional duties.

- Some states noted inconsistency in the amount of time the JFHQ-State SARC position spends providing survivor advocacy rather than program management. Ideally and by regulation, the role of the JFHQ SARC does not include as much direct, hands-on survivor advocacy, compared to the amount of survivor advocacy provided. The JFHQ SARC is the recognizable, full-time, face of the state's NG SHARP program. As such, many survivors feel more comfortable to call or speak to the JFHQ-State SARC to report a sexual assault. Once that relationship is established, the survivor is reluctant to be assigned to a collateral duty SAPR VA for a number of reasons, such as familiarity with the SARC, the degree of trust already developed, and accessibility to the full-time SARC. Based on the number of survivors at any one time, this can create a hardship in the program management requirement for the JFHQ-State SARC.

### **Integrated Victim Services network.**

The NG JSS program, under the NGB-J1, served as a gateway for Service members and their Families. This program leveraged a network of strategic partners to foster a resilient operational force. This program included SAPR, EO, Office of Diversity and Inclusion, TAA, Joining Community Forces, and the Psychological Health program, among others.

Additionally, the NGB SAPR Office coordinated regularly with various NGB offices to include NGB-JA/OCI and NG-SVC, NGB-EO, NGB-IG, Diversity and Inclusion, and other Family program offices within the J1 Directorate. During FY17, the NGB SAPR Office initiated a meeting to formalize the integration of these offices in support of Guard members in a holistic approach. The process will continue in FY18 to ensure the NG considers the myriad factors affecting the health, welfare, and readiness of the Soldiers and Airmen in the Guard.

Local wings conducted an IDS, as a WG of local service providers on behalf of wing leadership; where there are opportunities to collaborate with other first responders and service providers the wing SAPR program participates and provides SAPR input. At the Directorate level, efforts by the IDS were made to gather feedback and/or challenges from the field and assist with identifying solutions. The collaborative approach has been useful with streamlining resources and providing an integrated response.

Of particular note, the CONG is looking to set up a Warrior Support Center. This center will house multiple support services together under one roof: SARC, EO, Suicide Prevention, ESGR, Trauma NCO, Chaplain, Yellow Ribbon, National Guard Foundation, Child and Youth Services, Family Assistance Coordinator, Mental Health, Survivor Outreach Service, Employment Outreach, Transition Assistance, and Substance Abuse.

## **METRICS.**

### **Effectiveness of Victim Assistance and Advocacy Efforts.**

NGB did not develop any specific methods to determine the quality of response provided by SAPR personnel within the states. However, the NG full-time JFHQs-State SARC and Wing SARC bore the primary responsibility to assess the performance of their SAPR VAs on their ability to provide survivor assistance consistent with the competency standards set forth by DoDI 6400.07. The traditional Guard member serving as a SARC at the Brigade level also assumes the responsibility to assess the SAPR VAs within their command. The primary method used to assess a newly certified SAPR VA is through direct observation to the maximum extent possible by his or her supervising Brigade, JFHQ-State, or Wing SARC. The primary method used to assess the performance of experienced NG SAPR VAs is through the strong working relationship and open communication between the SAPR VA and the supervising SARC. A factor affecting the NG's ability to assess the NG traditional Guard member volunteer SAPR VAs on the quality of survivor assistance is the low number of sexual assault reports in the NG. The majority of SAPR VAs never experience the opportunity to be assigned to a survivor during their volunteer period as a SAPR VA.

Additional information is gleaned from the SAPR VA's response and comments made during the CMG meetings. One-on-one discussions between the SARC and the SAPR VA occur on a frequent basis while a survivor is receiving assistance, but no less than once a month. The SARCs will reach out to the commands, in the case of Unrestricted Reports, to receive feedback on the SAPR VA's performance, as well as comments provided by the survivor during their monthly updates. The SARCs also conduct survivor interviews periodically and as indicated by other assessment methods, to ensure the survivor is receiving the appropriate resources, information, respect, and consideration from the SAPR VA. Entities at the NGB receive feedback on the quality of survivor assistance from the SARCs, members of the Judge Advocate Staff to include NGB-JA/OCI and NG SVC, and reviewing CMG meeting minutes. Members from the Joint SAPR program office, ARNG SHARP, and ANG SAPR offices, as appropriate, collaborate as a team to conduct SAVs within the states. During these visits, the SAV team interviews SAPR personnel, command personnel, and members of the unit. These interviews, as well as a review of SAPR documentation, continuity book, and other aspects of the SAPR program, assist the team in assessing and determining areas for sustainment and areas requiring improvement. Additionally, surveys, such as those provided to the survivor following closure of their support, the WGRR survey for the Reserve component, and the previous Military Investigation and Justice Experience Survey, and Interactive Customer Evaluation are used to gain general information on the respondents' perceptions of experience with the SAPR processes. The NG also uses the QuickCompass of SAPR-related responders report as an overall indicator for the NG. NGB is finalizing the anticipated SAV schedule for FY18.

## **Suspensions, Revocations, and Reinstatements.**

ARNG Suspensions: (SARC = 1); (SAPR VA = 2)  
ARNG Revocations: (SARC = 4); (SAPR VA = 14)  
ARNG Reinstatements: N/A

The ANG SAPR program did not experience any SAPR personnel suspensions, revocations, or reinstatements during FY17.

## **Male Survivors and sexual assault allegations.**

NGB focused on providing male victimization training during FY17 at the Annual Refresher training for SARCs and VACs, as well as at numerous state and regional SAPR VA training events hosted by JFHQs-State and Wing SARCs. This training included discussion on gender differences, barriers to reporting, societal influences, four objectives to address military sexual assault against men, and the deliverables to achieve the objectives. NGB shared a copy of the DoD Safe Helpline flyer specifically for advertising the Safe Helproom designated day and time for male survivors of sexual assault.

Initiatives taken by the states during FY17 included the following:

- Increasing the number of male SAPR VAs.
- Increasing outreach efforts to engage the male population to include direct marketing of materials to gain SAPR personnel recognition, and to build confidence in the program.
- Purchasing or creating and disseminating male specific pamphlets, flyers, posters addressing male sexual assaults and SAPR advocacy services offered to males.
- Creating or hosting training events for SAPR VAs and community organizations focused on sexual assaults occurring within the male population.
- Participating in specialized training hosted by outside organizations such as 1in6, state Council on Domestic Violence and Sexual Assault, Delaware Men, and MaleSurvivor.
- Focusing on specific messaging such as “We Believe”.
- Reaching out to local community response services to identify facilities that can assist male survivors.
- Working with community advocacy agencies to improve access to male specific sexual assault services, and advocating for changing the names of some rape crisis centers to make them more gender neutral.
- Developing male survivor specific training that includes discussions on healthy masculinity, male reactions to experiencing a sexual assault, how to support male survivors, and unacceptable acts such as bullying, hazing and ostracizing.

- Increasing training efforts for commanders and key leaders to improve support, language, communication with both male and female survivors, and to break down personal bias and barriers among those in leadership roles to increase male reporting.

With the increase of male sexual assault marketing materials and training, some states experienced a marked increase in the number of male survivors reporting sexual assaults or seeking sexual assault advocacy services. Other states did not see an increase in reports, but did see an increase in the number of inquiries

### **Joint base and joint environments.**

As a joint activity, many of the states with both ANG and ARNG units cooperate in establishing SAPR VA services across the state based on locality of the survivor rather than on Service affiliation. Currently, ANG wings are filling their fulltime SARC positions and marketing their 24/7 response capabilities within the joint environment. The ANG wings conduct their own CMG and, consistent with CNGB policy, participate in the JFHQ-State CMG. In most cases, this arrangement supports a timely and informed response to the survivor based on local resources available. Recently, ANG SAPR Office coordinated with DoD to include ANG fulltime SARCs on the DoD Safe Helpline.

Only a minority of Guard units are located on active duty joint bases. These NG units collaborate with the active duty units and Installation SARC to establish procedures for managing delivery of services and support to Guard members. The conduct of CMGs is similar to the arrangement made between the JFHQ-State and ANG wing. Many ANG wings conducted their own CMG, but also participated in the Joint Base or Installation CMG. An example is the 140<sup>th</sup> ANG Wing in the CONG. The CONG established an MOU with the 460th Air Base Wing on Buckley Air Force Base (AFB). The MOU allowed CONG to improve response time, include SAPR personnel in a 24-hour helpline rotation, and create a more robust and successful training program for their SAPR VAs to attend. JFHQ-State & Wing SARCs attend Buckley's CMG and Buckley's installation SARC attends the CONG CMG.

Another prime example is the Ohio NG (ONG), who continued their partnerships with the Defense Logistics Agency Land and Maritime, Wright Patterson AFB, as well as their Army and AF Reserve sites. Due to this joint relationship, they were able to provide immediate advocacy to their Guard members and vice versa when location challenges could have created a delay in immediate advocacy. The ONG held a CMG monthly at the 2-Star level in accordance with supporting instructions and regulations.

**Separation Review requested** – Only three Guard members requested and received a separation review.

## **MPOs and CPOs.**

The number of protective orders issued because of an Unrestricted Report for T32 Guard members were as follows:

- MPOs: 60 issued; 0 violated. MPOs are difficult to enforce within the NG and provide little protection to traditional Guard members as they spend little time on military installations on average.
- CPOs: 21 issued; 0 violated.

## **Medical Care & SAFE.**

NG sexual assault survivors usually receive medical care and SAFEs at civilian medical facilities. Prior planning and coordination by the JFHQ-State SARC and VAC remove potential obstacles that could hinder the survivor from receiving prompt care. However, some states or counties, on occasion, suffer from backlogged SAFE kit testing due to a lack of available laboratory resources. In these cases, the state leaders and local action groups develop courses of actions to mitigate the situation. In the case of Bernalillo County, New Mexico, they plan to increase the number of labs and number of programs at two universities to train lab technicians to fill the positions.

The Georgia (GA) NG had one case adversely affected by inaccurate information given by local law enforcement to a survivor during a SAFE. As a result, the exam was not completed and evidence was lost. The survivor's confidence in all processes diminished, especially when the survivor received an invoice bill for services received. As this was a violation of GA code 17-5-72, dated 1 July 2016, the SAPR Office gave the survivor the correct information, and worked with medical personnel to address the invoice. The JFHQ-State SARC informed all GANG SAPR VAs of the incident and instructed them how to resolve or respond if the same situation arises again. The JFHQ-State SARC briefed the incident, concerns, and solutions during CMG to notify leadership of the issue.

Although the KYNG did not experience an issue regarding the lack of a SAFE, a SAFE kit backlog does exist within the state. The KYNG SAPR Office served on the Kentucky SART Advisory Committee and kept up to date on the state's actions to address this backlog, and improve the timeliness of the state crime laboratory's testing of SAFE kits. The KYNG SAPR Office used this forum to address issues relating to the proper completion of SAFE Kits, and failure of local hospitals to complete a SAFE Kit as required by state law. This committee, consisting of heads of various agencies around the state, quickly responded and addressed the concerns in an efficient manner. The one outstanding issue to remain in Kentucky is the retention time of SAFE Kits for Restricted Reports of Sexual Assault. Recently, the state increased the mandatory retention to a minimum of 1 year, although different locations may retain them for longer than the mandatory minimum. This does not fall in line with the DoD's retention of 5 years, and



most people reporting in the KYNG only have civilian resources to obtain the SAFE. No progress occurred during FY17 to change the requirement to a 5-year retention period.

## **2.2 Briefly describe your leadership-approved future plans to deliver consistent and effective advocacy and care for all Service members or their adult dependents.**

Through a cooperative effort, NGB plans to develop and implement specific methods for measuring the quality of assistance provided to the survivor.

Listed below are some of the plans identified by some of the states.

- Focusing annual refresher training for SAPR VAs on deficiencies noted in command surveys, items identified in the ARNG Mitigation Action Plan, and in problem or high-risk areas discussed in the Ready and Resilient WG.
- Developing plans for a multi-purpose facility that will house SAPR, Director of Psychological Health, Chaplains, IG, EO, heritage room, and a relaxation room at a wing.
- Striving to provide a high level of advocacy services through the continuation of partnerships with civilian agencies and partners, while expanding its partnership with other active duty bases and Title IX coordinators to develop a seamless cross organization advocacy services.
- Building upon existing community relationships and increasing working partnerships with civilian agencies, state educational institutions, medical facilities, and law enforcement, particularly in cross training.
- Implementing an incident response that focuses on a team effort. Both a SARC and SAPR VA respond to an incident with the SAPR VA providing the primary care by identifying the needs of the survivor and serving as the system navigator and advisor. The SARC serves as the liaison between agencies, the command, and the SAPR VA. This effort will ensure capabilities, resources, and options are available, while limiting the number of people that survivor must confide in to have his or her needs met.
- Increasing outreach to adult dependents to inform them of the availability of reporting sexual assaults through the SAPR program. The plan includes using Yellow Ribbon and Family Services Programs, and the Family Readiness Groups.
- Developing and credentialing new SAPR VAs that are geographically dispersed throughout the state to enable better availability to future survivors.
- Improving training events by maximizing expert guest instructors, panels, and bringing in Forensic Experiential Trauma Interview techniques training.

## **3. Goal 3—Investigation—“Sustain a high level of competence in the investigation of adult sexual assault using investigative resources to yield timely results.”**

**3.1 Summarize your efforts to achieve the Investigation goal. (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 3 – Investigation, p. 9)**

In this strategic summary, consider the following for inclusion, especially when there have been significant changes to the following matters (there is no need to repeat prior Annual Report submissions if these processes have remained largely the same as in prior years):

- Overall Approach: What force-wide initiatives did your Military Service employ this year to improve investigation of sexual assault cases? What enhancements have been made to your Military Services' Special Victim Investigation and Prosecution Capability for MCIOs? (DoDI 5509.19, "Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOs)")
- What continuing efforts are being made to increase collaboration and improve interoperability with civilian law enforcement to include sharing information on Civilian and Military Protective Orders and assuring receipt of civilian case dispositions? (DoDI 6495.02, "Sexual Assault Prevention and Response (SAPR) Program Procedures," (July 7, 2015), Encl 4, para 3g)

**REQUIRED:**

- What metrics are being used to assess the effectiveness of investigation efforts intended to sustain a high level of competence in the investigation of adult sexual assault? (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 3 – Investigation, p. 9)
- What updates have been made to the training of your Military Service MCIO and other DoD law enforcement activity (LEA) resources assigned to conduct an investigation of adult sexual assault? Describe efforts undertaken to provide training and guidance to all first responders to a sexual assault allegation, ensuring the preservation of evidence and witness testimony. (DoDI 6495.02, "Sexual Assault Prevention and Response (SAPR) Program Procedures," (May 24, 2017), Encl 10, para 4p / DoD Sexual Assault Prevention and Response Strategic Plan "Task List," (December 1, 2016), Goal 3 – Investigation, Objective 3.1, Task #1, p. 4 / DoDI 5505.18, "Investigation of Adult Sexual Assault in the Department of Defense," (March, 22 2017), para 3.3, p. 7)
- What efforts are being made to improve or address turnaround time for evidence sent to the Defense Forensic Science Center (e.g., processing of Sexual Assault Forensic Examination (SAFE) kits and other evidence)? (Joint Chiefs of Staff Strategic Direction to the Joint Force on SAPR (May 7, 2012), p. 11)

The NG primarily used civilian LEOs as the investigative agency for most sexual assault cases involving non-federalized Guard members. The NGB-JA/OCI continued to be a resource for TAGs in the event civilian LEOs declined to investigate or failed to investigate the sexual assault sufficiently.

The major update for the NGB-JA/OCI program, established in FY13 with all temporary Active Duty Operational Support (ADOS) personnel, was the validation of 24 full-time Active Guard Reserve (AGR) military members and 11 full-time civilian General Schedule employee requirements on a permanent joint manning structure. This NGB Joint Staff Table of Distribution and Allowances (TDA) took effect 1 October 2017. The basis behind this permanent full time operating structure was the sustained demand for OCI investigations.

Open lines of communication between the civilian LEO, local DAs, State SJAs and Provost Marshall offices, NGB SAPR Compliance and Accountability Officer, and NGB-JA/OCI were critical to obtaining case information from investigation through case disposition. Cooperative efforts made in FY17 helped increase the level of support and ability to obtain information necessary to enter into DSAID.

Additionally, many of the states' SARC's actively participated on the local Sexual Assault Interagency Council and SARTs, which enhanced the ability to exchange information on both military and civilian protective orders.

#### **REQUIRED:**

**Metrics.** NGB-JA/OCI uses the following metrics to ensure a high level of competence in the investigation of adult sexual assault:

- Timeliness of investigations = time from TAG Request to completion of the OCI investigation.
- Ratio of number of substantiated cases to number of cases where action was taken by the state.

**Training.** NGB-JA/OCI personnel attend the 2-week US Army Criminal Investigation Command (CID) Course as a pre-requisite to serve in NGB-JA/OCI. Additionally, NGB-JA/OCI provides one to two personnel to serve as cadre in support of each of The Judge Advocate General's Legal Center and School, Criminal Law Department nine annual Special Victims' Counsel Certification (SVCC) courses. This participation enables NGB-JA/OCI to obtain the latest updates in the field of sexual assault investigation. The updated information gleaned from the SVCC course in combination with other investigative practice and procedural updates comprises the content of the mandatory 4-day orientation training for all new NGB-JA/OCI personnel and the mandatory annual refresher training for all current NGB-JA/OCI personnel.

NGB-JA/OCI does not collect physical evidence, maintain SAFE kits, or send evidence for processing to the Defense Forensic Science Center. However, NGB-JA/OCI does coordinate with Military Criminal Investigation Organizations, such as Army CID and AF Office of Special Investigations, if evidence collection and processing is required for an OCI investigation. Additionally, the NG does not make a special effort to train or provide guidance to all first responders to a sexual assault allegation on the preservation of

evidence and witness testimony beyond Service-specific SAPR personnel training. In most cases, the first responders are civilians trained at their own institutions.

### **3.2 Briefly describe your leadership-approved future plans to sustain a high level of competence in the investigation of adult sexual assault.**

As of the effective date of the NGB Joint Staff TDA for OCI, NGB authorized seven military positions and one civilian position of the 35 validated requirements. NGB will continue to work on making these positions available for recruitment and fill. The implementation of a permanent full-time staffing structure for NGB-JA/OCI will sustain a high level of competence in the investigation of adult sexual assault.

NGB-JA/OCI routinely coordinates with leaders of the 54 states, territories, and the District of Columbia NG to identify program and operational enhancements. As appropriate, NGB-JA/OCI incorporates these items in updates to the CNGB Manual 0400.01, the operational guide for OCI's investigation of sexual assault allegations.

## **4. Goal 4—Accountability—“Maintain a high competence in holding alleged offenders appropriately accountable.”**

### **4.1 Summarize your efforts to achieve the Accountability goal. (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 4 – Accountability, p. 9)**

**In this strategic summary, consider the following for inclusion, especially when there have been significant or force-wide changes to how your Military Service addresses the following matters (there is no need to repeat prior Annual Report submissions if these processes have remained largely the same as in prior years):**

**- Overall Approach: What force-wide initiatives did your Military Service employ this year to improve legal support to Service members and adult family members who reported a sexual assault? What enhancements have been made to the SAPR training provided to those who are affiliated with the Special Victim Investigation and Prosecution Capability program (paralegals, trial counsel, and victim-witness assistance personnel) for responding to allegations of sexual assault? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 4 – Accountability, Objective 4.1, Task #1, p. 4)**

**- What are your efforts to ensure SARC, SAPR VA, MCIO, and commander knowledge of recent victim rights and military justice updates? (DoDI 6495.02, “Sexual Assault Prevention and Response (SAPR) Program Procedures,” (July 7, 2015), Encl 10, para 7)**

#### **REQUIRED:**

**- What metrics are being used to assess the effectiveness of holding alleged offenders appropriately accountable, to include your Military Service's metrics for measuring the success of the SVC/VLC program? (SecDef Memo (August 14, 2013),**

**Improving Victim Legal Support, p. 1 / NDAA for FY 2016, section 532 / NDAA for FY 2013, section 573)**

- Describe enhancements to the Special Victims' Counsel (SVC)/ Victims' Legal Counsel (VLC) program. Describe efforts to plan and fund for these programs in your POM process. **(SecDef Memo (August 14, 2013), Improving Victim Legal Support, p. 1 / NDAA for FY 2016, section 532 / NDAA for FY 2013, section 573)**

- (NGB) What efforts are being made to reassess the Office of Complex Administrative Investigation's (OCI) timeliness and resources to determine how to improve the timeliness of processing sexual assault investigations involving members of the Army National Guard, and identify the resources needed to improve the timeliness of these investigations? **(GAO Report 17-217, Better Resource Management Needed to Improve Prevention and Response in the Army National Guard and Army Reserve (February 27, 2017), p. 2)**

- Has your Military Service experienced any challenges in implementing 10 USC 1565b(b)(3) regarding states laws and confidential disclosures of a sexual assault. **(NDAA for FY 2016, section 536 / DoDI 6495.02, "Sexual Assault Prevention and Response (SAPR) Program Procedures," (May 24, 2017), para 4b(3))**

NG-SVC provides representation to NG survivors of sexual assault and their adult dependents when a nexus exists between the assault and the NG.

SARCs, SAPR VAs, and commanders receive program updates, to include survivor rights and military justice updates as applicable to T32 Guard members within his or her state, through annual refresher training and information papers.

Non-federalized Guard members are not subject to the Uniform Code of Military Justice, but fall under the jurisdiction of the individual state's military justice action or disciplinary measures as designated in the state code of military justice. SAPR personnel must stay abreast of changes to the state code of military justice within his or her state.

During FY17, OCI provided training to new SARCs in the ANG at the NGB 40-hour SARC initial training.

**REQUIRED:**

**Metrics.** NGB-JA/OCI uses the following metrics to assess the effectiveness of holding alleged offenders accountable:

- Timeliness of investigations (time from TAG Request to completion of the OCI investigation).
- The ratio of number of substantiated cases to number of cases where action was taken by the state.
- Types of state action taken based on OCI investigations.

The NG-SVC Program ensured that all survivors who formally request NG-SVC services received communication from an SVC within 24 hours of the request. The NG-SVC

program office oversees the ratio of cases assigned per SVC to ensure that each Regional SVC is able to effectively manage his or her caseload, provide timely and competent survivor legal services upon request, and actively represent the survivor throughout the process.

**SVC Program Enhancements.** The NG-SVC program expanded its services to include eligible DoD Civilians in FY16. The SVCs received internal training and external outreach over the past year and are now fully prepared and capable of providing the appropriate services to eligible DoD Civilians. Throughout FY17, the NG-SVC program increased training and outreach with its active duty counterparts and civilian agencies. Additionally, the NG-SVC Program expanded its number of AF SVCs to meet the growing needs of ANG clients.

**NGB-JA/OCI Reassessment of Timeliness and Resource of ARNG Investigations.**

As stated in 3.2 above, the NGB validated requirements for 24 full-time AGR military members and 11 full-time civilian General Schedule employees on a permanent joint manning structure. As of the effective date, 1 October 2017, NGB authorized seven military positions and one civilian position of the 35 validated requirements. NGB will continue to work on making these positions available for recruitment and fill. The implementation of a permanent full-time staffing structure as opposed to using all temporary ADOS personnel for NGB-JA/OCI will improve available resources to address ARNG investigations in a timely manner. This is an on-going process.

NGB-JA/OCI continually evaluates metrics, such as the timeliness of investigations from TAG request for investigation to completion of the OCI investigation, to ensure a high level of competence in the investigation of adult sexual assault reports. NGB-JA/OCI reduced this process time by 31 days from FY14 to FY17. The average length of an investigation in FY17 was 168 days (5.5 months).

**4.2 Briefly describe your leadership-approved future plans to maintain a high competence in holding alleged offenders appropriately accountable.**

Currently, the Compliance and Accountability Officer, located within the NGB SAPR Office, serves as the single point of contact to confirm the referral of all Unrestricted Reports of sexual assault to the appropriate investigative agency and the documentation of all referrals in DSAID. Additionally, the officer tracks the progress of all case referrals throughout the investigation process and reports on case outcomes for all Unrestricted Reports of sexual assaults within the states. During FY18, NGB plans to shift that responsibility to the ARNG and ANG Directorates SHARP and SAPR Programs respectively. This will provide the DARNG and DANG greater visibility on the progress to achieve accountability and compliance of all Unrestricted Reports of sexual assault under their purview.

**5. Goal 5—Assessment—“Effectively measure, analyze, assess, and report SAPR Program progress to improve effectiveness.”**

**5.1 Summarize your efforts to achieve the Assessment goal. (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 5 – Assessment, p. 10)**

In this strategic summary, consider the following for inclusion, especially when there have been significant or force-wide changes to how your Military Service addresses the following matters (there is no need to repeat prior Annual Report submissions if these processes have remained largely the same as in prior years):

- Overall Approach: What force-wide initiatives did your Military Service employ to ensure the quality, reliability, and validity of data collected in the Defense Sexual Assault Incident Database (DSAID)? (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021 (December 1, 2016), Goal 5 – Assessment, Objective 5.1, p. 10 / DoDI 6495.02, “Sexual Assault Prevention and Response (SAPR) Program Procedures,” (May 24, 2017), Encl 2, para 6ad)
- What transition policies are in place for incoming personnel to ensure Service member sponsorship and unit integration into a chain of command? (DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 5 – Assessment, Objective 5.1, Task 8, p. 4)

**REQUIRED:**

- What are your efforts to enhance SAPR Program oversight activities, to include the use of recent surveys (e.g., WGRA and MIJES) and insights from the Government Accountability Office, advisory committees, internal inspections, and feedback from enlisted and officer trainees to improve your programs and services? (DoD Sexual Assault Prevention and Response Strategic Plan, 2017-2021, (December 1, 2016), Objective 5.2, p. 10 / DoD Sexual Assault Prevention and Response Strategic Plan “Task List,” (December 1, 2016), Goal 5 – Assessment, Objective 5.1, Tasks #2 & #6, p. 4)
- What policy and procedures are in place to fulfill the 50-year retention of DD Form 2910 (Victim Reporting Preference Statement) and DD Form 2911 (DoD Sexual Assault Forensic Examination Report) regardless of whether the Service member filed a Restricted or Unrestricted Report? (NDAA for FY 2014, section 1723 / DoDI 6495.02, “Sexual Assault Prevention and Response (SAPR) Program Procedures,” (May 24, 2017), para 4u)
- What policy and procedures are in place to implement minimum qualification standards to be selected, trained, and certified as a SAPR Program Manager? (NDAA for FY 2014, section 1725 / Under Secretary of Defense for Personnel and Readiness Memorandum, “Certification Standards for Department of Defense Sexual Assault Prevention and Response Program Managers,” (March 10, 2015))

**Overall Approach:**

Currently, the NGB SAPR Office conducts a DSAID quality review on a regular basis to identify cases with missing data and improperly entered data. The fulltime SARCs within

the states enter this data. The ARNG SHARP office implemented an incident intake form for the JFHQs-State SARC and VACs to utilize when collecting data. The intake form identifies the pertinent information required. The ARNG SHARP office monitors DSAID on a monthly basis to ensure the information supplied to the their office mirrors the information entered into DSAID. The ANG SAPR Office established communication with the Wing SARC to ensure the proper use of DD Form 2965. The ANG SAPR Office required the SARC to report all cases to the case management cell. The on-call ANG SAPR staff used a local case intake document to ensure the SARC collected all the required case information on the DD Form 2965 before opening a case in DSAID. The ANG SAPR Office reviewed a weekly case level report generated from DSAID to assess all cases throughout the FY. The report contains filtered data to identify missing and conflicting information. The Wing SARC received a copy of the reports and were reminded to update their cases upon receiving additional information. The ANG SAPR Office routinely used the reports to conduct data quality assurance and analysis checks. The ANG DSAID PM communicated with each Wing SARC directly to describe the importance of real time data collection and entry of case details.

### **Member sponsorship.**

The sponsorship programs used within the states ensured each newcomer, including interstate transfers, to the Guard was provided with a sponsorship packet to assist him or her in the integration with the unit or wing. This packet identified important areas and programs available within the state as well as a process to meet all key personnel, inside and outside the unit.

### **REQUIRED:**

#### **SAPR Program Oversight Activities.**

The NGB SAPR Office routinely analyzed surveys, reports, and DSAID to identify trends or areas of improvement necessary within the NGB SAPR Program. The NGB SAPR Office also responded with SAVs, when requested by TAG to help assess the overall state SAPR program and to identify issues in specific areas, if requested. In FY18, the NGB SAPR Office will be more proactive in conducting SAVs based on the state's status of several specific criteria that permits the NGB office to request conducting an SAV.

The ARNG SHARP office began to conduct state SAVs in FY17. They conducted their initial SAV in Arkansas and the second SAV, in concert with the NGB SAPR Office, in Oregon. The ANG SAPR office used the SAPRAC and NGB WGs to focus on areas of concern addressed in the surveys. The ANG SAPR Office assessed the surveys, developed continuous improvement plans as necessary, and forwarded them to the ANG SAPR PM for review and implementation. Twelve months before a wing's inspection, the command used the AF Inspection System IG Continual Evaluation Worksheet alongside the MICT and DSAID to assess the SAPR program. The ANG SAPR Office addressed the areas identified for improvement with mandatory or recommended processes for change.



## **Retention of Forms**

CNGB Instruction 1300.01 establishes the TAG's responsibility to establish policy to require a copy of all case records and other private information for all Guard members within the state be maintained by a SARC under proper security measures indefinitely for both Restricted and Unrestricted Reports IAW references DoD 6495.02 and P.L. 113-66, Title 17, Subtitle C § 1723. All ARNG and ANG SARCs are required to retain all Restricted DD Form 2910 in a double locked cabinet in the SARC office for 50 years. The SARC uploads the Unrestricted DD Form 2910 in DSAID for retention.

## **Qualification Standards for SAPR PM.**

CNGB Instruction 1300.01. NGB SAPR Chief, Designate a principal military or civilian Program Manager (PM) IAW USD (P&R) Memorandum, 10 March 2015, "Certification Standards for Department of Defense Sexual Assault Prevention and Response Program Managers", who meets the DoD's established minimum standards to qualify for selection, training, and certification for assignment.

NGB-J1- Joint Civilian Personnel (JCP) office is responsible for the overall management of the Title 5 Civilian Personnel Program for Army and AF Civilian Personnel assigned to the NGB Joint Staff, Special Staff, Personal Staff, and NGB-ZC. JCP provides NGB leadership, advice, and guidance for recruiting, classification, organizational structure, management/employee relations, performance management, and work/life programs of Title 5 civilian personnel. JCP interacts with Departments of the Army and AF, Office of the Secretary of Defense, Office of Personnel Management, Civilian Personnel Management System, DoD, and other outside agencies. JCP ensures that the civilian awards program and training are priorities for the workforce.

Policies and procedures used by the ARNG SHARP office include HQDA EXORD 193-14 3.C.10.B., which is in accordance with NDAA FY14, section 1725. While the ANG SAPR program ensures all Title 5 and Title 32 SARCs adhere to the DoDI 6495.02, DoDI 6495.03 and AFI 90-6001 to ensure all are D-SAACP credentialed and completed either the USAF SARC Course or ANG SARC course and meet their position description (PD) requirements.

## **5.2 Describe your leadership-approved future plans for effectively measuring, analyzing, assessing, and reporting SAPR program progress to improve effectiveness.**

NGB is currently developing additional plans to augment existing methods to measure, analyze, assess, and report progress on the NG SAPR Program. The NGB SAPR Office is considering reinstating the SAPR Dashboard metrics, if possible. Additionally, this office requested to receive DEOCS reports broken down by individual states in FY18.

Some of the plans developed within the states include:

- Assessing the time between the report and when the survivor starts receiving care.
- Requesting a SAV from the NGB SAPR Office, ARNG SHARP and ANG SAPR Offices, and the regional SAPRAC leader.
- Identifying and analyzing sexual violence using surveys, DEOCS, reports, Unit Risk Inventories, command feedback, anonymous feedback, and information from service providers and survivors.
- Anonymous surveys to gauge success and gaps in the Mitigation Action Plan.
- Using an internally developed Dashboard/scorecard to track, measure, analyze, and assess the five DoD SAPR Objectives.

## 6. Core Functions: Communication and Policy

**6.1 Provide a brief summary for new or expanded efforts taken in FY17 on the following:**

**- How does your Military Service publicize the sexual assault restricted and unrestricted reporting options to your Service members and adult dependents?**

**(DoDI 6495.02, "Sexual Assault Prevention and Response (SAPR) Program Procedures," (May 24, 2017), Encl 4)**

**- How are commanders being held accountable for the climate of their units? What actions (both positive and negative) are taken by senior commanders to document the subordinate commander's success or failure in establishing and maintaining a supportive command climate?**

**(SecDef Memo (May 6, 2013), *Enhancing Commander Accountability*, p. 2)**

**REQUIRED:**

**- How does your Military Service publicize to your Service members the different individuals and organizations available (i.e., SARCs, VAs, SVC/VLCs, command, IG, MCIO, law enforcement, etc.) to assist them in addressing sexual assault-related retaliation?** **(DoD Retaliation Prevention and Response Implementation Plan (January 2017), p. 11)**

**- How does your Military Service disseminate information to first responders, uniformed witnesses, and bystanders on the protections available to them if they are retaliated against for providing assistance to sexual assault victims?** **(DoD Retaliation Prevention and Response Implementation Plan (January 2017), p. 11)**

NGB entities and the NG within the states use a multitude of media, marketing items, and events to publicize the two reporting options available to Service members for reporting a sexual assault. These include, but are not limited to, websites, bulletin boards, posters, flyers, brochures, handouts, training events, retractable banners, smart cards, Yellow Ribbon events, pens, magnets, and business cards. The states vary in the variety of methods used to publicize SAPR related material. During FY17, South Carolina NG worked with a marketing team to revise and create new marketing material for statewide

distribution. SAPR posters, business cards, general graphic material to include contact information, reporting options, and Safe Helpline contact numbers.

### **Command Climate Accountability.**

The SEEM reviews all DEOCs surveys and discusses the outcomes with the commander and his or her senior commander. This affords the senior commander with visibility on the performance of the immediate commander on establishing a culture of dignity and respect, free from derisive behaviors. The senior commander annotates the appropriate comments in the immediate commander's officer evaluation report (OER) and other administrative documents as necessary. Other actions required by regulation or TAG policy may include removal of the commander from command.

### **REQUIRED.**

#### **Publicizing SAPR First Responder.**

NGB publicizes the contact information for DPH and SARCs on the JSS website to assist Guard members and their family members address sexual assault related retaliation. Additionally, each state publicizes SAPR first responders using various forms of media to include the following:

- State SharePoint portal sites.
- Flyers posted in all Guard facilities.
- Placement of business cards in the bathrooms with Guard facilities.
- Display Safe Helpline information within the Guard facilities on bulletin boards, and screensavers.
- During briefings, training, and visits made by the SARCs and SAPR VAs.
- Displaying information on large screens within some of the Guard facilities, particularly during April, SAAPM.
- Trifold handouts, brochures, and other printed materials.

#### **Disseminate information to first responders, uniformed witnesses, and bystanders on the protections.**

The primary means of disseminating information to first responders on the protections available to them if they are retaliated against for providing assistance to sexual assault survivors is through annual SAPR training for units and annual SAPR VA refresher training. Some states, such as Colorado, incorporated a section on retaliation into their leader's training, Commander and First Sergeant's pre-command course, newcomer's briefing, and new employee's orientation. Other states, such as Connecticut, provided information in their state NG newsletter. Some states, such as Maryland, prepared and disseminated new guidance and policy that provided detailed information on protection of witnesses, bystanders, and whistleblowers.

**7. NDAAs Requirements - Provide your Military Service's status on the following NDAAs for FY 2017 requirements. If the provision has been implemented, indicate "Completed," provide the implementation date, and a short explanation (150 words or less) of the action taken. If the provision has not been implemented, indicate "In Progress," provide the projected completion date, and a short update (150 words or less) of the current status. All are required.**

**7.1 Discharge review board (Board of Correction of Military Records (BCMR)) guidance on claims asserting post-traumatic stress disorder or traumatic brain injury in connection with combat or sexual trauma as a basis for review of discharge.**

**Additionally, describe BCMR procedures for the following requirements:**

- How does a former Service member present medical evidence from the Secretary of Veterans Affairs or civilian health care provider to the BCMR, and how does the BCMR review and use that evidence?
- Method of presentation: Is the review conducted in person with the former Service member, by file review, or both? If not in-person, does the former Service member have the option to request an in-person meeting or to be represented by counsel?
- What steps are taken to review (with liberal consideration to the former Service member) how post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in a discharge of a lesser characterization?

**(NDAAs for FY 2017, section 535)**

ARNG and ANG personnel follow their respective Service-specific application process.

**7.2 Professional military justice career development for judge advocates.**

**Additionally, provide comments on the following:**

- What metrics are used to assess your Military Service Pilot Program?
- Did your Military Service develop a system for "military justice experience designators" or "skill identifiers?" **(section 542(b))**
- Does your Pilot Program assess "other matters related to professional military justice development?" If so, please describe. **(section 542(c)(2))**

**(NDAAs for FY 2017, section 542)**

ARNG and ANG judge advocates follow their respective Service-specific career development

**7.3 Specialized training for Military Service Inspector General and other personnel who investigate claims of retaliation associated with sexual harassment and sexual assault reports.**

**Provide brief comments on the following:**

- What training do your Military Service Inspector General personnel and other personnel who investigate claims of retaliation receive on the nature and consequences of retaliation for both sexual harassment and sexual assault? Briefly describe the training addressing the “nature and consequences of sexual assault trauma.
- Which personnel in your Military Service receive this training and how is it conducted?
- Who does the intake of the retaliation complaint/allegation for sexual harassment? for sexual assault?
- Who investigates the complaint/allegation of retaliation for sexual harassment? for sexual assault?

**(NDAA for FY 2017, section 546)**

Each state is authorized a Command IG from the active component that reports directly to TAG of their state and the CNGB. There are 90 ANG wings across the 54 states, territories, and the District of Columbia NG, and most of them have at least one full-time IG to support their respective Wing Commanders. NGB IG is working with the Services to develop specialized training for IGs and investigative officers. NGB anticipates the sharing of currently used DoD materials by July 2018. The NGB IG intends to incorporate a combination of formal training for IGs and just in time training for investigative officers. OCI investigators receive standardized training regarding retaliation that is given to all military personnel, but do not receive specialized training in this area. OCI investigators do not investigate allegations of retaliation, and do not make findings regarding retaliation. However, OCI investigators are instructed to take note of allegations of retaliation (using a plain language definition of that term) that are raised during the course of an investigation, and include this information in the Report of Investigation in the Investigator Comments section.

**Intake of retaliation complaint for sexual harassment**

A NG member wishing to report retaliation based on a sexual harassment case, or a uniformed witness, bystander or first responder related to the sexual harassment report, may seek support from and report it to an Equal Opportunity Advisors. The individual may seek information and assistance from a SARC or SVC, who will in turn refer them to an Equal Opportunity Advisor. During the EO process, the Equal Opportunity Advisor informs the individual of his or her right to report the complaint of retaliation to his or her state or wing IG, NGB IG, Service IG, or DoD IG at any time.

**Investigation of retaliation of sexual harassment**

The command, beginning at the lowest level, may decide to investigate, or refer the report to law enforcement, or IG to investigate the complaint or allegation of retaliation for sexual harassment.

**Intake of retaliation complaint for sexual assault**

A NG member wishing to report retaliation based on a sexual assault case, or a uniformed witness, bystander, or first responder related to the sexual assault, may report to the

SARC or SAPR VA, who may advise the individual of the process to seek additional guidance or information on the reporting process from the SVC. The individual may report to the command, civilian LEO, or IG.

#### **Investigation of retaliation of sexual assault**

The command, beginning at the lowest level, may decide to investigate, or refer the report to law enforcement, or IG to investigate the complaint or allegation of retaliation for sexual assault. However, if the survivor first reports to civilian LEO, they will investigate as appropriate. If reported to an IG, the IG investigates the complaint or allegation of retaliation for sexual assault

#### **7.4 Notification to complainants of the resolution of investigations into retaliation.**

**Additionally, provide your Military Service policy or practice on the following:**

- **Who notifies the sexual harassment complainant of the resolution of a retaliation investigation? What is the timeframe between resolution and notification to the complainant? Identify the Military Service authority directing the action.**
- **Who notifies the victim of retaliation relating to a sexual assault of the resolution of a retaliation investigation? What is the timeframe between resolution and notification to the retaliation victim? Identify the Military Service authority directing the action.**
- **In instances of retaliation relating to sexual assault, is the retaliation allegation reported to the SAPR Case Management Group? If so, are these retaliation allegations tracked until resolution?**

**(NDA for FY 2017, section 547)**

The ARNG and ANG adhere to their Service-specific issuances as it pertains to retaliation allegations of sexual assault and sexual harassment, to include reporting processes, investigative procedures, and resolution notification. Within each state, TAG may augment or clarify policy and procedures specific to T32 NG members within that state. Service-specific issuances relevant to this topic include: AR 600-20, AD 2014-20, and AD 2015-16; AFI 90-6001, and AFI 90-301.

The state CMG discusses retaliation reports based on a sexual assault and sexual harassment at each monthly meeting. The JFHQ-State SARC tracks these retaliation allegations until resolution.

### **8. Analytics Discussion**

**8.1 Military Services/NGB\*: provide an analytic discussion (1,000 words or less) of your Statistical Report of reported sexual assault cases from the Defense Sexual Assault Incident Database (DSAID). Required elements included on this template are information on Unrestricted Reports; Restricted Reports; service referrals for victims alleging sexual assault; and case synopses of completed investigations.**

**\*NGB should provide comments based on its available information and data.**

**This section must briefly address each of the following:**

- Notable changes in the data over time
- Insight or suspected reasons for noted changes, or lack of change, in data
- The application of insights from data analyses for programmatic planning, oversight, and/or research
- Total number of Sexual Assaults (Restricted Reports and Unrestricted Reports) over time (since FY 2008) (Metric #12)
- The number of sexual assault investigations completed by the MCIO in the FY and the corresponding mean and median investigation length. Case open date can be in any year, but the close date must be by the end of the FY (Metric # 5)
- The number of subjects with victims who declined to participate in the military justice process (Metric #8)
- Command action for military subjects under DoD legal authority (to be captured using the most serious crime investigated, comparing penetration to contact crimes) (Non-Metric #1)
- Sexual assault court-martial outcomes (to be captured using the most serious crime charged, comparing penetration to contact crimes) (Non- Metric #2)
- Summary of referral data – Unrestricted and Restricted Reports - either referrals received from other sources or referrals made to other sources (e.g., medical/mental health, command, criminal investigation/security services, legal, civilian or VA authorities, etc.)
- Any other information relating to sexual assault case data

#### **Total number of Sexual Assaults, FY13 – FY17**

Sexual Assault reporting in the NG increased concurrently with enhanced efforts to create a culture where Service members feel confident in the sexual assault reporting process and safe enough to reach out to SAPR first responders for assistance, **Figure A**. The total number of all NG sexual assaults reported in FY13 equaled 313 and 469 in FY17, showing an increase of 156 reports of sexual assault over this period. Of the total 469 reports of sexual assault filed involving Guard members in FY17, 69 reports or 15% of the total, represented the number of sexual assaults experienced by Guard members on T10 and reported to NG SARCs. The remaining 400 or 85% of the total number of reports were cases where the Guard member was either the survivor or the subject in the sexual assault incident and not on federal duty. Of those 400 T32 reports, 289 or 72% of the reports involved a NG member as the sexual assault survivor and the remaining 111 reports involved a U.S. civilian or military dependent as the survivor, or a NG member as the subject.

#### **Male Sexual Assault Reporting, FY15 – FY17**

Over the past two years, the NG increased efforts to reach out to males in the Guard, specifically male members victimized by a sexual assault. These prevention and response efforts are credited with helping to increase the number of males reporting from 21 or 6.7% of the total reports in FY13 to 42 or 9 % of total reports in FY17. On-going and new efforts to create an environment safe for male members to reach out for support is expected to continue to drive male reports to a higher percentage of the reports and increase the total reports from male service members.

### **Prevalence versus Reporting**

The NG continued efforts to increase the sexual assault reporting rate while addressing prevention efforts to decrease estimated prevalence rates of sexual assault involving members of the NG. Results of the 2015 Workplace Gender Relation (WGRR) survey showed 3.3% of NG female and 0.6% of NG male respondents identified being sexually assaulted in the twelve months prior to taking the survey.

### **Expedited Transfer Requests**

The NG received and approved five expedited transfer requests and processed them according to CNGBI 1301.01 in FY17, **Figure B**. During the last four FYs, the NG received, approved, and processed 41 expedited transfer requests from Service members making an Unrestricted Report. Expedited transfers in the NG are limited to within the state ARNG or Air Guard they currently serve in as a NG Member.

### **NGB-JA/OCI Completed Sexual Assault Investigation**

The NGB-JA/OCI increased the number of completed investigations from 26 to 50 to 98 to 103 over the past four FYs, showing a 92% and 96% and 5% increase over the last three years, **Figure C**. The OCI program has continued to grow in the number of sexual assault investigations requested by states.

### **Total Unrestricted Reports, FY13 – FY17**

Unrestricted Reporting in the NG maintained a trend line near 75% of the total reports over the past five FYs with the exception of FY15 showing a dip to 68%, **Figure D**. Typically, Unrestricted Reports constituted 78% of the reports occurring in a T32 status over the last four FYs while Unrestricted Reports made up 65% of the Reports for incidents that occurred in Title 10 status.

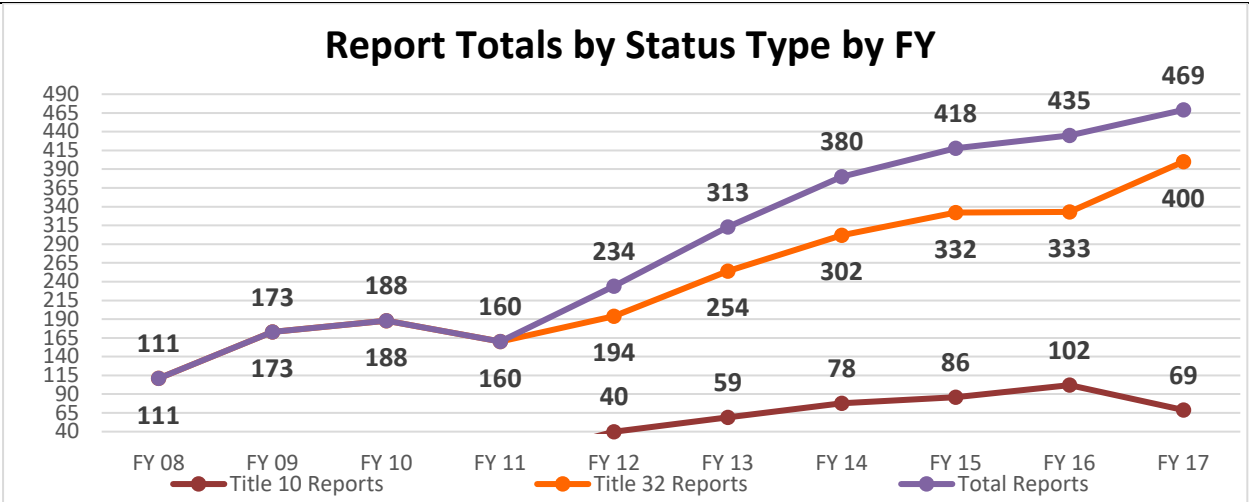
### **Latency of Sexual Assault Reporting**

The latency from the date the sexual assault occurred to the date the Service member reported the sexual assault to the military identifies how long Service members go without receiving support toward the recovery process. Comparing the report time of T32 and T10 Service members in FY16, Guard members reported their sexual assaults to military SAPR first responder within 365 days from the incident approximately 71% of the time. The NG member serving on active duty tended to report a sexual assault to a military SAPR first responder within 365 days only 48% of the time.

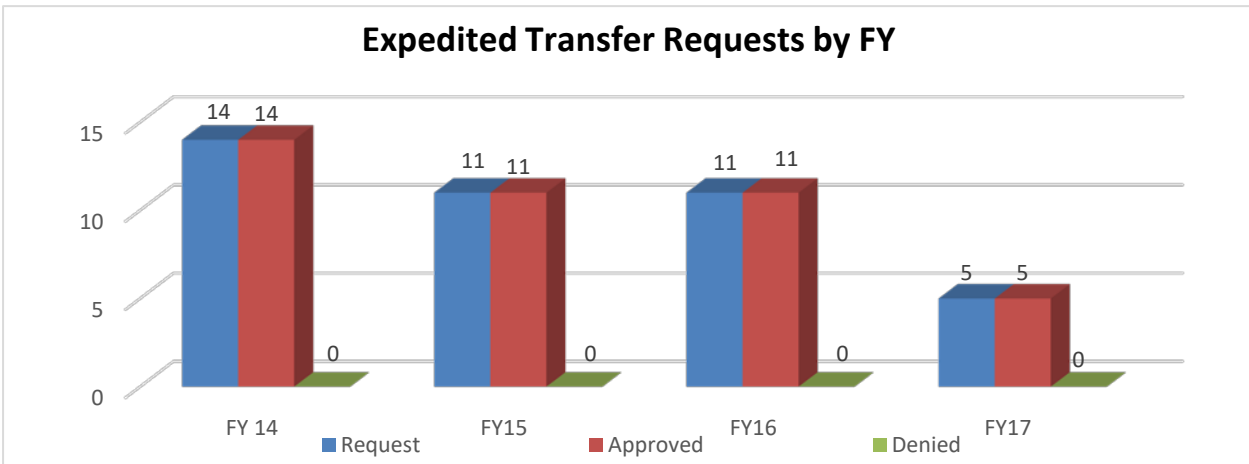
### **Declined to Participate in Investigation and Prosecution**

During FY17, only two Unrestricted Reports of sexual assaults in the NG involved individuals that did not want to continue to participate in the investigation and prosecution efforts of a military subject.

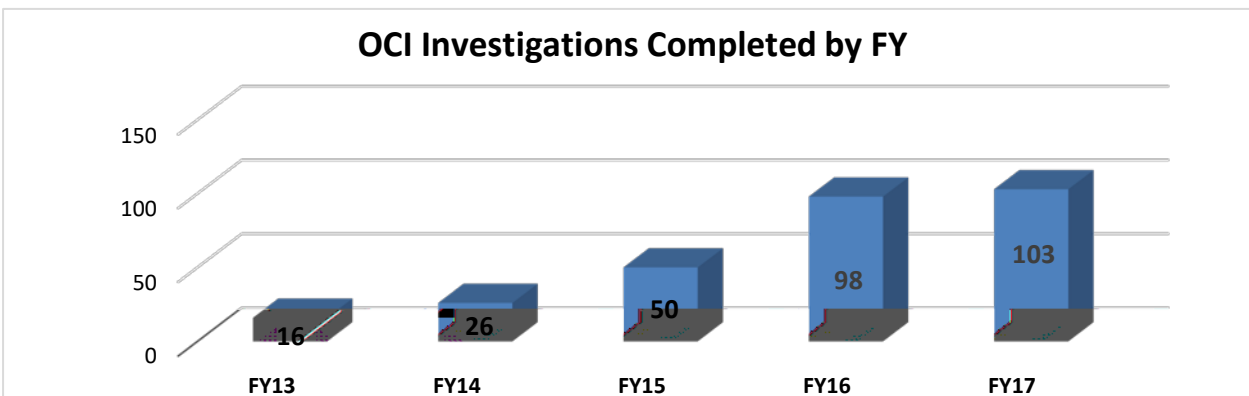




**Figure A. Total number of National Guard Sexual Assault Reports by Status Type over time (since FY13)**



**Figure B. Total number of National Guard Expedited Transfer Requests and Command Approvals by FY**



**Figure C. Investigation Completed by Office of Complex Administrative Investigation by Year**

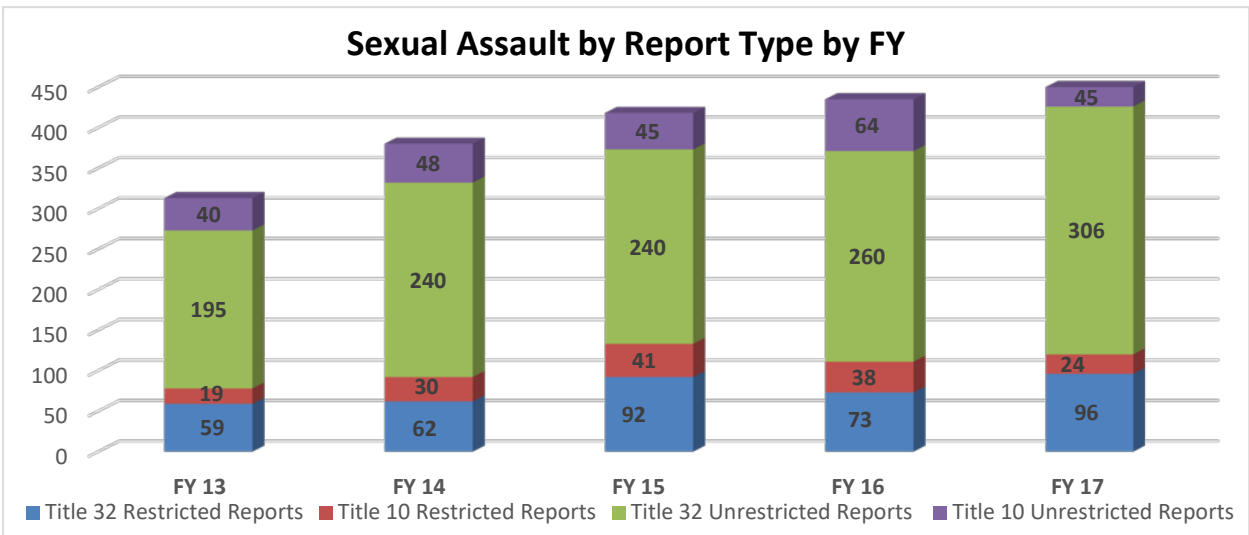


Figure D. Total number of National Guard Restricted Reports and Unrestricted Reports over time FY13 – FY17

8.2 Complete the following table with your numbers as of the end of the fiscal year. Use the job/duty descriptions provided and the following inclusion criteria:

- Include all Reserve and Active Duty military personnel. Army and Air Force do not need to include their respective National Guard component information, as it will be included in the National Guard Bureau’s response.
- Include civilian and contractor personnel, as applicable
- Only include filled positions
- Indicate the number of full-time and part-time personnel
- Provide the exact number of current personnel, whenever possible. If the number is an estimate, please indicate how the estimate was reached and any other relevant information.

**(DoDI 6495.02, “Sexual Assault Prevention and Response (SAPR) Program Procedures,” (May 24, 2017), Encl 2, para 6ac)**

Job/Duty Title	Description of Job/Duty	Full-Time	Part-Time
Program Managers	Capability in developing policy, or program management and execution; and completion of 40+ hours of Military Service-specific National Advocate Credentialing Program and approved SARC training.	1 NGB-J1 1 ANG (2)	N/A

Dedicated Headquarters-Level Professionals	Include policy, advocacy, and prevention professionals who support the headquarters-level SAPR program offices at each Military Service/National Guard Bureau ( <i>not including program managers, who are counted in their own category</i> ).	7 NGB- J1 6 ARNG 4 ANG  (17)	N/A
Uniformed SARCs	Serve as the single point of contact at an installation or within a geographic area to oversee sexual assault awareness, prevention, and response training; coordinate medical treatment, including emergency care, for victims of sexual assault; and track the services provided to victims from the initial report through final disposition and resolution. Certified under the nationally accredited DoD Sexual Assault Advocate Certification Program (D-SAACP).	5 ARNG JFHQ 39 ANG  (44)	225 ARNG T32 52 ANG  (277)
Civilian SARCs	See above.	9 ARNG JFHQ 24 ANG  (33)	
Uniformed SAPR-VAs	Provide non-clinical crisis intervention, referral, and ongoing non-clinical support to adult sexual assault victims; offer information on available options/resources to victims; coordinate liaison assistance with other organizations and agencies on victim care matters; and report directly to the SARC. Certified under the nationally-accredited D-SAACP.	4 ARNG JFHQ	1,370 ARNG T32 259 ANG T32  (1,629)
Civilian SAPR-VAs	See above.	40 ARNG JFHQ	

Sexual Assault-Specific Legal	Legal personnel who specialize in sexual assault cases including prosecutors, Victim Witness Assistance Program personnel, paralegals, legal experts, and Special Victim's Counsel/Victim's Legal Counsel. <b>For NG, this represents NG-SVCs only.</b>	<b>12 ARNG 5 ANG (17)</b>	
Sexual Assault – Specific Investigators	Military Criminal Investigation Office investigators who specialize in sexual assault cases. <b>For NG, this represents NGB-JA/OCI investigators.</b>	<b>23</b>	
Sexual Assault Medical Forensic Examiners	Medical providers that have completed the DoD course at Fort Sam Houston, or equivalent.	<b>N/A</b>	