



PERSONNEL AND  
READINESS

## UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

DEC 16 2008

The Honorable Carl Levin  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, D.C. 20510-6050

Dear Mr. Chairman:

I am forwarding to you the annual reports on sexual harassment and violence at the three Military Service Academies (MSAs) as required by Section 532 of the National Defense Authorization Act (NDAA) for Fiscal Year 2007 (Public Law 109-364).

The reports provide data on reported sexual assaults involving students as well as policies, procedures, and processes implemented in response to sexual harassment and violence at the MSAs during Academic Program Year (APY) 2007-2008. The reports also detail each MSA's plan of action to address sexual harassment and violence prevention and response during the current APY (See Enclosures 1 – 3).

It should be noted that all three MSAs continue to institutionalize in their curricula innovative approaches to sexual harassment and violence prevention and response education. Each MSA's effort to improve its policies and enhance the quality of training reflects its commitment to effecting a cultural change that will reduce and eventually eliminate sexual misconduct. All three Academies employ a variety of formats and media in their training programs, and they use nationally-known speakers and trainers.

In Spring 2008, the Department conducted a survey as required by PL 109-364, designed to track the underlying incidence of sexual assault and sexual harassment at the MSAs (Enclosure 4). Although completing the survey is strictly voluntary, 4,410 students completed the survey yielding a weighted response rate of 74%. Their responses highlight the many successes that the MSAs have achieved toward their goal of eliminating sexual misconduct.

Over 90% of students indicated that the training they received had some positive effect in reducing or eliminating sexual assaults and sexual harassment at the MSAs. In addition, the majority of students indicated that leadership at every level was making honest and reasonable attempts to stop sexual assault and sexual harassment. Students also indicated that sexual assault and sexual harassment are no more of a problem and no less of a problem since they enrolled.

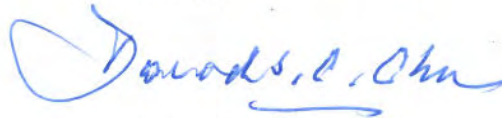
In this year's MSA survey, 9% of women and 1% of men indicated experiencing unwanted sexual contact in the APY preceding the survey, and 52% of women and 11% of men indicated experiencing sexual harassment in 2008. Few students indicated they experienced stalking. Methodological differences prevent direct comparison between these findings and studies at civilian universities.

Clearly, more work needs to be done. While there has not been a significant year-to-year change in the percentage of students reporting unwanted sexual contact on the survey, the number of Restricted and Unrestricted Reports of sexual assault made to authorities at the MSAs has decreased. We estimate that approximately 90% of sexual assaults are going unreported at the Academies. We will not be satisfied until we see the rates of Restricted and Unrestricted Reports come closer to what our people are anonymously reporting on Department surveys.

Preventing sexual misconduct at the MSAs and in all aspects of military service remains a long-term goal for the Department. The Department believes that the self-assessments and survey provide substantial evidence of progress. However, these same data show much remains to be accomplished.

I am sending a similar letter and the three MSA reports to the Chairman and Ranking Member of the House Committee on Armed Services.

Sincerely,



David S. C. Chu

Enclosures:

As stated

cc:

The Honorable John McCain  
Ranking Member



PERSONNEL AND  
READINESS

## UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

DEC 16 2008

The Honorable Ike Skelton  
Chairman  
Committee on Armed Services  
U. S. House of Representatives  
Washington, D.C. 20515-0552

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Sincerely,



David S. C. Chu

Enclosures:

As stated

cc:

The Honorable Duncan Hunter  
Ranking Member

## EXECUTIVE SUMMARY

(U) 2007-2008 Annual Report Sexual Violence at West Point. (U) (West Point –SAS-HR) West Point had 4 reported unrestricted cases and 0 reported restricted cases of alleged sexual assault. The Criminal Investigative Division investigated all 4 unrestricted cases: Two of the rape cases were unfounded. In the first case, the victim recanted and the subject lied, which led to his resignation and recoupment. The second case involved an uncooperative civilian victim, and the subject graduated in May 2008. In the 3<sup>rd</sup> rape case the subject was found not guilty of rape, but plead guilty to a false official statement and was dismissed with a dishonorable discharge. The last case is currently being investigated. West Point has a solid Sexual Assault Prevention and Response (SAPR) Program. By providing consistent policy, removing barriers to victim reporting, ensuring accessible care and providing comprehensive education to all personnel, it remains a catalyst for change, while taking care of survivors. The SAPR Program has monthly meetings chaired by the Superintendent, with constant focus on new initiatives, and close scrutiny of current cases. The 2008 Gender Relations survey validates our Guest Lecture training and challenges us to keep cadets well informed. Senior leaders continue to specifically address response and prevention at Cadet Briefings and Staff Command Information Briefings. West Point will follow the Army lead and will launch the I.A.M. Strong Campaign with participation from the entire West Point community. The goal remains steadfast: to produce Army Strong leaders of character for our nation who will Intervene, Act, and Motivate!



APPROVED BY: COL Jeanette M. McMahon  
Special Assistant to the Superintendent  
for Diversity and Human Relations  
(845) 938-5983



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

MASP

MEMORANDUM THRU DEPARTMENT OF THE ARMY, ATTN: DEPUTY CHIEF OF STAFF,  
G-1, 300 ARMY PENTAGON, WASHINGTON, DC 20310-0300

THRU ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE  
AFFAIRS), 111 ARMY PENTAGON, WASHINGTON, D.C. 20310-0111

FOR SECRETARY OF THE ARMY, 101 ARMY PENTAGON, WASHINGTON, DC 20310-  
0101

SUBJECT: Annual Report (Academic Program Year 2007-2008) – Sexual Harassment and  
Violence at West Point

1. Reference: Public Law 109-364, Section 532.
2. General. The National Defense Authorization Act for Fiscal Year 2007 requires the Service Academy Superintendents to submit an annual report through their Military Departments to the Secretary of Defense on sexual harassment/sexual assault involving academy personnel. This memorandum fulfills that requirement.
3. Requirements. Section 532 details the report requirements. The legislation uses the term “program year,” which we name the Academic Program Year (APY), from 1 June to 31 May, which generally corresponds to the day after graduation, includes the summer training period, to the day of graduation the following year.
4. *The number of sexual assaults by UCMJ offense involving academy personnel that have been reported (separate totals for restricted and unrestricted reports) to academy officials during APY 2007-2008, and the number of unrestricted reports by UCMJ offense that have been substantiated. For the purpose of this report, sexual assault cases include alleged offenses of rape (Article 120, UCMJ), forcible sodomy (Article 125, UCMJ), indecent assault (Article 134, UCMJ; Para 63, Part IV, Manual for Courts-Martial), and an attempt to commit any of these offenses (Article 80, UCMJ).*
  - a. In the period 1 June 2007 to 31 May 2008, West Point had 3 reported unrestricted cases of alleged sexual assault (3 rapes). The U.S. Army Criminal Investigation Command (CID) investigated all unrestricted reported cases. Two rape cases were unfounded. In one, the victim

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SUBJECT: Annual Report (Academic Program Year 2007 - 2008) – Sexual Harassment and Violence at West Point

recanted and the subject lied during the investigation, which led to his resignation and recoupment of his educational expenses. In the other, the civilian victim was uncooperative with both civilian and military law enforcement after the initial report and the subject graduated in May 2008. The third case was initially a restricted report and later changed to an unrestricted report. The subject was found not guilty of rape but plead guilty to making a false official statement and was sentenced to dismissal from the U.S. Army. The 2 rape cases from last year that were pending at the time of the annual report were completed during this time period and were unfounded due to insufficient evidence. Both subjects had graduated in May 2007.

b. In the period 1 June 2007 to 31 May 2008, West Point initially had 2 reported restricted cases of alleged sexual assault. One case was changed to an unrestricted report during this reporting period.

5. *The policies, procedures, and processes implemented by the Secretary of the Army and the leadership of the Academy in response to sexual harassment and sexual assault involving academy personnel during APY 2007-2008.* In APY 2007-2008 the West Point community worked tirelessly to achieve the Department of Defense's goal of eliminating this type of behavior. We have provided a solid program that is a catalyst for change, continued assessments and refinements, while taking care of survivors. Our education and training program has gone beyond awareness to focus on prevention and promotion of a healthy culture. The number of reports this year shows new trend of significantly decreased reports from the past 3 years. During the APY 2007-2008, West Point took the following specific actions:

a. The Superintendent continued to chair each monthly Sexual Assault Review Board (SARB) meeting, with representation from USMA, the United States Corps of Cadets (USCC), Keller Army Hospital, and U.S. Army Garrison activities (Meeting Minutes, Encl 1). This year saw the addition of a new member on the SARB from the Center for Enhanced Performance, CEP, Ms. Nadeau-Schaff, who is also the Officer in Charge of the Women's Club, the Margaret Corbin Seminar. This cadet group is centered on educating women and men cadets on Women's Issues and providing a support network for women cadets (similar to a Women's Student Union or college Women's Center).

b. Transitioned from the old reporting style of the 2004 DoD Task Force Recommendations to Semi-Annual Assessments on the overall Program Status across all subordinate units and directorates (Encl 2, Sep 07 Assessment, Encl 3, Apr 08 Assessment).

c. Completed required training of all assigned personnel to include Sexual Assault Program highlights for newly assigned personnel, annual training, and pre-deployment training (Encl 4, ONAP Aug 2007).

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SUBJECT: Annual Report (Academic Program Year 2007-2008) – Sexual Harassment and Violence at the United States Military Academy (USMA)

d. Continued emphasis on diversity of staff and faculty within the Academic Departments with a goal of 20% military women. Although short of the goal, continued focus within the Academic Departments will remain a priority. The status at the April 2008 SARB was 13% military women, 19% women in total faculty, 11% women for the Advanced Civil Schooling selection rate, and 15% women selected as Professor USMA (PUSMA), and 11% as an Academy Professor (AP) (Encl 5).

e. The recruiting of military women who constitute the United States Corps of Cadets (USCC) Staff in various Departments came in at 14%, in the Department of Military Instruction at 10%, and the Brigade Tactical Department at 9%. Again although short of the goal of 20%, continued emphasis on diversity of USCC will be emphasized (Encl 6).

f. Incorporate U.S. Army Garrison, West Point Assessment into overall Program Assessment (Encl 7). Continued to collaborate with local Law Enforcement Agencies, and are nearly complete on signing MOU's with multiple headquarters.

g. USCC reviewed Cadet Summer Training for both cadet leaders (Leader Training Program – LTP) and trainees. Updated presentations to include updated Program Information and to make it more interesting, especially to the new cadet cadre. USCC also provided sexual harassment and assault preventive measures briefings during both Cadet Basic Training for incoming Freshmen and Cadet Field Training for rising Sophomores.

h. Hosted a visit for the United States Coast Guard Academy. Provided presentations of our developmental training program, and by our counselors and medical staff.

i. Conducted the most robust Sexual Assault Awareness Month Program to date at West Point, which included a Poster Competition involving participation from cadets, staff, civilians, and family members. Winners enjoyed a tandem jump donated by the local Skydiving Club.

j. Sponsored a book signing and lecture by noted author Kirsten Holmstedt for her recent publication "Band of Sisters".

k. Supported the Academy Women's Conference in Washington D.C. at the Women's Memorial. A group of women cadets from the Corbin Seminar attended and represented West Point.

l. Provided through the Simon Center for Professional Military Ethic (SCPME) a nationally renowned guest lecture for each Class (Freshman to Senior), developmentally selected to compliment their Sexual Assault Prevention training to date (Encl 8).



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SUBJECT: Annual Report (Academic Program Year 2007-2008) – Sexual Harassment and Violence at the United States Military Academy (USMA)

m. Conducted a Battle Drill in our Military Treatment Facility Emergency Room (ER) to “test” our response to a presentation of a sexual assault victim (Encl 9).

n. Provided an update to the Board of Visitors regarding our Program (Encl 10).

o. Command Leadership provided continued emphasis on this issue at Command Information Briefings regarding the response and prevention program at West Point (Encl 11).

p. Provided a presentation at the Annual Parents Club Conference to ensure they are well informed of the proactive measures we take at West Point regarding prevention and response (Encl 12).

6. *Discuss the results of the APY 2008 Gender Relations Survey that the Defense Manpower Data Center (DMDC) conducted.* DMDC provided the USMA leadership with preliminary results in August 2008. The results were based on an anonymous survey administered to all the women cadets and 1/3<sup>rd</sup> of the men cadets last spring. A group of USMA SME’s reviewed and analyzed the survey analysis and determined these general take-aways from the draft report.

a. Our current education method (guest lectures) is effective.

b. Cadets are not getting enough feedback regarding cases that occur.

c. Unwanted Sexual Contact remains an issue – Sophomores most at risk.

d. Much better understanding between restricted and unrestricted reporting.

e. The correlation between sexual assault and alcohol abuse remains high.

7. *Describe the plan for the actions that are to be taken in APY 2008-2009 regarding prevention of and response to sexual harassment and violence involving academy personnel.*

a. Continue to have the Superintendent chair each monthly Sexual Assault Review Board meeting, with representation from USMA, the United States Corps of Cadets (USCC), Keller Army Hospital, and U.S. Army Garrison activities.

b. Continue with Semi-Annual Assessments to gage the progress of policy changes and current program directives from higher headquarters.

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SUBJECT: Annual Report (Academic Program Year 2007-2008) – Sexual Harassment and Violence at the United States Military Academy (USMA)

- c. Continue to complete all required training of all assigned personnel to include Sexual Assault Program highlights for newly assigned personnel, annual training, all Coaches and Athletic Staff, and pre-deployment training.
- d. Continue to increase to 20% the recruiting of military women who constitute the Staff and Faculty at West Point to include both the Office of the Dean and United States Corps of Cadets (USCC) Staff.
- e. Continue to support collaborative relationships with civilian authorities (medical and law enforcement) for sexual assault victim support and move towards signed MOU's if possible.
- f. Share lessons learned with other Service Academies, conduct and host cross service visits to ensure uniformity where appropriate and foster working relationships.
- g. USCC will continue to assess the refine the SPME program with new guest lecturers as necessary.
- h. Continue to keep interest for the annual SAAM Campaign in April 2009.
- i. Conduct West Point Off-site meetings on a regular basis to develop the West Point I. A.M. Strong Campaign, involving the entire community.
- j. Attend the National Conference on Sexual Assault in our Schools with staff and cadets.
- k. The medical personnel will continue to send personnel to additional training and/or conferences in sexual assault venues. They will additionally continue to offer HPV vaccine to all female cadets in the spring and fall semesters (All cadets receiving the first vaccine of the 3 shot series will be required to sit in on a small group brief (1-8 cadets) which covers annual exams, pregnancy policy and sexual assault). They will also look to expand opportunities for time with cadets to brief prevention and services for all female health topics.
- l. The Office of the Director of Intercollegiate Athletics will coordinate for training for all staff and faculty, coaches and athletes. They will also conduct cultural assessment forums with teams to monitor and identify cultural challenges and gender issues in athletics and provide pertinent feedback to the chain of command. They will involve the Student Athlete Advisory Committee (comprised of team captains) to support Sexual Assault Program initiatives within their respective teams, and work with other members of the Patriot League and service academies to address education and awareness throughout the league.

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SUBJECT: Annual Report (Academic Program Year 2007-2008) – Sexual Harassment and Violence at the United States Military Academy (USMA)

m. The Garrison Command will ensure that the SARC will support and participate in FY09 USAG-WP workforce training. Support EEO Open House with a workshop on sexual assault prevention and awareness. Support and assist in coordination of observances for Sexual Assault Awareness Month, April 2009. Host joint training with Mental Health Association in Orange County, Inc. and their rape crisis advocates. Continue to emphasize funding for future renovations of the cadet living areas. These renovations and additional building space will facilitate improved grouping of women's living areas near the latrines.

8. Conclusion. West Point will continue to institutionalize prevention strategies that demonstrate a commitment to end sexual harassment and violence by providing consistent policy, removing barriers to victim reporting, ensuring accessible care and providing comprehensive education and training to all personnel. West Point's goal remains steadfast: to produce Army Strong leaders of character for our nation who will Intervene, Act, and Motivate!

9. The point of contact for this report is COL Jeanette McMahon, the Special Assistant to the Superintendent for Human Relations at (845) 938-5983, DSN 688-5983.



F.L. HAGENBECK  
Lieutenant General, US Army  
Superintendent



**ACTION MEMO**

November 19, 2008

FOR: SECRETARY OF DEFENSE

FROM: Donald C. Winter, Secretary of the Navy

A handwritten signature in black ink, appearing to read "Donald C. Winter".

SUBJECT: Naval Academy's Submission to the Academic Program Year (APY) 2008  
Report on Sexual Harassment and Violence at the Military Service  
Academies

- Mr. Secretary, TABs A-E constitute the United States Naval Academy's 2008 Academy Program Year Report on Sexual Harassment and Violence.
- Submission of this information is directed by section 532 of the Fiscal Year 2007 National Defense Authorization Act (Public Law 109-364), and covers the 2007 Academy program year (June 1, 2007 – May 31, 2008).
- TAB A is the United States Naval Academy's 2008 Report on Sexual Harassment and Violence.
- TAB B details policies, procedures, and processes that were implemented at the United States Naval Academy for Program Year 2008 in response to sexual harassment and sexual violence involving midshipmen or other Academy personnel.
- TAB C outlines a plan for the actions that are to be taken in Program Year 2009 regarding prevention of, and response to sexual harassment and sexual violence involving midshipmen or other Academy personnel.
- TAB D details an analysis of Defense Management Data Center of focus groups administered with regard to Sexual Harassment and Violence at the United States Naval Academy.
- TAB E provides excerpts of General Accounting Office Report GAO-08-296.

RECOMMENDATION: SECDEF forward TABs A-D to the Senate and House  
Committees on Armed Services.

COORDINATION: TAB F

ATTACHMENTS:

As stated

Prepared By: LT Robin Boniface, Sexual Assault Response Coordinator, USNA,  
(410) 293-1502

## **2008 Academy Program Year Report on Sexual Harassment and Violence**

Table 1 lists the number of sexual assaults by UCMJ offense involving midshipmen that have been reported to academy officials during APY 2008, and the number of unrestricted reports by UCMJ offense that military criminal investigators report as substantiated.

### **2008 Program Year**

<b>UCMJ Offense</b>	<b># Restricted Reports</b>	<b># Unrestricted Reports</b>	<b># Substantiated Unrestricted Reports</b>
<b>Art. 120, Rape</b>	4	2	0
<b>Art. 125, Sodomy</b>	0	0	0
<b>Art. 134, Indecent Assault</b>	0	1	1
<b>Art. 80, Attempts</b>	0	0	0

Table 2 lists the number of sexual assaults by UCMJ offense according to the status of the victim and that of the offender.

<b>UCMJ Offense</b>	<b># MIDN on MIDN</b>	<b># MIDN on Non-MIDN</b>	<b># Non-MIDN on MIDN</b>	<b># Unidentified on MIDN</b>
<b>Art. 120, Rape</b>	2	0	0	0
<b>Art. 125, Sodomy</b>	0	0	0	0
<b>Art. 134, Indecent Assault</b>	1	0	0	0
<b>Art. 80, Attempts</b>	0	0	0	0

Enclosure (1) provides detailed reporting information regarding sexual harassment and violence at the United States Naval Academy for APY 07-08. The Naval Academy continued to aggressively pursue prevention efforts and to appropriately respond to sexual harassment and assault throughout APY 2008. Specific examples of these efforts are detailed below:

- Complied with OPNAV and DoD guidance on sexual assault while also addressing the tangential categories of fraternization, sexual harassment, sexual misconduct, and stalking. The focus is on deterrence and ensuring proper protocols are in place;
- Approved and implemented Sexual Harassment and Assault Prevention Education (SHAPE) curriculum developed by contracted subject matter experts. During APY 2008 the class of 2011 (Fourth Class Midshipmen)

received four one-hour sessions of the new curriculum and a one hour supporting presentation. The remainder of the Brigade received a one-hour presentation specific to their class year;

- Renewed Memorandum of Understanding (MOU) with agencies and resources in Annapolis and Anne Arundel County. This MOU solidifies efforts to create a response- and resource-rich environment for midshipmen, staff, and faculty members;
- Created new education pathways, launching a USNA “1 in 4” Chapter; a nationally renowned collegiate program designed to decrease instances of sexual violence and increase bystander intervention. The USNA Chapter was personally trained by the program creator (Dr. John Foubert). Additionally, the USNA “1 in 4” Chapter was invited to present at the U.S. Coast Guard Academy, receiving laudatory remarks from both leadership and cadets;
- Supported Government Accounting Office (GAO) review of service academies’ sexual harassment and assault prevention and response programs.

The seven key areas identified by the Defense Task Force on Sexual Harassment and Violence at the Military Service Academies (Service Academy Culture, Victims’ Rights and Support, Offender Accountability, Data Collection and Case Management Tracking, Training and Education, Prevention, and Coordination between Military and Civilian Communities) continued to be addressed in APY 2008. Additionally, 12 recommendations from the *DOD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies (APY 2006-2007)* were examined and added to the Sexual Harassment and Assault Prevention Response plan of action and milestones. Several of the DoD recommendations have been implemented or are in progress as outlined in TABs B and C.

Specific accomplishments from APY 2008 are included in TAB B. Specific plans and initiatives for APY 2009 are included in enclosure TAB C. Analysis and results of DMDC focus groups are provided in TAB D. GAO report recommendations are provided in TAB E. Results of the 2008 DMDC Service Academy Gender Relations Survey were not available and will be included in the APY 2009 report.

Prevention of sexual harassment, misconduct, assault, and sexist behavior remains a priority. The implementation of SHAPE is indicative of the innovating efforts undertaken to address inappropriate behavior and teach all midshipmen to treat each other with dignity and respect. The continued implementation of SHAPE and determined awareness efforts in APY 2009 will foster a command climate that encourages appropriate behavior and corrects inappropriate behavior, allowing USNA to serve as a “flagship institution” and the “face of the nation.”

**Academic Program Year 2008 Policies, Procedures and Processes  
Implemented in Response to Sexual Harassment and Assault**

1. Revised USNA Sexual Assault Victim Intervention (SAVI) instructions to comply with the OPNAV and USNA Sexual Harassment, Misconduct and Assault instructions.
2. Continued to implement the recommendations of the *Report of the Defense Task Force on Sexual Harassment and Violence at the Military Service Academies* to the fullest possible extent. Specific actions included:
  - a. Sustained increased percentage of female midshipmen (20.6%) and female officer and senior enlisted role models (19%).
  - b. Increased emphasis on midshipmen responsibility and accountability through focused training, additional review and monitoring of midshipmen behavior and assessment data.
  - c. Continued extracurricular awareness training and expanded sexual assault confidential reporting resources maximizing avenues for reporting and support. Increased awareness of restricted reporting options through focused training.
  - d. Continued active liaison with Navy's SAVI Program Management Office for information sharing, program updates, coordination and support.
3. Sustained SAVI program continuity despite personnel turnover, ensuring that the Sexual Assault Response Coordinator (SARC), Deputy SARC, SAVI Liaisons, Victim Advocates, Midshipmen SAVI GUIDEs (Guidance, Understanding, Information, Direction, Education), and legal support were fully trained and that temporary personnel were adequately trained to fill gaps.
4. Instituted the Sexual Harassment and Assault Prevention Education (SHAPE) program for fourth class midshipmen using peer educators trained by subject matter experts. Also, established a process to interview and select replacement Peer Educators annually. An assessment tool used to gauge program effectiveness is currently being developed.
5. Continued to heighten faculty, staff and support personnel prevention and response awareness through focused recurrent training and ready access to pertinent information:
  - a. Introduced USNA's Sexual Harassment, Misconduct and Assault Prevention and Response (SHMAPR) Program during Academic Dean Newcomers Indoctrination Training.
  - b. Conducted annual Sexual Assault Prevention and Response (SAPR) refresher training.
  - c. Updated and maintained the USNA SAVI website, providing key information and links to relevant DON and DoD sites. Also incorporated SHAPE specific information.

6. Assisted in the administration of DoD Service Academies Gender Relations Survey.
7. Continued to address USNA policy, prevention and response efforts and progress related to sexual harassment and assault in a variety of forums, e. g., Midshipman, Faculty and Staff training and senior leadership meetings, Board of Visitors, and media briefs.
8. Advertised the principles of USNA Sexual Harassment, Misconduct and Assault program to colleges, universities and preparatory schools. Also, shared program concepts with U.S. Coast Guard Academy (USCGA) and provided USNA *1in4* Chapter presentations to USCGA cadets to foster discussion and continued program improvements.
9. Selected SAVI GUIDEs and SHAPE Peer Educators to attend the annual collegiate Sexual Assault Prevention Conference focused on sexual assault in our schools. Presented an overview of the Naval Academy program and collaborated with other institutions of higher education to foster program improvement.
10. Initiated new and updated existing formal Memorandums of Understanding with local support/service agencies.
11. Continued to conduct Equal Opportunity exit-briefs with female midshipmen voluntarily separating from the Academy to ascertain their perceptions of the command climate and determine whether their departure is gender related. Used feedback to address concerns.
12. Monitored sexual harassment and assault notification and response processes, ensuring key responders were well trained and that accurate flow-charts were maintained to support appropriate response for each type of report.
13. Maintained and tracked VA refresher training in order to ensure currency.
14. Reviewed Victim Advocate pool and advertised for volunteers to be trained as replacements to ensure quality crisis intervention support.
15. Conducted multi-disciplinary Sexual Assault Victim Intervention (SAVI) Coordination Committee Meetings to facilitate program updates, discuss process improvements and ensure system accountability and victim access to services.
16. Implemented the recommendations listed below in response to the Sexual Assault Prevention and Response Office (SAPRO) Department of Defense annual report on Sexual Harassment and Violence at the U.S. Military Academies: Academic Program Year 2006-2007.
  - a. The Sexual Assault Response Coordinator (SARC) exercises supervision over all the sexual assault reports made to SAVI GUIDEs and Brigade SAVI Liaison (BSL) to include identifying data of all victims. The SARC, SAVI Victim Advocate (VA), and BSL also



review relationships between SAVI GUIDEs, victims, and accused midshipmen to preclude conflicts of interest or inappropriate relationships.

b. Continued to emphasize procedures that midshipmen should follow for reporting a sexual assault and to whom a victim can confidentially report.

c. USNA has updated MOU/MOA with local community resources.

d. The SARC is inquiring as to the reasons victims may choose not to convert to an unrestricted report.

e. The SARC is monitoring continuity of services throughout the investigation and prosecution.

f. USNA has included discussion of the collateral misconduct in reform training for the Brigade of Midshipmen and in annual staff and faculty prevention training.

**Academic Program Year 2009 Plan of Actions Regarding  
Prevention of and Response to Sexual Harassment and Assault**

1. Implement DoD and DoN changes in conjunction with *Government Accounting Office (GAO)* report 2007.
2. Implement the recommendations listed below from the Sexual Assault Prevention and Response Office (SAPRO) Department of Defense annual report on Sexual Harassment and Violence at the U.S. Military Academies: Academic Program Year 2006-2007.
  - a. Continue to ensure training curricula emphasizes procedures that midshipmen should follow for reporting a sexual assault, and to whom a victim can confidentially report.
  - b. The Sexual Assault response Coordinator (SARC) will coordinate with Naval Criminal Investigation Service (NCIS) personnel and identify jurisdictional procedures regarding Sexual Assault Forensic Examinations (SAFEs) in Maryland and the District of Columbia.
  - c. The VWAC (Victim Witness Assistance Coordinator) will provide victims with the Midshipmen Legal Advisor's contact information and a brief explanation of the service they can provide.
  - d. USNA will implement an assessment tool to study the effectiveness of peer education in the Academy setting.
  - e. The SARC will continue to inquire into the reasons why victims are choosing not to convert to unrestricted reporting and why victims withdraw their cooperation after making an unrestricted report. This information will be forwarded through appropriate channels to DoD SAPRO without disclosing particular information or details from which one could determine the identity of a victim.
  - f. The SARC will continue to monitor continuity in victim services throughout the investigation and prosecution by coordinating with the Victim Witness Liaison (VWL) and other personnel providing victim assistance.
  - g. USNA will continue to educate Academy personnel annually on the collateral misconduct policy, as well as the fact that victims do not typically receive immunity for collateral misconduct by simply reporting a sexual assault.
  - h. USNA has examined the SARC appointment policy, and will revise USNA policy to comply with Navy Equal Opportunity Policy (OPNAV instruction 5354.1E).
3. Improve and refine sexual assault prevention and response training for faculty, staff, and support personnel. Furthermore, develop and implement innovative ways to introduce awareness information ensuring the message is current and pervasive.
4. Continue to execute the Sexual Harassment and Assault Prevention Education (SHAPE) program for third and fourth class midshipmen using peer educators trained by subject matter experts and transition to USNA staff and faculty permanent positions.
5. Develop the way-ahead for SHAPE program goals Academy Program Years (APY) 2010 and 2011:

- a. Identify academic courses which will support embedding upper class SHAPE learning objectives into existing curriculum.
  - b. Revise SHAPE curriculum creating a product that supports and parallels academic learning objectives while maintaining the integrity of the awareness message.
  - c. Develop a cost effective method for sustaining sexual harassment and assault prevention efforts long term by institutionalizing the SHAPE program at USNA.
6. Select program personnel to represent USNA at conferences with sexual assault prevention education themes. Present Naval Academy program overviews and collaborate with other institutions of higher learning to foster program improvement and sharing of resources and ideas.
7. Broaden opportunities and increase participation in sexual assault awareness activities with every department within the Naval Academy Complex. Such events may include, but are not limited to:
  - a. Sexual Assault Awareness Month activities.
  - b. Sexual assault awareness guest lecturers and programs.
  - c. Annual training
8. Increase participation in the Faculty Liaison Program (FLP), using select members of the USNA staff and faculty as conduit for the prevention and response message.
9. Continue to develop methods for improving the Victim Advocate (VA) program to include; increased opportunities for refresher training and familiarization walkthroughs of supporting programs such as Bethesda and Anne Arundel Medical Center (AAMC).
10. Continue to support local community sexual assault awareness programs through active participation in events, meetings and active exchange of resources and ideas.
11. Monitor sexual assault notification and response processes, ensuring key responders are well trained and that accurate flow-charts are maintained to support appropriate response for each type of report.
12. Review victim advocate pool bi-annually and advertise for volunteers to be trained as replacements to ensure quality crisis intervention support.
13. Conduct multi-disciplinary Sexual Assault Intervention (SAVI) Coordination Committee Meetings (CCM) to facilitate program updates, discuss process improvements and ensure system accountability and victim access to services.

## Analysis of 2007 DMDC Focus Groups

Focus groups administered in conjunction with the Department of Defense Annual report on Sexual Harassment and Violence at the U.S. Military Service Academies, Academic Program Year (APY) 2006-2007, confirmed the level of understanding midshipmen have with regard to sexual harassment and assault. Although only eight focus group sessions of 8-10 students each were held for the 4,400 midshipmen, the results helped define and validate the current approach to education and training. Albeit the results of the focus group are useful, the scope is too narrow to take action on focus group information alone. These results coupled with the 2008 Defense Management Data Center (DMDC) Service Academy Gender Relations (SAGR) Survey will provide meaningful feedback for corrective action and program evaluation. The sessions asked questions on nine issues regarding gender relations and sexual violence.

**Sexual Assault and Sexual Harassment.** Midshipmen participants indicated that sexual assault is well understood and is taken very seriously. They also recognize that occasionally sexual assault does occur at the Academy, but most believe it occurs much less often than at civilian universities. Sexual Harassment (SH) is a much more common issue, though midshipmen had difficulty in clearly defining the scope of the SH issue. Most believe that the majority of SH cases were dealt with at the informal level simply by the offending midshipman ceasing the behavior when asked to do so, which falls in line with Department of the Navy (DoN) policy regarding informal SH reporting procedures. Some also believed that female midshipmen often tolerated these types of behaviors because they felt that it was not a malicious attack, and men often forgot to be careful with lewd comments when in mixed company. These are consistent Naval Academy self-evaluation results. The extent to which SH is an issue is a direct result of the culture which allows it to exist. To effectively combat the issue a cultural shift that recognizes gender equality and encourages mutual respect among all Academy personnel must continue to be fostered among midshipmen, staff, and faculty.

**Safety.** The majority of focus group participants felt safe at the Academy even though they recognized that on occasion sexual assaults do occur. The focus groups did identify a point of confusion among midshipmen regarding the Academy locked door policy. Midshipmen were unsure if they were allowed to lock their doors, and some believed that if they were allowed to do so it would increase their feelings of security. Measures are being taken to identify the exact requirements for the locked door policy. Once the details are identified, midshipmen will be made aware of exactly what is and is not allowed. Information will be disseminated via their Company chains of command.

**Mechanics of Reporting and Reasons for Not Reporting.** A complete understanding of the reporting options continues to grow and develop among midshipmen. Focus group participants validated this statement by indicating that they had a general understanding of their reporting options, though midshipmen remain unclear of exact terminology. Academy sexual assault training continues to maintain its focus on reporting options in order to close this gap. With regard to reasons not to report, participants mentioned several points of contention within the reporting process which discouraged them from coming forward. Some of the reasons provided were: midshipmen who reported were viewed as “troublemakers” by their peers, system inequity when dealing with the accused, and lack of clarity in the role of the Sexual Assault Victim

Intervention (SAVI) personnel. These concerns are being addressed in Brigade-wide training and in the training of SAVI support personnel.

**Training.** The Naval Academy has taken measures to improve the quality and content of its sexual assault and harassment education curriculum. Many of the revisions to the curriculum were generated by midshipmen input from previous gender relations survey results. Efforts to modify the curriculum are in line with DMDC focus group themes. Training themes discussed in the focus groups included reducing Power Point presentations, presentation of dynamic subject matter experts (SME), and make the training relevant, applicable and current to the student population. Over the past year, implementation of the Sexual Harassment and Assault Prevention Education (SHAPE) program has done just that. Under this program, peer educators and supporting subject matter experts are scheduled throughout the academic year, providing 20 hours of awareness education over a four year period. The sexual assault prevention program contains only one traditional (Power Point) training event each academic year. This training is a program driven discussion, highlighting the principle features of the SAVI program.

**Future Leader Preparation.** When speaking of program applicability to future endeavors as military leaders focus group participants were divided. Some felt sexual assault and harassment prevention training would be a benefit in the future, while others felt that no other training would be needed. Program goals are to develop leaders of character, capable of dealing with these issues. Midshipmen must buy into the idea that they must always be ready to address sexual harassment or assault when it occurs. Several initiatives are designed to achieve this end. SHAPE scenarios and discussion regarding real life fleet experiences with sexual violence and gender related issues are primary tools. Furthermore, educational forums such as junior officer forum to discuss sexual harassment and assault during sexual assault awareness month have been established to highlight fleet concerns and experiences.

**Communications from the Academy.** Focus group participants indicated that they rarely receive information regarding the disposition of sexual assault cases taking place at the Academy. As a consequence most of the information that they do have is generated from midshipmen rumors. A desire for factual information exists as a means for understanding the true nature of individual incidents. This desire is understood by Academy sexual assault prevention personnel. It is also recognized that delivering the facts to the Brigade has positive outcomes. For example, delivering factual information regarding sexual assault cases dispels the notion that the program lacks equity in regards to both the victim and the accused. Revised training methodologies now include case disposition and factual information approved for release by the Superintendent's legal counsel.

**Use of Alcohol.** Focus group participants recognize the link between alcohol and sexual assault and harassment, but disagree with current Academy alcohol policies. The current policy has defined blood alcohol (BAC) limits; midshipmen who exceed acceptable limits are adjudicated in the administrative conduct system. The alcohol policy is relatively new to the Academy, effectiveness is being evaluated.

**Dating Relationships.** The Naval Academy has specific rules regarding in-Company dating and underclass (plebes)/ upperclass relationships. Female participants agreed with the necessity of

these rules and male participants stated that they avoided dating female midshipmen altogether in order to avoid issues. Conduct cases indicate that dating does occur which violates the Academy's policies. When these situations are discovered, violators are adjudicated via the Administrative Conduct System.

## **GAO Report GAO-08-296**

### **“The DoD and Coast Guard Academies Have Taken Steps to Address Incidents of Sexual Harassment and Assault, but greater Federal Oversight is Needed.”**

The Government Accounting Office (GAO) assessed the Sexual Harassment and Assault programs at the United States Naval Academy as well as the other service academies concluding their inquiries in January 2008. Their goal was to evaluate the extent to which academic programs addressed the prevention, response, and resolution of sexual harassment and assault cases. In order to do this the GAO reviewed training and response programs as well as relevant reports, studies and surveys. Furthermore, GAO personnel conducted one-on-one structured interviews with a generalized sample of 17 midshipmen. In order to broaden the scope of the report GAO examined additional data covering program years 2003-2006. Overall, the GAO agreed that the Academy has taken positive and proactive steps to address sexual harassment and assault. The recommendations provided were directed at broader implementation among all of the service academies and were not specifically designed to address deficiencies in a single academy’s program. Findings are as follows:

#### **Clearly articulate data reporting requirements to include common terminology.**

The DoD requires the Academies to provide data on reported sexual assaults that have been substantiated, but each academy has been defining the term (“substantiated”) differently. It has been recommended that the definition of “substantiated” be clarified to establish consistency across the board in sexual assault reporting rates. This recommendation requires DoD direction.

#### **Establish evaluative performance measures.**

The GAO recommends that a system for evaluating academy sexual harassment and assault programs using credible performance measures be adopted to assess program effectiveness. This will create a means for providing meaningful guidance for program improvement. Although a standardized system for program assessment will be provided by DoD or DON, the Naval Academy is currently taking steps to assess portions of its prevention program. An assessment tool is currently being constructed to evaluate the effectiveness of peer education efforts. Anticipate this tool will be operational in APY 2009.

#### **Provide an integrated assessment of the health of the academies sexual harassment and assault programs in future annual reports.**

In order to take action on this recommendation clarification of the term “health” must be provided.



DEPARTMENT OF THE AIR FORCE

WASHINGTON, DC 20330-1000

OFFICE OF THE ASSISTANT SECRETARY

NOV 18 2008

MEMORANDUM FOR USD (P&R)

FROM: THE ASSISTANT SECRETARY (MANPOWER AND RESERVE AFFAIRS)

SUBJECT: USAFA Sexual Harassment and Violence (SH&V) Report, APY 2007-2008

I am pleased to send you the subject report which shows the dedicated effort being put forth at the U.S. Air Force Academy (USAFA) to prevent and respond to incidents of sexual assault and violence. Lieutenant General Regni clearly holds the safety and well-being of all USAFA personnel as a top priority. The impressive "Outstanding" rating for USAFA's Sexual Assault and Response Coordinator program during USAFA's March 2008 Unit Compliance Inspection is a strong indication of their full commitment to this program.

Thank you for the opportunity to provide this important information. My point of contact on USAFA related issues is Mr. David French at 703-693-9333.

A handwritten signature in cursive script, reading "Craig W. Duehring".

CRAIG W. DUEHRING  
Assistant Secretary  
(Manpower and Reserve Affairs)

Attachment:  
2008 USAFA SH&V Report



**Report on Sexual Harassment and Violence**  
**United States Air Force Academy (USAFA)**  
**Academy Program Year 2007-2008 (APY 07-08)**

**General.** This report is submitted in accordance with Public Law 108-136, Section 527(c) for APY 07-08 (1 June 2007 to 31 May 2008). This report also serves as USAFA's self-assessment for DoD purposes. The source for this information is the USAFA Sexual Assault Response Coordinator (SARC).

**Background.** USAFA remains committed to maintaining an outstanding victim-focused Sexual Assault Prevention and Response (SAPR) program. National statistics continue to show that sexual assault is one of the most underreported crimes in America. Some studies show that approximately 25% of women are sexually assaulted during their college years.

The reality is that many students are assaulted prior to attending college. Sadly, incoming USAFA cadets are not immune to this issue—anonymous polling of the incoming class of 2012 indicated that 29% of females and 5% of males reported being sexually assaulted prior to entering USAFA.

USAFA's SAPR program, sexual harassment programs, Academy Counseling Center, and other helping agencies are focused on such issues. With this in mind, education and victim care are the primary focuses of USAFA's sexual assault prevention and response program. Since the program's inception, USAFA continues to benchmark national civilian and military best practices in order to garner improvements in sexual assault prevention, reporting and victim care.

**Organization of this report.** The information in this report is presented in four sections: 1) a review of policies, training and procedures 2) description of tabular data for cadet reports during APY 07-08 3) analysis of program effectiveness to include cadet perceptions, and plans for APY 08-09 and 4) appendix containing tabular data. The data are consistent with data presented in the 2008 DoD Annual Assessment Report required IAW DoD Directive (DoDD) 1322.22, Service Academies para. 6.1, however the tables are not identical because of the new reporting requirements directed by the Sexual Assault Response and Prevention Office. The narrative data in Section 3 includes an overview of the results of the APY 07-08 Defense Manpower Data Center (DMDC) survey.

## **SECTION 1: POLICIES, TRAINING AND PROCEDURES**

**Part I: APY 07-08 in Review:** This section addresses the policies, training and procedures, implemented by the Secretary of the Air Force and USAFA leadership in response to sexual harassment and sexual assault involving cadets during APY 07-08.

### **Policies, Procedures, Processes, and Programs**

**The Sexual Assault Prevention and Response (SAPR) Program.** Originally formed under DoD and Joint Task Force (JTF) SAPR directive-type memoranda, the SAPR program was formally established in Oct 2005 by DoDD 6495.01, *Sexual Assault Prevention and Response (SAPR) Program*. This document outlines DoD policies on SAPR and the responsibilities of offices charged to implement the SAPR program. The USAFA Sexual Assault Response Coordinator (SARC) and the Academy Response Team (ART) participated, through reviews of drafts and recommended changes, in the formation of the Air Force Instruction 36-6001 published 29 September 2008, to implement DoDD 6495.01. The paragraphs below detail components of the overall SAPR effort in place at the Academy. Air Force Instruction 36-6001 *Sexual Assault Prevention and Response Program* implements DoDD 6495.01 Sexual Assault Prevention and Response (SAPR) Program, and Air Force Policy Directive 36-60 Sexual Assault Prevention and Response (SAPR) Program, and codifies SAPR practices and procedures, and definitions, roles and responsibilities. The publication of this instruction provides substance, standardization, and credibility to the existing SAPR program.

The USAFA Superintendent directed a review of the USAFA SAPR program during USAFA's 2008 Unit Compliance Inspection. The program, policies and procedures were evaluated and received an overall "Outstanding" rating.

**Reporting Options.** USAFA continues to reinforce DoD and USAF restricted and unrestricted reporting policies and procedures via briefings, targeted first responder and chain of command training, and an integrated four-year curriculum for cadets.

**Sexual Assault Response Coordinator (SARC) and the Academy Response Team (ART) .** Under SARC leadership, the ART is the core of USAFA's response for victims of sexual assault across the installation. To that end, in APY 07-08, USAFA hired a new SARC with MAJCOM experience to oversee the program.

The ART performs case management at two levels—Tier 1 for immediate response, and Tier 2 for consultation and long-term case management. At the Tier 1 level, the SARC coordinates immediate victim response and support. Tier 1 ART members are: SARC, Victim Advocates, JA and AFOSI liaisons assigned to the ART.

At the Tier 2 level, the expanded ART is composed of all Tier 1 ART members, augmented by representatives from other agencies to include: Academy Counseling Center (ACC); Security Forces; Chaplains; Medical Group; Victim Witness Assistance Program (VWAP) and other legal representatives; and the Preparatory School Vice Commander.

**ART Updates to Senior Leaders.** The SARC provides a detailed case status update to the USAFA Superintendent on a monthly basis. Updates cover: a) the status of all open ART cases; b) victim and subject care; and, c) the status of any ongoing law enforcement investigations and legal proceedings. The Commandant of Cadets, Vice Commandant of Cadets for Culture and Climate, AFOSI and JA representatives attend. In addition, the SARC updates the Commandant of Cadets on all cases bi-weekly and the Vice Commandant of Cadets for Culture and Climate on a weekly basis.

**Cadet Helping Agencies Team (CHAT).** The purpose of the CHAT is to provide oversight of cadets identified as being “at risk” where the well-being of the cadet is a cause for concern. Victims of sexual assault are not the only cadets monitored by the CHAT. While not specifically identified as sexual assault victims, it provides a forum for providers and commanders to discuss information within the confines of the Public Law 104-191, the *Health Insurance Portability and Accountability Act Of 1996* (HIPAA) and the Privacy Act of 1974. The CHAT helps the SARC monitor victims across a variety of issues (academics, military, athletics, etc.) in the wake of the sexual assault. Through the CHAT, helping agencies and commanders can discuss the status of cadets experiencing stressful conditions and coordinate timely interventions to insure that cadet welfare remains a top priority.

The CHAT is chaired by the Vice Commandant of Cadets for Culture and Climate (USAFA/CWP) and includes representatives from helping agencies around the base, including the Medical Group Commander, Group Air Officers Commanding, and the SARC.

**Personal Ethics and Education Representatives (PEERs).** USAFA PEERs are cadet peer mentors who are trained to recognize warning signs across a wide range of issues common to college students (sexual assault, depression, anxiety, eating disorders, etc.). USAFA PEERs are certified by the BACCHUS Network—a national peer leadership organization. As first-contact points of referral, PEERs are trained to guide fellow cadets to professional counselors in the Academy Counseling Center (ACC), SARC, or to other appropriate resources. PEERs continue to serve as a valuable cadre which provides strong support of the SAPR program. They receive specific training on what to do if they suspect someone has been a victim of sexual assault or if they become aware of a possible sexual assault incident. The PEERs serve as role models for healthy lifestyle choices, and are ambassadors for USAFA’s efforts to emphasize respect for human dignity.

In APY 07-08, in addition to providing referral services, USAFA PEER representatives presented at the National Conference on Sexual Assault in our Schools. Additionally, they launched a Social Norms campaign focused on alcohol usage and highlighted the connection between alcohol and sexual assault. PEERs also co-facilitated SAPR training using scenario-based instruction to supplement annual policy briefs.

**Training.** The APY 06-07 report included a detailed developmental training plan for SAPR, Human Relations (HR), and other USAFA climate and culture issues. Each class receives developmentally-appropriate education tied to USAFA’s Officer Development System (ODS). This plan was executed in APY 07-08. The training philosophy is rooted in USAFA’s strategic

goals for dignity and respect. The program begins with an introduction to Department of Defense and Air Force SAPR policy early in a cadet's career, and gradually progresses to more interactive instructional techniques—to include challenging case studies and survivor testimonies. Nationally-renowned speakers such as Veraunda Jackson, Russell Strand, Brett Sokolow, and Mike Domitritz presented during APY 07-08.

Ideally, proper instruction of this sensitive topic demands well-trained facilitation. For the majority of SAPR training, USAFA recruits and trains a large volunteer core of facilitators. This enables training to be accomplished in small-group settings and allows for greater interaction and discussion of topics. USAFA recognizes, however, that these volunteers—while passionate about the subject—are not always subject-matter experts, nor are they always highly-skilled classroom facilitators. Recognizing these limitations, USAFA retained the services of Mr Brett Sokolow as a curriculum consultant for sexual assault and alcohol risk reduction. Mr Sokolow is the founder and president of The National Center for Higher Education Risk Management and is a specialist in campus safety, security, and high-risk student health and safety issues. During APY 07-08, Mr. Sokolow made 4 site visits to review current training and provided feedback for program improvement.

Highlights of APY 07-08 cadet training include:

- Basic Cadet Training (BCT)
  - Helping Agencies Brief with a focus on reporting options, resources and contact information; includes basic Human Relations and Equal Opportunity (EO) policy
  - Viewing and discussion of *Frank: The Undetected Rapist* video by Dr. David Lisak (gender separate)
  - Human Relations Training for basic cadets, briefed and facilitated by Defense Equal Opportunity Management Institute (DEOMI)-trained personnel from across the Air Force. Sessions included Military Equal Opportunity and Human Relations Awareness Training (Parts I & II), which included substantial discussion of sexual harassment.
  
- Fourth-Class Cadets
  - AF Accessions Brief – AF-mandated, AETC-developed video/scenario based training addressing policy, consent and bystander intervention
  - Street Smarts – lessons designed to increase situational awareness (date rape drugs, risk reduction, local area risks), begin breaking down myths, and improve decision-making skills
  - Women's and Men's Health Briefings – included discussion of sexually transmitted diseases and contraceptives
  - Sexual Risk Management – designed to address personal decisions about sex, healthy relationships, consent—be deliberate (communicate clearly) and understand consequences and risks—in the context of core values and professional image
  - “You Deserve to Be Here!” presented by Veraunda Jackson. Ms Jackson speaks to both men and women (gender separate) sharing her motivational story of being a rape survivor.

- Ms Jackson talks specifically to female cadets about self-esteem, supporting one another, and how to navigate the unique challenges of being a woman at USAFA
    - Ms Jackson talks specifically to men about victim empathy, appropriate behaviors toward female teammates, and bystander intervention.
  - Sex and Substance Abuse Punishments Under the UCMJ
  - “Promoting Diversity” Human Relations lesson, to include discussion of gender-related issues
  - “Gender Roles Socialization” Human Relations lesson, to include interpersonal relations between genders, societal perceptions, and sexual harassment.
- Third-Class Cadets
  - SAPR AF Policy and Services – reinforcement of prior training, as well as focusing on their roles as wingmen and emerging supervisors. Incorporates a case studies geared toward their developmental level.
  - “Can I Kiss You?” presented by Mike Domitriz. This presentation educates and trains cadets on consent within sexual relationships
  - “Respect & Responsibility” Workshop/Seminar – Experientially-based, interactive 7-hour program designed around the concept of Dignity and Respect. Includes specific discussions of male/female cadet negative and positive interactions.
- Second-Class Cadets
  - SAPR AF Policy and Services – reinforcement of prior training, as well as focusing on their roles as team leaders. Incorporates case studies geared toward their developmental level.
  - “Drunk Sex or Date Rape: Can You Tell the Difference?” presented by Brett Sokolow, JD. Mr. Sokolow presents cadets with a real sexual assault case and allows them to act as the jury in order to decide the outcome. Dilemma-based presentation causes cadets to examine acquaintance rape, their own dating behaviors and vulnerabilities as well as legal consequences.
  - “Managing Diversity” Human Relations lesson: Provides supervisory-level discussion of leadership across the diversity spectrum, to include gender-related issues.
- First-Class Cadets
  - SAPR AF Policy and Services – reinforcement of prior training, as well as focusing on their roles organizational leaders. Incorporates a case studies geared toward their developmental level.
  - “Sex Offenders, Service Members and You: Leadership Beyond the Obvious” presented by former Army Criminal Investigations Division (CID) Agent, Russell Strand. This briefing highlights profiles of sex offenders and introduces the concept of “the third persona” to highlight difficulties in identifying sex offenders—in many cases, offenders have established themselves as “the nice guy/gal” or the “outstanding Airmen.” This briefing also underscores the importance of believing victims when they come forward.

- “Addressing HR Issues” Human Relation lesson: In-depth discussion of actual case studies, and how leaders of character should respond. Also informs cadets about available resources and helping agencies.
- Second- and First-Class Cadets
  - BCT Cadre Training – All BCT cadre receive training to address appropriate and inappropriate interactions with basic cadets with a focus on respectful leadership
  - Cadet Assistant Directors of Operations – Training focuses on recognizing basic cadets needs and connecting to appropriate helping agencies—specific block on USAFA SAPR program
  - Summer youth programs – Training for cadet cadre includes review of USAFA SAPR program, policies and procedures for referring any civilian assaults
- All Cadets
  - Violence Awareness – USAF-wide program customized for cadets that expands the discussion of violence with a contrast of sexual assault violence versus non-sexual assault violence
  - Alcohol Awareness – progressive program, by class year, for responsible behavior with emphasis on the link between alcohol misuse and sexual assault
  - Wingman Day – HAF-directed program for all USAF personnel—includes sexual assault prevention and response content
  - Integration of SAPR concepts in character development lessons
  - Human Relations (dignity and respect) lessons
  - Women’s Forums – With a theme of “Making Good Choices”, the APY 07-08 offering of the women’s forums offered an opportunity for round table discussion with every female cadet. These forums provide feedback on various challenges experienced by women in the male rich USAFA environment. The APY 07-08 forums included discussion of scenarios that targeted SARC process and accessibility.

**Other APY 07-08 SAPR training:**

USAFA SAPR training is a proactive endeavor, seeking fundamental shifts in—and maintenance of—a positive culture rooted in respect for all that includes nurturing positive gender relations. In addition, the training develops awareness of sexual assault and the policies and procedures surrounding the prevention and response. To this end, USAFA has a wide range of training programs, consultations and outreach designed to accomplish this goal. USAFA trained over 12,000 permanent party personnel (across all mission elements) and cadets in APY 07-08. The following list is illustrative of the programs in place this year:

- ART Case Management Team training – “Understanding Sex Offenders”, taught by Russell Strand
- AFOSI and JA training – “How to Conduct a Better Victim Interview”, taught by Russell Strand
- Newcomer’s Orientation – Core SAPR Policy and Reporting Process Brief for all in-processing personnel

- New Faculty Orientation – SAPR Policy and Reporting Process Brief with a focus on how to deal with cadets who present as possible sexual assault victims
- Athletic Department Orientation - SAPR Policy and Reporting Process Brief with a focus on how to deal with cadets who present as possible sexual assault victims
- Preparatory School – SAPR Policy and Reporting Process for Cadet Candidates and focused training for faculty
- New AOC/AMT Training – SAPR Policy and Reporting Process from the commander’s perspective
- Deployment and Reintegration Briefings for cadets and permanent party – provide SARC contact information for deployed locations; upon return, provide local helping agencies information.
- ROTC visitors -- SAPR Policy and Reporting Process briefing for visiting ROTC students
- Summer Research -- SAPR Policy and Reporting Process briefing for high school students participating in summer research program
- Summer Sports Camp -- SAPR Policy and Reporting Process briefing for Sports Camp participants
- As part of USAFA readiness and deployment exercises, simulations evaluating USAFA SARC response capability are conducted
- Commander training on DoD policy regarding dealing with collateral misconduct for victims of sexual assault

**Marketing/Outreach.** USAFA SARC/ART recognizes the importance of marketing and strategic communications to “get the word out” about the services provided to sexual assault victims, as well as the resources available to colleagues or commanders who become aware of sexual assault, through opportunities such as:

- BCT In-processing – information table for new cadets and their parents
- Preparatory School In-processing – information table for incoming candidates
- Faculty Handbook – includes basic SAPR policy and reporting process
- Cadet Handbook – includes basic SAPR policy and reporting process
- Cadet Sight Picture -- includes basic SAPR policy and reporting process
- Crisis Cards / Policy Cards – pocket-size cards with SARC contact information, tips on helping someone in need, and important helping agency numbers
- Began development of a victim-oriented USAFA SAPR information and resource guide
- SARC Poster Distribution – includes basic reporting policies and SARC contact information–posted on every official bulletin board across USAFA
- Parents Weekend – information table for all cadets and visiting parents
- Sexual Assault Awareness Month – information table for all cadets. Veraunda Jackson was highlighted as a speaker
- Sponsor program briefing – explained professional expectations and SAPR reporting procedures to newly-assigned cadet sponsors
- Women’s Forum – discussion of sexual assault reporting processes and available resources

- Special Awareness Campaigns – collaborated with safety and medical colleagues to provide interactive information booths before Spring/Winter Breaks, and at the Cadet “Jamboree.” The booth activities encouraged cadets to think critically about their alcohol intake and further publicized SAPR services and contact information.
- AF SARC conference – USAFA SARC featured speaker on vicarious trauma
- TESSA – USAFA Victim Advocate augmented training for local women’s crisis shelter
- AFOSI Region 8 conference – USAFA SARC provided training on “Victimology 101” and reporting options.
- Initiated Service Academy crosstalk to share best practices and discuss trends and responses

**Community Involvement/Networking.** The Air Force Academy maintains strong working relationships with local community hospitals and other community resources. The Academy has a working agreement with Memorial Hospital to provide Sexual Assault Nurse Examination (SANE) services to victims of sexual assault.

The SARC/ART also maintains working relationships with TESSA, the local sexual assault victim advocacy and crisis center; maintains membership in CCASA (Colorado Coalition Against Sexual Assault); and attends quarterly meetings of the Sexual Assault Coalition (a Colorado Springs sexual assault helping agency); moreover, the Vice Commandant for Culture and Climate is a member of TESSA board of directors. The Victim Advocate Coordinator is credentialed through the local chapter of NOVA (National Organization of Victim Advocates). Finally, during the National Crime Victims Week, the SARC/ART team staffed an information table at the Citadel Mall alongside the Colorado Springs Police Department, El Paso County Sheriff’s Office, and other local agencies.

**Miscellaneous.** Cadets can access the SARC website via the USAFA website and cadet homepage for a complete listing of resource and contact information. The site also provides policy and reporting information. The USAFA SAPR program relies on support from a number of organizations. Most notably, the Association of Graduates (AOG) has generously supported SAPR education and training efforts for several years through the AOG Gift Funds program.



## **SECTION 2: DESCRIPTION TABULAR DATA FOR CADET REPORTS**

Tabular data for cadet cases are provided in the Appendix. All data presented are as of 31 May 08—the close-out of the APY. Tables provided are:

### **I. Sexual Harassment and Violence at US Military Service Academies APY 07-08**

- A. *APY 07-08 Reports of Sexual Assault involving Military Service Academy Cadets or Midshipmen***
  - Table includes total number of cases (by category), case details, and investigation status
  - “Restricted reports” category includes one case from APY 06-07 that converted to unrestricted status in APY 07-08
- B. *Incident Details – Unrestricted reports***
  - Table includes various details of reports
  - Includes converted restricted cases (based on date of conversion)
- C. *APY 07-08 Summary of Completed Investigations***
  - Table presents status of investigations, as of APY close-out date
- D. *APY 07-08 Final Dispositions in Unrestricted Reports***
  - Table presents status of case legal dispositions, as of APY close-out date
- E. *Final Dispositions for Subjects in Unrestricted Reports (Reports made prior to APY 07-08 that were completed in APY 07-08)***
  - Table provides information on cases carried over from previous years
- F. *Reported Sexual Assaults Involving Service Members for APY 07-08 Investigations***
  - Table provides investigation status (by gender) regarding cases by or against Cadets/Midshipmen
  - Table does not include cases involving investigations which fall outside the USAFA jurisdiction
- G. *Reported Sexual Assaults Involving Cadets/Midshipmen for ALL APY 07-08 Investigations***
  - Table provides listing of cases involving Cadets or Midshipmen, by UCMJ categorizations
  - Table distinguishes between incidents that occurred prior to 1 Oct 07, and those that occurred after 1 Oct 07—new UCMJ categorizations became effective on that date

### **II. Restricted Reports of Sexual Assaults at US Military Service Academies APY 07-08**

- A. *APY 07-08 Restricted Reports of Sexual Assault***
  - Table includes restricted reports involving Cadets or Midshipmen
  - Table does not include converted restricted reports
- B. *Incident Details***
  - Table includes various details of reports
- C. *Restricted reporting – Demographics for APY 07-08 Restricted Reports of Sexual Assault***
  - Table includes demographic information for restricted reports

**III. Service Referrals for Sexual Assault Victims at US Military Service Academies APY 07-08**

-- Table includes support services provided for all victims in APY 07-08, regardless of when the initial report was made

-- In cases where Cadets/Midshipmen were referred to more than one support service, all service referrals are included

**IV. Synopses of Unrestricted Sexual Assault Cases Involving Cadets/Midshipmen**

-- Table includes incident details of unrestricted reports, to include a brief synopsis of incident and outcome, as of the close-out of APY 07-08

**V. Formal Sexual Harassment Reports at US Military Service Academies APY 07-08**

-- There were no formal sexual harassment reports during APY 07-08 involving Cadets/Midshipmen

-- Table does not provide incidents where the offense was handled at a level below that of an actual formal report

-- Table only provides data for Cadets/Midshipmen—does not include reports from the installation at large

**VI. Synopsis of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen APY 07-08**

-- There were no formal sexual harassment reports during APY 07-08 involving Cadets/Midshipmen

### **SECTION 3: ANALYSIS OF PROGRAM EFFECTIVENESS, CADET PERCEPTIONS, AND PLANS FOR APY 08-09**

#### **A. Analysis of Program Effectiveness and Cadet Effectiveness**

The United States Air Force Academy is dedicated to developing leaders of character. One critical characteristic of such leaders is “Respect for Human Dignity”, which USAFA views as a cornerstone of its institutional outcomes. These outcomes serve as the basis for the Academy’s planning, programming, and assessment efforts, and guide the work of the Culture and Climate campaign in particular. Both short- and long-term, our prevention and response programs not only address sexual harassment and assault, but they augment cadet character development.

**APY 07-08 DMDC Survey Results.** The National Defense Authorization Act calls for surveys of each service academy regarding gender relations, sexual assault, and sexual harassment issues, to be conducted in even-numbered years. The Defense Manpower Data Center (DMDC) is contracted by the OSD SAPRO office to conduct these surveys. The latest survey was conducted in April 2008. The following are highlights of responses to the survey which are directly related to our program efforts.

#### ***Training.***

When asked, “How effective was the training you received (Since Jun 07) in actually reducing / preventing behaviors that might be seen as:

Sexual Harassment?”	61% indicated “Moderately” or “Very” effective
	93% indicated “Very,” “Moderately,” or “Slightly” Effective
Sexual Assault?”	67% indicated “Moderately” or “Very” effective
	93% indicated “Very,” “Moderately,” or “Slightly” Effective

Complementing these global effectiveness ratings were specific indicators of perceptions of program success:

- 96% know the difference between Sexual Harassment and Sexual Assault
- 94% know how to report Sexual Harassment
- 97% know how to report Sexual Assault
- 95% know the difference between Restricted and Unrestricted Reporting of Sexual Assault
- 98% know how to avoid situations that might increase the risk of Sexual Assault
- 93% know how to obtain medical care following a Sexual Assault
- 97% know how to obtain counseling following a Sexual Assault

**Cadet Climate Survey.** Culturally, there are some issues associated with how women are perceived and treated at USAFA. The fall 2007 Cadet Climate Survey indicated that female cadets feel less social acceptance than do male cadets. In addition, cadets reported hearing other cadets tell demeaning gender-related jokes or comments nearly 3-5 times during the past APY, on average.

Against this backdrop, however, USAFA sexual harassment and sexual assault prevention and response programs can point to several indicators of success and progress. Specifically, these indicators come from cadet reporting of prior sexual assaults; and recent results of the USAFA UCI.

### ***Culture.***

In contrast to the Cadet Climate Survey results displayed above, cadets reported in the 2008 Gender Relations Survey several positive cultural indicators regarding Gender Relations.

In response to the item, “Cadet Leaders create a culture in which Sexual Assault is not tolerated.”  
86% indicated a “Large” or “Very Large” Extent

When asked whether “\_\_\_\_\_ is less of a problem at [my] Academy since [I] became a student,”  
66% agreed regarding Sexual Harassment  
77% agreed regarding Sexual Assault

Moreover, when asked, “How often does \_\_\_\_\_ occur at the Service Academies compared to civilian colleges / universities?”  
For Sexual Harassment, 86% felt “less” or “much less” often  
For Sexual Assault, 93% felt “less” or “much less” often

### **Reporting of “Priors”**

During APY 07-08, two cadets reported sexual assaults prior to their entering USAFA. There has already been a considerable increase in the number of priors reported during APY 08-09; as of 1 October 2008, six cadets have reported incidents of sexual assault prior to admission at USAFA. Thus, we are seeing a considerable increase in reporting and view this as an indication that cadets are more comfortable with the support they will receive upon disclosure of such an event.

### **Unit Compliance Inspection (UCI) Report**

The March 2008 UCI evaluation awarded the USAFA SARC program an overall “Outstanding” rating for its overall effectiveness, services provided and victim centered approach.

### **Continuous Improvement**

USAFA applies the results from the internally conducted surveys (i.e., USAFA Climate and Culture) and external assessments (DMDC Focus Groups and Surveys) to 1) improve training programs, 2) improve the SAPR program, and 3) educate permanent party and cadets. Additionally, as part of a larger USAFA effort, Women’s Forums are held throughout each year where female cadets discuss a variety of topics including career progression, women’s health issues, sexual assault and harassment prevention in an attempt to keep our fingers on the pulse of cadet climate and culture. The Vice-Commandant of Cadets for Climate and Culture informs USAFA and uses the information discussed by cadets to improve education, programs, and policies.

The active support of Academy senior leadership and continued efforts to refine our prevention and response programs are bearing fruit, as indicated by multiple sources of data.

## **PLANS FOR APY 08-09**

### **The Way Ahead for APY 08-09.**

**Training.** Based on cadet feedback, USAFA is in the process of updating the SAPR training program to better integrate and deliver instruction. The 2009 curriculum will continue focus on:

- Understanding consent
- Educating cadets regarding the link between alcohol and sexual assault
- Enhance skills for effective bystander intervention

Lessons will incorporate interactive discussions of realistic scenarios, cadet-centered case studies co-facilitated by PEERs, and an emphasis on survivor testimonies. Additionally, Mr Brett Sokolow has been contracted for another 2 site visits to continue reviewing and making recommendations to the training program. Based on the assessment, recommendations will be incorporated into the APY 08-09 curriculum.

**Social Norming Campaign.** Social Norms (SN) is a health promotions strategy focusing on the cultural context of behaviors. SN takes a positive approach to changing attitudes using accurate information about a social context, in the form of healthy group norms, to affect widespread behavior change. The data-based approach uses surveys of the target population to determine norms associated with a particular behavior category in the target population. The data are fed back to the group to combat misperceptions regarding the behavior and to provide the group with what are generally more healthy norms in the arena. The technique has proven effective for reducing high-risk behaviors on a broad range of college campuses.

Specifically, Social Norms goals for APY 08-09 include the following:

- Assess and promote cadet norms for responsible, healthy, and protective behaviors related to gender relationships
- Stimulate conversations and interactions that encourage and normalize responsible and healthy attitudes and behaviors
- Consistently, and across USAFA, communicate norms and supportive facts to inform and to dispel misperceptions

**Technology.** The USAFA SAPR office plans to more effectively harness technology to communicate sexual assault policies, positive culture messages and to remind cadets of the services and resources available to them. Specifically, ensuring our SARC remains attuned to the modes of communication utilized by cadets (i.e., text message vs. phone call, when appropriate).

**Marketing/Outreach.** In concert with the technology leveraging, USAFA SAPR is creating a strategic marketing / communication campaign that will take advantage of multiple media, married to target messages and audiences. The campaign will respond to the continuing need to

ensure everyone knows the policies surrounding sexual assault, as well as the resources and services provided.

**Program Evaluation.** USAFA SAPR program also has developed broad plans to develop and implement a comprehensive program evaluation that will incorporate cutting edge techniques and best practices in program evaluation, such as the use of Program Theory and Logic Models. The program will allow the SAPR program to gather detailed, comprehensive and coherent data that will allow the staff not only to determine in a global sense how effective the program is, but at which point(s) changes and adjustments are called for.

**Additional plans.**

- Implement the SAPR ‘Blueprint’ program, which will more explicitly articulate and execute its constituent mission elements of Prevention, Response and Support. Elements of this renewed focus include:
  - Working in partnership with other CWP agencies – including the Cadet Alcohol Working Group – to deliver integrated prevention and education programs
  - Focus on prevention / education -- bystander intervention, increased scenario-based training
  - Improve protection/risk reduction – implement self-defense classes (Krav Maga)
  - Engage empowerment – enhanced self-esteem, establishing healthy boundaries and relationships
- Continue to brief new cadet sponsors on basics of sexual assault identification and reporting
- Improve new faculty orientation
- Continue to support APY 08-09 Women’s Forums
- Development of Men’s Forums to discuss responsible decision-making processes, social development, healthy relationships, alcohol use and sexual assault, and sexual consent. These forums were planned but not executed last APY.
- Collaboration with other Service Academies to standardize definitions and reporting, share best practices, and up channel recommendations to DoD
- Due to the inherent nature of our target population, there will be continued training emphasis on issues surrounding date/acquaintance rape
- Continue to work to reconcile the Air Force restricted reporting option with the mandates of Colorado law (currently, Colorado law requires SANE providers to report sexual assault cases to *civilian* law enforcement agencies, which would preclude a military victim’s restricted reporting option). Current agreements enable Memorial Hospital SANE providers to contact the SARC when a USAFA victim presents. In turn, the SARC notifies AFOSI of a restricted report requesting a sexual assault forensic exam so that AFOSI can authorize the exam while preserving the victim’s restricted reporting option.
- Facilitate recurring dialogue with all service academies to share ideas, challenges, and best practices for addressing sexual assault and harassment issues
- With the release of the Air Force SAPR Instruction in September 2008, USAFA will update the USAFAI 51-201 to formalize the USAFA SAPR program and ART processes and procedures.
- Comply with the new AF IG Sexual Assault Prevention and Response Checklist.

- AFOSI maintains a strong relationship with local law enforcement and social service investigative agencies which specifically focus on sex crimes in the Colorado Springs area. Beginning in APY 07-08, APOSI participates in monthly meetings with the Colorado Metro Sex Crimes group to discuss sexual assault criminalistics and provide venues to share and compare information on sex crimes with similar modus operandi. This professional peer group creates numerous opportunities for sex crimes training and liaison amongst the agencies represented.
- Comply with the new AF IG Sexual Assault Prevention and Response checklist.
- Explore use of biofeedback techniques with victims to help alleviate stress.

Academic Program Year 2007-2008  
Military Service Academies - Reports of Sexual Assault

Sexual Harrassment and Violence at the US Military Service Academies APY07-08	
<b>A. APY07-08 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) involving Military Service Academy Cadets or Midshipmen</b>	<b>APY07-08 TOTALS</b>
<b># VICTIMS in APY07-08 Unrestricted Reports</b>	<b>20</b>
# Cadet/Midshipman victims	16
# Non-Cadet/Midshipman victims	4
<b># Unrestricted Reports in the following categories</b>	<b>18</b>
# Cadet/Midshipman on Cadet/Midshipman	12
# Cadet/Midshipman on Non-Cadet/Midshipman (includes other Service Members or Civilians)	3
# Non-Cadet/Midshipman (includes other Service Members or Civilians) on Cadet/Midshipman	1
# Unidentified Subject on Cadet/Midshipman	2
<b># Unrestricted Reports of sexual assault occurring</b>	<b>18</b>
# On Academy Grounds	8
# Off Academy Grounds	10
# Unidentified location	0
<b># Investigations (From APY 2007-2008 Unrestricted Reports)</b>	<b>18</b>
# Pending completion as of 31 May 08	5
# Completed as of 31 May 08	13
<b># Restricted Reports (APY 2007-2008)</b>	<b>21</b>
# Converted from Restricted Report to Unrestricted Report	6
# APY07-08 RESTRICTED REPORTS REMAINING RESTRICTED	16
<b>B. INCIDENT DETAILS - UNRESTRICTED REPORTS</b>	<b>APY07-08 TOTALS</b>
<b>Length of time between sexual assault and Unrestricted Report</b>	<b>18</b>
# Reports made within 3 days of sexual assault	6
# Reports made within 4 to 30 days after sexual assault	4
# Reports made within 31 to 365 days after sexual assault	8
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
<b>Reported Time of sexual assault</b>	<b>18</b>
# Midnight to 6 am	8
# 6 am to 6 pm	0
# 6 pm to midnight	8
# Unknown	2
<b>Reported Day of sexual assault</b>	<b>18</b>
# Sunday	7
# Monday	0
# Tuesday	1
# Wednesday	1
# Thursday	1
# Friday	3
# Saturday	3
# Unknown	2
<b>C. APY07-08 SUMMARY OF THE COMPLETED INVESTIGATIONS</b>	<b>APY07-08 TOTALS</b>
<b># Completed investigations</b>	<b>13</b>
# Investigations with more than one victim, more than one subject, or both	0
<b># SUBJECTS in the completed investigations</b>	<b>13</b>
# Cadet/Midshipman subjects	11
# Service Member subjects	0
# Non-Service Member subjects	0
# Unidentified subjects	2
<b># VICTIMS in the completed investigations</b>	<b>13</b>
# Cadet/Midshipman victims	11
# Service Member victims	0
# Non-service member victims	2
# Unknown	0
<b>D. APY07-08 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)</b>	<b>APY07-08 TOTALS</b>
<b># Final dispositions for APY07-08 SUBJECTS in the following categories</b>	<b>13</b>
# Unidentified subjects	2
# No action (Unsubstantiated/unfounded, insufficient evidence, victim withdrew cooperation, subject's death)	4
# Under civilian or foreign authority (subject being tried outside of the military)	0
# Pending completion as of 31 May-08	0
# Completed as of 31 May-08	7
<b># Commander Actions (APY07-08 Subjects)</b>	<b>7</b>
# Courts-martial	1
# Nonjudicial Punishments	1
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Honor board actions	1
# Other administrative actions	4
<b>E. FINAL DISPOSITIONS FOR SUBJECTS IN UNRESTRICTED REPORTS (Reports made prior to APY07-08 that were completed in APY07-08) Note: This area for reporting of action on cases carried over from prior years</b>	<b>APY07-08 TOTALS</b>
<b># Investigations pending from reports made from prior years that were completed as of 31 May 08</b>	<b>7</b>
# Pre-APY07-08 Investigations pending STILL PENDING completion as of 31 May 08	0
# Pre-APY07-08 Investigations COMPLETED as of 31-May-08	7
<b># SUBJECTS for disposition in APY07-08 from Pre-APY07-08 reports - resolved as of 31 May 08</b>	<b>8</b>
<b># Final APY07-08 DISPOSITIONS for SUBJECTS from Pre-APY07-08 reports and investigations were completed in APY07-08</b>	<b>8</b>
# Unidentified subjects	0
# No action (Unsubstantiated/unfounded, insufficient evidence, victim withdrew cooperation, death)	2
# Under civilian/foreign authority	1
# Pending completion as of 31 May 08	0
# Completed as of 31 May 08	5
<b># Commander Actions from reports that were made prior to APY07-08 and dispositions completed in APY07-08</b>	<b>5</b>
# Courts-martial	1
# Nonjudicial punishments	1
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Other administrative actions	3



Academic Program Year 2007-2008  
Military Service Academies - Reports of Sexual Assault

Sexual Harrassment and Violence at the US Military Service Academies APY07-08 - Cadet/Midshipmen STATUS BY GENDER												
F. REPORTED SEXUAL ASSAULTS INVOLVING SERVICE MEMBERS (BY or AGAINST Service Members) IN THE BELOW CATEGORIES FOR APY07-08 INVESTIGATIONS (UR)	Male on Female	Male on Male	Female on Male	Female on Female	Unknown on Male	Unknown on Female	APY07-08 Totals					
	# Cadet/Midshipman on Cadet/Midshipman	12	0	0	0	0	0	12				
# Cadet/Midshipman on Non-Cadet/Midshipman	3	0	0	0	0	0	3					
# Non-Cadet/Midshipman on Cadet/Midshipman	1	0	0	0	0	0	1					
# Unidentified subject on Cadet/Midshipman	2	0	0	0	0	0	2					
Sexual Harrassment and Violence at the US Military Service Academies APY07-08 - Cadet/Midshipmen Status BY SEXUAL ASSAULT TYPE												
REPORTS MADE IN APY07-08	Pre-FY08 INCIDENTS (Occurred prior to 1 Oct 2007)				FY08 INCIDENTS (Occurring after 1 Oct 2007 through 31 May 08)							
G. REPORTED SEXUAL ASSAULTS INVOLVING Cadets/Midshipmen IN THE FOLLOWING CATEGORIES FOR ALL APY07-08 INVESTIGATIONS (UR)	Rape (Art. 120)	Indecent Assault (Art. 134)	Sodomy (Art 125)	Attempts to Commit these Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	APY07-08 Totals
	# Cadet/Midshipman on Cadet/Midshipman	3	2	0	0	5	7	1	0	0	0	0
# Cadet/Midshipman on Non-Cadet/Midshipman	0	0	0	0	1	2	0	0	0	0	0	3
# Non-Cadet/Midshipman on Cadet/Midshipman	0	0	0	0	0	1	0	0	0	0	0	1
# Unidentified subject on Cadet/Midshipman	0	0	0	0	1	1	0	0	0	0	0	2
# TOTAL Cadet/Midshipman Victims	3	2	0	0	5	5	1	0	0	0	0	16
# Cadet/Midshipman Victims: Female	3	2	0	0	5	5	1	0	0	0	0	16
# Cadet/Midshipman Victims: Male	0	0	0	0	0	0	0	0	0	0	0	0
DEMOGRAPHICS ON VICTIMS FOR COMPLETED APY07-08 INVESTIGATIONS												
Gender of VICTIMS	3	2	0	0	4	3	1	0	0	0	0	13
# Male	0	0	0	0	0	0	0	0	0	0	0	0
# Female	3	2	0	0	4	3	1	0	0	0	0	13
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Grade/Status of VICTIMS	3	2	0	0	4	3	1	0	0	0	0	13
# Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0
# 1st year	1	0	0	0	0	0	1	0	0	0	0	2
# 2nd year	1	1	0	0	2	1	0	0	0	0	0	5
# 3rd year	0	1	0	0	1	0	0	0	0	0	0	2
# 4th year	1	0	0	0	0	1	0	0	0	0	0	2
# Other Cadet Year	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	0	0	0	0	1	1	0	0	0	0	0	2
# Foreign national/military	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0
DEMOGRAPHICS ON SUBJECTS FOR COMPLETED APY07-08 INVESTIGATIONS												
Gender of SUBJECTS	3	2	0	0	4	3	1	0	0	0	0	13
# Male	3	2	0	0	4	2	1	0	0	0	0	12
# Female	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	1	0	0	0	0	0	1
Grade/Status of SUBJECTS	3	2	0	0	4	3	1	0	0	0	0	13
# Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0
# 1st year	0	0	0	0	0	0	0	0	0	0	0	0
# 2nd year	0	0	0	0	0	0	0	0	0	0	0	0
# 3rd year	3	2	0	0	2	0	0	0	0	0	0	7
# 4th year	0	0	0	0	1	2	1	0	0	0	0	4
# Other Cadet Year	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign national/military	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	1	1	0	0	0	0	0	2

Academic Program Year 2007-2008  
Military Service Academies - Reports of Sexual Assault

<b>RESTRICTED REPORTS OF SEXUAL ASSAULT US Military Service Academies APY07-08</b>	
<b>A. APY07-08 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)</b>	<b>APY07-08 TOTALS</b>
<b># Cadet/Midshipmen VICTIMS in Restricted Reports (does not include converted restricted reports)</b>	<b>18</b>
<b># Reported sexual assaults AGAINST Cadet/Midshipmen victims in the following categories</b>	<b>18</b>
# Cadet/Midshipmen on Cadet/Midshipmen	10
# Non-Cadet/Midshipmen on Cadet/Midshipmen	6
# Unidentified subject on Service Member	2
<b># Reported sexual assaults occurring</b>	<b>18</b>
# On Academy Grounds	8
# Off Academy Grounds	9
# Unidentified location	1
<b>B. INCIDENT DETAILS (does not include converted restricted reports)</b>	<b>APY07-08 TOTALS</b>
<b>Length of time between sexual assault and Restricted Report</b>	<b>18</b>
# Reports made within 3 days of sexual assault	3
# Reports made within 4 to 30 days after sexual assault	6
# Reports made within 31 to 365 days after sexual assault	7
# Reports made longer than 365 days after sexual assault	0
# Unknown	2
<b>Time of sexual assault incident</b>	<b>18</b>
# Midnight to 6 am	5
# 6 am to 6 pm	1
# 6 pm to midnight	7
# Unknown	5
<b>Day of sexual assault incident</b>	<b>18</b>
# Sunday	4
# Monday	2
# Tuesday	1
# Wednesday	1
# Thursday	0
# Friday	3
# Saturday	3
# Unknown	4
<b>C. RESTRICTED REPORTING - DEMOGRAPHICS FOR APY07-08 RESTRICTED REPORTS OF SEXUAL ASSAULT</b>	<b>APY07-08 TOTALS</b>
<b>Gender of VICTIMS</b>	<b>18</b>
# Male	0
# Female	17
# Unknown	1
<b>Grade/Status of VICTIMS (status at time of the report)</b>	<b>18</b>
# Prep School	0
# 1st Year	5
# 2nd Year	5
# 3rd Year	3
# 4th Year	5
# Cadet Other Year	0
# Other	0

Academic Program Year 2007-2008  
 Military Service Academies - Reports of Sexual Assault

<b>SERVICE REFERRALS for Sexual Assault Victims at US Military Service Academies APY07-08</b>	
<i>NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).</i>	
<b>A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:</b>	<b>APY07-08 Totals</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>27</b>
# Medical	2
# Counseling	13
# Legal	12
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>8</b>
# Medical	3
# Counseling	5
# Legal	0
<b># Cases where SAFEs were conducted</b>	<b>4</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>
<b># Military Victims making an UR that received service referrals for an incident that occurred prior to military service</b>	<b>1</b>
<b>B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:</b>	<b>APY07-08 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY facilities</b>	<b>33</b>
# Medical	7
# Counseling	16
# Legal	10
<b># CIVILIAN facilities (Referred by DoD)</b>	<b>2</b>
# Medical	0
# Counseling	2
# Legal	0
<b># Cases where SAFEs were conducted</b>	<b>1</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>
<b># Military Victims making a RR that received service referrals for an incident that occurred prior to military service</b>	<b>2</b>

Academic Program Year 2007-2008  
Military Service Academies - Reports of Sexual Assault

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
USMA 1	Nov-08	3rd Year	Male	1st Year	Female	Victim reported being raped; coerced into sexual intercourse by upperclass cadet	Investigation unfounded; victim recanted	Resignation in lieu of disciplinary (honor) board	Victim coerced in company barracks into sexual intercourse. Victim was being investigated for fraternization and reported to investigating officer that she did not consent to initial sexual contact. Subject lied about circumstances and was brought up on honor charges, leading to his resignation and recoupment.
USMA 2	Apr-08	3rd Year	Male	2nd Year	Female	Victim reported being raped in barracks	Rape, False Official Statement	Not guilty, rape. Pled guilty, false official statement.	Victim stated she and subject were engaged in consensual sodomy and kissing/fondling. When subject started vaginal intercourse, victim said stop, subject ignored victim. Victim filed a restricted report 2 months later and changed to unrestricted report 3 days after initial RR. Subject found not guilty of rape and pled guilty to false official statement, resulting in dishonorable discharge and dismissal from the Academy.
USMA 3	May-08	4th Year	Male	Civilian	Female	Witness reported victim intoxicated and subject having sexual intercourse with unconscious victim	Investigation unfounded; victim uncooperative with law enforcement after initial report to civilian authorities	Subject graduated May-08	Witness reported one month after incident in off-post hotel on cadet trip section that subject had sexual intercourse with an intoxicated civilian woman in their hotel room. Victim initially reported to civilian law enforcement and medical facility, but was uncooperative with follow-on investigation by both civilian and military law enforcement.
USNA 1	Sep-07	4th Year	Male	1st Year	Female	Victim reported being touched on torso by subject at night in dorm.	Sexual harassment/ Art 92	Subject punished administratively and separated for this incident and prior misconduct.	Victim asleep in dorm room, awoke to subject drunk, touching back and torso in an attempt to wake victim up. Subject invited victim to his room for more sexual activity and left victim's room. Victim alerted watchstander. After interviewing victim, case classified as sexual harassment.
USNA 2	Feb-08	3rd Year	Male	3rd Year	Female	Alleged rape in dorm at night.	None	Non-punitive counseling for both parties.	Victim in dorm after liberty expired with subject. Victim claimed subject climbed in bed and raped her. Victim was highly intoxicated with poor recollection, and declined to participate in investigation. No other misconduct alleged against subject - no charges applicable. Both students counseled on risky behavior at time of incident.
USNA 3	May-08	3rd Year	Male	2nd Year	Female	Alleged rape in dorm at night.	Rape, indecent acts (120), burglary (129), UA(86), drunk and disorderly (133)	Subject punished administratively for collateral misconduct.	Victim claimed subject repeatedly entered room at night while drunk, and on one visit climbed into her bed and raped her. Multiple charges preferred, Art. 32 held Apr 08, recommended no court-martial on assault charges. Charges dismissed, subject punished for collateral misconduct.
USAFA 1	Nov-07	4th Year	M	4th Year	F	Allegation: Rape	Article 120 (rape) Article 134 (Indecent Assault)	General Court-Martial. Full Acquittal Nov 07	Location: Off USAFA Alcohol involved: Yes  At trial, Subject found not guilty on both charges.  Victim graduated and continues counseling at AD location.
USAFA 2	Nov-07	3rd Year	M	3rd Year	F	Allegation: Sexual assault	Article 134 (Indecent Assault)  Article 92 (underage drinking & providing alcohol to minors)	Article 32 May 07; Case not referred.  Article 15 in Aug 07 for alcohol violations; USAFA Military Review Committee (MRC) convened for misconduct—cadet retained.	Location: Off USAFA Alcohol involved: Yes  Subject received Article 15 for associated alcohol misconduct, LOR, and administrative punishment for related cadet infractions.  Victim collateral misconduct addressed after legal disposition complete. Victim received LOA and administrative punishment (reduced) for related cadet infractions.
USAFA 3	Jan-08	4th Year (3 <sup>rd</sup> year at time of act)	M	4th Year (3 <sup>rd</sup> year at time of act)	F	Allegation: Rape	Article 120 (rape) Article 134 (Indecent Acts)	LOR for disobeying lawful order and administrative punishment for related cadet infractions.	Location: On USAFA Alcohol involved: Yes Insufficient evidence to corroborate allegation. Victim unwilling to go forward. Subject received administrative punishment for related cadet infractions.
USAFA 4	Jul-07	3rd Year	M	3rd Year	F	Allegation: Rape	Article 120 (rape)	LOR for cadet related infractions.	Location: On USAFA Alcohol involved: Yes Insufficient evidence to corroborate allegation. Victim unwilling to go forward. Subject received administrative punishment for related cadet infractions.
				2nd Year	F	Allegation: Rape	Article 120 (rape)		
USAFA 5	May 08	4th year (1st year at time of act)	M	Civilian	F	Allegation: Sexual assault	N/A	No UCMJ action taken due to legal insufficiency	Location: Off USAFA Alcohol involved: Unknown Local authorities had initial lead on investigation; after a lengthy investigation, local authorities declined to prosecute due to legal insufficiency; No UCMJ action was taken due to legal insufficiency.
USAFA 6	Feb-08	3rd Year (2nd Year at time of act)	M	3 <sup>rd</sup> Year (2nd Year at time of act)	F	Allegation: Sexual Assault	Article 134 (Indecent Assault)	Case not pursued due to legal insufficiency. Subject received administrative punishment for related cadet infractions.	Location: On USAFA Alcohol involved: Yes  Case initially opened as restricted case in APY06-07 (reported in 2007 SH&V report). Victim chose to convert to unrestricted report during APY07-08. Case not pursued due to legal insufficiency.  Subject received administrative punishment for related cadet infractions.
USAFA 7	Feb-08	3rd Year	M	2nd Year	F	Allegation: Sexual Assault	Article 134 (Indecent Assault) Article 92 (underage drinking and providing alcohol to minors)	Article 15: (Indecent acts & fail to obey)	Case not pursued due to legal insufficiency.  Subject received administrative punishment for related cadet infractions.
				3rd Year	F				

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Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
USAFA 8	May-08	4th Year	M	4th Year	F	Allegation: Sexual Assault	Article 120 (Aggravated Sexual Assault)	LOR for Poor Judgment	Location: On USAFA Alcohol involved: Yes Case not pursued due to legal insufficiency. Subject received LOR for Poor Judgment.
USAFA 9	Mar-08	3rd Year	M	4th Year	F	Allegation: Rape	Article 120 (rape) Article 134 (Indecent Acts)	LOR for underage drinking	Location: Off USAFA Alcohol involved: Yes Case not pursued due to legal insufficiency. Subject received LOR for underage drinking. Subject also referred to Alcohol & Drug Abuse Prevention and Treatment (ADAPT). Victim collateral misconduct (providing alcohol) addressed after legal disposition complete. Victim received mentoring for related cadet infractions.
USAFA 10	Pending (as of 31 May 08)	3rd Year	M	3rd Year	F	Allegation: Rape	Pending (as of 31 May 08)	Pending (as of 31 May 08)	Location: On USAFA Alcohol involved: Yes Pending (as of 31 May 08)
USAFA 11	Pending (as of 31 May 08)	2nd Year	M	2nd Year	F	Allegation: Sexual Assault	Pending (as of 31 May 08)	Pending (as of 31 May 08)	Location: On USAFA Alcohol involved: Yes As of 31 May 08, OSI investigation not complete. Victim resigned from USAFA for non-related reasons.
USAFA 12	Pending (as of 31 May 08)	Enlisted Army (E-2)	M	1st Year	F	Allegation: Sexual Assault	Pending (as of 31 May 08)	Pending (as of 31 May 08)	Location: Off USAFA Alcohol involved: Yes Non-USAFA jurisdiction. Subject arrested by Civilian authorities. Outcome pending as of 31 May 08.
USAFA 13	Pending (as of 31 May 08)	3rd Year	M	Civilian (2)	F(2)	Allegation: Sexual Assault (x 2)	Pending (as of 31 May 08)	Pending	Location: Off USAFA Alcohol involved: Yes Hearing officer investigation conducted. Subject resigned from USAFA. Non-USAFA jurisdiction. Subject arrested by Civilian authorities. Outcome pending as of 31 May 08.
USAFA 14	Pending (as of 31 May 08)	3 <sup>rd</sup> Year	M	3rd Year	F	Allegation: Sexual Assault	Pending (as of 31 May 08)	Pending	Location: Off USAFA Alcohol involved: No Subject was disenrolled for administrative reasons unrelated to the allegation (prior to report)
USAFA 15	Jun-07	Unknown	Unknown	2 <sup>nd</sup> Year	M	Allegation: Sexual Assault	N/A	No action due to unknown subject.	Location: Off USAFA Alcohol involved: Yes No investigation due to unknown subject. Victim disenrolled from USAFA for non-related reasons.
USAFA 16	Sep-07	Unknown	M	2 <sup>nd</sup> Year	F	Allegation: Rape	N/A	No action due to unknown subject.	Location: Off USAFA Alcohol involved: No Non-USAFA jurisdiction. Report made to local authorities.
USAFA 17	Apr-08	4th Year	M	Civilian	F	Allegation: Sexual Assault	N/A	No action due to legal insufficiency.	Location: Off USAFA Alcohol involved: Yes Insufficient evidence to corroborate allegation. Victim withdrew cooperation before investigation initiated.

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<b>Formal Sexual Harassment Reports at the US Military Service Academies APY07-08</b>	
<b>A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</b> a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.	<b>APY 07-08 TOTALS</b>
<b>A. Formal Sexual Harassment Complaints (total)</b>	<b>0</b>
# Cadet/Midshipman Victims	0
# Non-Cadet/Midshipman Victim	0
<b>B. Location of Incident</b>	
# On Academy Grounds	0
# Off Academy Grounds	0
# Unidentified location	0
<b>C. # Sexual Harassment Investigations</b>	<b>0</b>
# Pending completion as of 31 May 08	0
# <b>Completed as of 31 May 08</b>	<b>0</b>
<b>D. Sexual Harassment Details - Length of time between incident and report</b>	
# Reports made within 3 days of sexual assault	0
# Reports made within 4 to 30 days after sexual assault	0
# Reports made within 31 to 365 days after sexual assault	0
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
<b>E. Time of Sexual Harassment Incident</b>	
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
<b>Reported Day of Sexual Harassment Incident</b>	
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
<b>G. APY07-08 SUMMARY OF THE COMPLETED INVESTIGATIONS</b>	
# <b>Completed investigations</b>	<b>0</b>
# Investigations with more than one victim, more than one subject, or both	0
<b>H. APY07-08 FINAL DISPOSITIONS (Subject) in Following Categories</b>	
# No action (Unsubstantiated/unfounded, insufficient evidence, victim withdrew cooperation, subject's death)	0
# Under civilian or foreign authority (subject being tried outside of the military)	0
# Pending completion as of 31May-08	0
# <b>Completed as of 31 May-08</b>	<b>0</b>
<b>I. # Commander Actions (APY07-08 Subjects)</b>	<b>0</b>
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Honor board actions	0
# Other administrative actions	0

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**Synopses of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen**

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
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**Data Dictionary**

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

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

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

**Subject Gender** = Male, Female or Unknown

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

**Initial Allegation Reported** = Very short summary of allegation

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

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