



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


TAB B



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

ACTION MEMO

FOR: UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS)

FROM: Ray Mabus, Secretary of the Navy  22OCT10

SUBJECT: United States Naval Academy's Submission to the Academic Program Year (APY) 2009 - 2010 Department of Defense (DoD) Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies

- TABs A and B constitute the United States Naval Academy's submission to Academic Program Year (APY) 2009 - 2010 Report on Sexual Harassment and Violence at the U.S. Military Service Academies.
- This report is due to Congress on 15 December 2010.
- The report is to be transmitted for submission to the Congressional Armed Services Committees in accordance with Section 532 of Public Law no. 109-364.

RECOMMENDATION: USD P&R forward to DoD SAPRO for consolidation of TABs A and B into the APY 2010 Report on Sexual Harassment and Violence at the U.S. Military Service Academies and submit the report to the Senate and House Committees on Armed Services.

COORDINATION: TAB C

ATTACHMENTS:
As stated

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Academic Program Year 2009-2010 Annual Report on Sexual Harassment and Violence at the Military Service Academies: U.S. Naval Academy (USNA)

Programmatic Data

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

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

EXECUTIVE SUMMARY

The United States Naval Academy continued to demonstrate its clear commitment to both the spirit and intent of Department of Defense and Department of the Navy Sexual Assault Prevention and Response (SAPR) Programs by expanding its innovative prevention program known as SHAPE (Sexual Harassment and Assault Prevention Education), introducing prevention program assessment tools and reorganizing internal manpower to optimize overall effectiveness. The depth of the USNA's outreach and response programs is unique within the Navy, as well as the other military service academies. This is largely due to the empowerment of the Brigade of Midshipmen to conduct peer-led prevention education and to provide peer support at a first responder level.

Although the total number of reports of sexual assault involving midshipmen at USNA increased from eight to eleven during APY 2009-2010, this can be attributed to expanded education and response programs which have encouraged victims and others with the knowledge of alleged crimes to come forward.

Reports of Sexual Assault involving Midshipmen	Restricted Reports	Unrestricted Reports	Restricted to Unrestricted Reports	Total Reports
APY 2008-2009	5	3	0	8
APY 2009-2010	4	6	1	11

The seven key areas identified by the 2005 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) continue to be addressed in APY 2010. Oversight of these key areas has been fully integrated into USNA SAPR instructions, policies and procedures. Additionally, the seven recommendations for USNA from the *DOD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies (APY 2008-2009)* were thoroughly examined and added to the USNA SAPR plan of action and milestones.

Each of the seven DoD recommendations from 2009 has either been implemented or is in progress as outlined in Section 1.4.

Other specific accomplishments from APY 2009-2010 are included in Section 1. Data on incident reporting is included in Section 2. Specific plans and initiatives for APY 2010-2011 are included in Section 4. Results of the Defense Manpower Data Center (DMDC) Service Academy Gender Relations Survey for APY 2009-2010 were not available for analysis and inclusion in this report and would have been included in Section 3.

Prevention of sexual harassment, misconduct, assault and sexist behavior remains a priority at the USNA. The implementation of a peer education based prevention curriculum is indicative of the innovative efforts undertaken to address inappropriate behavior and teach all midshipmen to treat each other with dignity and respect. The continued refinement of the SHAPE curriculum, improvements in the timely investigation and disposition of sexual assault cases and determined awareness efforts during APY 2010-2011 will foster a command climate that encourages appropriate behavior and corrects inappropriate behavior, allowing the USNA to serve as a “flagship institution” in the development and preparation of principled young leaders who can carry the ideals embodied in SAPR policies to the Fleet and Fleet Marine Force.

1. POLICIES, TRAINING AND PROCEDURES

1.1. Prevent Sexual Harassment and Violence –

- 1) Sustained SAPR program continuity despite personnel turnover, ensuring that the Sexual Assault Response Coordinator (SARC), Deputy SARC, SAVI Liaisons (including newly developed Faculty Liaisons), Victim Advocates, midshipmen volunteer SAVI GUIDES (Guidance, Understanding, Information, Direction, Education), and legal support personnel maintained up-to date training and qualification standards .
- 2) Continued to address USNA policy, prevention and response efforts and progress related to sexual harassment and assault in a variety of forums such as athletic coach’s meetings, individual sports team training, beginning of the semester “reform” training, Midshipman Sponsor training and summer training for the faculty and staff.
- 3) 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.
- 4) Continued to conduct Equal Opportunity exit-briefs with female midshipmen 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.
- 5) Assisted in the administration of the DoD Service Academies Gender Relations Survey in April 2010.

1.2. Increase Reporting —

- 1) The SAPR section of the USNA intranet website was completely revamped during the summer of 2009 to be much more user-friendly and encompass all of the programs the Sexual Assault Prevention and Response Office. One of the most important changes to the website was the addition of two highlighted direct links to pages providing immediate assistance for a survivor of sexual assault and another entitled: “How to Help a Friend”. These two links are located prominently on the top of the left hand menu on the homepage of the site to draw attention and provide answers quickly. The other changes to the site include adding pages that describe the SHAPE Program and the Brigade SAPR program. Contact information and photos of first responders had been added and the SAPR staff now has the ability to update the homepage with current events, news and announcements relevant to the USNA community. There is also a direct link to the RAINN (Rape, Abuse and Incest National Network) website’s 24/7 National Sexual Assault Online Hotline for confidential support.
- 2) Prior to their departure for APY 2009-10 summer training, each midshipman received a durable, plastic wallet card containing pertinent phone numbers and information regarding Restricted and Unrestricted reporting. Over 4,000 wallet cards were distributed to the Brigade. Subsequently, the cards will be distributed annually during the beginning of the fall semester to all new first year (fourth class) midshipmen.

1.3. Improve Response —

- 1) Conducted monthly multi-disciplinary Sexual Assault Case Management Group (SACMG) meetings to review and track progress on current open cases, facilitate program updates, discuss process improvements and ensure system accountability and victim access to services.
- 2) 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.
- 3) Maintained and tracked Victim Advocate (VA) refresher training in order to ensure currency.
- 4) Reviewed VA pool and advertised for volunteers to be trained as replacements to ensure high quality, 24/7/365 crisis intervention support. Number of qualified and VA’s ranged between twelve and twenty throughout the APY.
- 5) Personnel trained to be “first responders” included 17 Victim Advocates and 47 Midshipmen SAVI GUIDES. A new program was launched for faculty and staff members who could reach out from their positions as instructors and staffers. The Faculty and Staff GUIDE program is similar to the Midshipman SAVI GUIDE program in that all receive the same DoN certified 30 hour Victim Advocate course content, but are not expected to “stand watch” or respond to off campus emergencies. These Faculty and Staff members and

midshipmen volunteers use their training to provide information and encourage reporting. Three inaugural Faculty GUIDE members were trained this APY. The USNA does not specifically train criminal investigators, law enforcement or medical personnel as these individuals receive their training from the Naval Station Annapolis SARC with whom the USNA SARC maintains close cooperation.

1.4. Ensure Program Oversight

1.4.1 The USNA executes its oversight of programs supporting the prevention and response of sexual harassment and sexual assault specifically through its SAPR office which reports directly to the Superintendent. This office is headed by a senior Naval Officer (currently a Navy Captain (O-6) who serves as the SARC for the entire command. This practice was commended by DoD SAPRO in their APY 2008-2009 Annual Report to Congress. The SARC is assisted in program oversight by four full time staff members including a Deputy SARC (military), Director of Clinical Services and Education (civilian), Training Specialist (civilian) and a SAVI Liaison (civilian). In addition, the SAPR staff is augmented by a full time Professor of Sociology from the Department of Leadership, Ethics and Law who assists with education program assessment and academic research related to the culture of sexual assault.

1.4.2

- 1) Continued to implement the recommendations of the *2005 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. Increased emphasis on midshipmen responsibility and accountability through focused training, additional review and monitoring of midshipmen behavior and assessment data.
 - b. Continued awareness training and expanded sexual assault confidential reporting resources maximizing avenues for reporting and support. Increased awareness of restricted reporting options through focused training.
 - c. Continued active liaison with Navy's SAPR Program Office for information sharing, program updates, coordination and support.
- 2) Implemented the seven recommendations listed below in response to the *Department of Defense Sexual Assault Prevention and Response Office (SAPRO) Annual Report on Sexual Harassment and Violence at the U.S. Military Academies: Academic Program Year 2008-2009*.
 - a. All counselors at the Midshipman Development Center (MDC) counseling facility have been trained on sexual assault treatment and know how to perform referrals even if midshipmen present at the MDC for other reasons such as academic difficulties or eating disorders. The USNA SAPR staff includes as the Director of Clinical Services and Education, a fully qualified Licensed Clinical Social Worker with considerable expertise in sexual assault and partner violence. The Director conducts regular training with the other MDC counselors while serving

as the primary provider of counseling for victims of sexual assault.

- b. USNA has listed Victim Witness Liaison Officer (VWLO) contact information on its website. Since the individual selected to perform these duties usually rotates during the APY, it was felt that providing specific contact data on printed materials would induce unnecessary confusion and cause such products to become prematurely outdated.
- c. The current VWLO has received specific VWLO training as well as specific SAPR training. The current VWLO has become a regular guest speaker at Victim Advocate training sessions conducted by several SARCs in the Greater Washington DC area.
- d. Although the USNA SARC maintains a close relationship with the Anne Arundel Medical Center (AAMC) Sexual Assault Forensic Examination (SAFE) team, attempts to conduct regular training in the mailing of SAFE kits to the NCIS Consolidated Evidence Facility in Norfolk, Virginia were deemed impractical due to the high turnover rate of hospital personnel. Since the kits must have a case number in order to be mailed and since that case number can only be assigned by the USNA SARC, both parties agreed that in the event that a kit needed to be mailed, a thorough review of the mailing procedures would be performed at the time a case number was requested. (Of note, no SAFE kits have been utilized in a USNA Restricted Report case in over two years.)
- e. The USNA provided the AAMC with five DoD SAFE kits and associated protocols in July 2009.
- f. The USNA SAPR staff is in the process of examining a training program on developing healthy relationships for possible inclusion in the SHAPE curriculum.
- g. Plans are in place for members of the SAPR team to attend a conference in Nov 2010 to find out more about this specific program and to assess its applicability to the USNA environment.
- h. During the summer of 2009, a CMEO Officer was assigned from within the Commandant's staff for the Brigade of Midshipmen. He received CMEO training early in fall 2009. Similarly, a replacement for the Faculty and Staff CMEO representative will take place in the summer and early fall of 2010. A replacement for the USNA Equal Opportunity Advisor is being identified.

1.5. Educate Stakeholders —

- 1) Implemented the next phase (year three of a four year roll-out) of the Sexual Harassment and Assault Prevention Education (SHAPE) program for second class midshipmen using peer educators trained by subject matter experts. Developed substantial improvements to the annual selection process for Midshipmen Peer Educators. Improvements include a written application essay, recommendations from Company Officers and Senior Enlisted Leaders and a thorough interview process. An assessment tool used to gauge program effectiveness

is currently being developed.

- 2) Continued to heighten faculty, staff and support personnel prevention and response awareness through focused recurrent training and ready access to pertinent information:
 - a. Expanded the Sexual Assault Prevention and Response (SAPR) familiarity training for the Academic Dean's Newcomers Indoctrination Training.
 - b. In-depth SAPR refresher training was targeted at all key personnel including Company Officers, Senior Enlisted Leaders, Chaplains, Victim Advocates
 - c. Completely revamped the SAPR section of the USNA intranet website, available to all midshipmen, faculty and staff, which now includes one click access to immediate information for victims of sexual assault as well as information for potential first responders seeking guidance on how to help a victim. Complete information on all aspects of the USNA SAPR program including both response and prevention education has been added.
 - d. Under the direction of the SAPRO staff, the SAVI GUIDES developed all new presentation scripts to provide consistent in-company training on reporting options and the role of first responders.

2. DATA FOR CADET/MIDSHIPMAN REPORTS

2.1. Although the total number of reports of sexual assault involving midshipmen at USNA increased from eight to eleven during APY 2009-2010, this can be attributed to expanded education and response programs which have encouraged victims and others with the knowledge of alleged crimes to come forward.

Reports of Sexual Assault involving Midshipmen	Restricted Reports	Unrestricted Reports	Restricted to Unrestricted Reports	Total Reports
APY 2008-2009	5	3	0	8
APY 2009-2010	4	6	1	11

Restricted Reports neither increased nor decreased substantially during APY 2009-2010. At least two victims who would have chosen to make Restricted Reports found that this option was no longer available to them because they had previously communicated with friends, roommates or relatives who were concerned enough for their well-being that they subsequently reported what they had heard to the chain of command.

Out of the seven total unrestricted reports for APY 2009-2010, (including the one Restricted Report changed to an Unrestricted Report) four were categorized as incidents of rape including one instance of aggravated sexual assault. The other three were categorized as abusive sexual contact, wrongful sexual contact and an attempt to commit wrongful sexual contact.

In three of the seven cases, the subjects, who were all midshipmen, were dealt with via the

USNA conduct system due to insufficient evidence for referral for Courts Martial. In one case, the victim refused to name her offender and no further disposition was possible. In another case, three enlisted subjects were punished by their Commanding Officer via Non-Judicial Punishment (NJP) as there was insufficient evidence for referral for Courts Martial. All three were subsequently discharged from the Navy for administrative reasons related to their NJP. In a case involving a civilian contractor who had attempted wrongful sexual contact of a female midshipman, there was insufficient evidence for civilian prosecution, however upon receiving news of the report, the subject's employer fired him from his USNA job and he was prohibited by the Commanding Officer from entering the grounds of the USNA and the nearby Naval Station Annapolis. The final case, at the time of this report, was still pending disposition with the local Anne Arundel County State's Attorney.

3. GENDER RELATIONS SURVEY

3.1. Results from Survey were not available for this report

4. PLANS FOR APY 10-11

4.1

- 1) Continue to refine the following areas, some of which were commended or discussed in the *Department of Defense Sexual Assault Prevention and Response Office (SAPRO) Annual Report on Sexual Harassment and Violence at the U.S. Military Academies: Academic Program Year 2008-2009*.
 - a. Continue to ensure that training curricula emphasizes procedures that midshipmen should follow for reporting a sexual assault and to whom a victim can confidentially report. Find new avenues to publicize reporting options.
 - b. The VWAC (Victim Witness Assistance Coordinator) will provide victims with the Midshipman Legal Advisor's contact information and a brief explanation of the service they can provide.
 - c. The SARC will monitor continuity in victim services throughout the investigation and prosecution stages by continuing close coordination with the Staff Judge Advocate, the Victim Witness Liaison Officer and other personnel providing victim assistance.
 - d. USNA will continue to educate all 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.
- 2) 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.
- 3) Continue to execute the Sexual Harassment and Assault Prevention Education (SHAPE) program roll out for first class midshipmen in APY 2010-2011. This fourth and final year of

the program roll out will continue to use peer educators but will be trained by in-house subject matter experts now that responsibility for the program has completely transitioned to USNA staff and faculty permanent positions.

- 4) 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. Implement plans to meet with the SAPR staffs of the other military service academies to exchange best practices and share new ideas.
- 5) Broaden opportunities and increase participation in sexual assault awareness activities with every department within the Naval Academy complex. Such events will include, but are not limited to:
 - a. Sexual Assault Awareness Month activities.
 - b. Sexual assault awareness guest lecturers and programs.
 - c. Annual training
- 6) Increase participation in the Faculty and Staff GUIDE Program, using select members of the USNA staff and faculty as a conduit for the prevention and response message.
- 7) 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 the Anne Arundel Medical Center (AAMC).
- 8) Continue to support local community sexual assault awareness programs through active participation in events, meetings and active exchange of resources and ideas including continued membership in the Anne Arundel County Sexual Assault Response Team.
- 9) 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.
- 10) Review victim advocate pool bi-annually and advertise for volunteers to be trained as replacements to ensure quality crisis intervention support.

1a. Unrestricted Reports (A-E)

Sexual Harassment and Violence at the US Military Service Academies APY09-10 US Naval Academy	
A. APY09-10 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen	APY09-10 Totals
# VICTIMS in APY09-10 Unrestricted Reports	7
# Cadet/Midshipman victims	7
# Non-Cadet/Midshipman victims	0
# Unrestricted Reports in the following categories	7
# Cadet/Midshipman on Cadet/Midshipman	5
# Cadet/Midshipman on Non-Cadet/Midshipman (includes other Service Members or Civilians)	0
# Non-Cadet/Midshipman (includes other Service Members or Civilians) on Cadet/Midshipman	2
# Unidentified Subject on Cadet/Midshipman	0
# Unrestricted Reports of sexual assault occurring	7
# On Academy Grounds	3
# Off Academy Grounds	4
# Unidentified location	0
# Investigations Initiated (From APY2009-2010 Unrestricted Reports)	6
# Investigations pending completion as of 31-May-10	1
# Completed Investigations as of 31-May-10	5
# Restricted Reports	5
# Converted from Restricted Report to Unrestricted Report*	1
# APY09-10 RESTRICTED REPORTS REMAINING RESTRICTED	4
B. DETAILS OF UNRESTRICTED REPORTS IN APY09-10	APY09-10 Totals
Length of time between sexual assault and Unrestricted Report	7
# Reports made within 3 days of sexual assault	3
# Reports made within 4 to 30 days after sexual assault	2
# Reports made within 31 to 365 days after sexual assault	1
# Reports made longer than 365 days after sexual assault	1
# Unknown	0
Reported Time of sexual assault	7
# Midnight to 6 am	4
# 6 am to 6 pm	2
# 6 pm to midnight	1
# Unknown	0
Reported Day of sexual assault	7
# Sunday	0
# Monday	2
# Tuesday	2
# Wednesday	1
# Thursday	0
# Friday	0
# Saturday	1
# Unknown	1
C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN APY09-10)	APY09-10 Totals
# Investigations initiated and completed during APY09-10	5
# Investigations with more than one victim, subject, or both	2
# SUBJECTS in the completed investigations	9
# Cadet/Midshipman subjects	5
# Service Member subjects	3
# Non-Service Member subjects	1
# Unidentified subjects	0
# VICTIMS in the completed investigations	5
# Cadet/Midshipman victims	5
# Service Member victims	0
# Non-Service Member victims	0
# Unknown	0

1a. Unrestricted Reports (A-E)

D. FINAL DISPOSITIONS FOR SUBJECTS IN APY09-10 INVESTIGATIONS		APY09-10 Totals
# SUBJECTS in APY09-10 completed investigations		9
DoD Action Precluded:		1
# Unknown Subjects		0
# Unfounded by Investigative Agency		0
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ		0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ		1
# Total Command Action Precluded or Declined for Sexual Assault		0
# Probable cause for only non-sexual assault offense		0
# Subject deceased or deserted		0
# Victim deceased		0
# Victim declined to participate in the military justice action		0
# Insufficient evidence of any offense		0
# Statute of limitations had expired		0
# Unfounded by Command		0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)		0
# Subjects awaiting completion of command action as of 31-May-10		0
# Subjects for whom command action was completed as of 31-May-10		8
# Evidence Supports Command Action for the following APY09-10 Sexual Assault Subjects		8
# Courts-martial charge preferred (Initiated)		0
# Honor board actions (Initiated)		0
# Nonjudicial punishments (Article 15 UCMJ)		3
# Administrative discharges		0
# Other administrative actions		5
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY09-10 INVESTIGATIONS (From prior year investigations completed in APY09-10)		APY09-10 Totals
# Total Number of Investigations, from all reporting periods prior to current APY, pending completion at the end of APY09-10		1
# Pre-APY09-10 Investigations STILL PENDING completion as of 31-May-10		0
# Pre-APY09-10 Investigations completed of 31-May-10		1
# SUBJECTS from Pre-APY09-10 investigations completed as of 31-May-10		1
# Final APY09-10 DISPOSITIONS for SUBJECTS from Pre-APY09-10 investigations that were completed in APY09-10		1
DoD Action Precluded:		1
# Unknown Subjects		0
# Unfounded by Investigative Agency		0
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ		0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ		1
# Total Command Action Precluded or Declined for Sexual Assault		0
# Probable cause for only non-sexual assault offense		0
# Subject deceased or deserted		0
# Victim deceased		0
# Victim declined to participate in the military justice action		0
# Insufficient evidence of any offense		0
# Statute of limitations had expired		0
# Unfounded by Command		0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)		0
# Pre-APY09-10 Subjects awaiting completion of command action as of 31-May-10		0
# Pre-APY09-10 Subjects for whom command action was completed as of 31 May-10		0
# Evidence Supports Command Action for the following Pre-APY09-10 Sexual Assault Subjects		0
# Courts-martial charge preferred (Initiated)		0
# Honor board actions (Initiated)		0
# Nonjudicial punishments (Article 15 UCMJ)		0
# Administrative discharges		0
# Other administrative actions		0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.		

2. Restricted Reports

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

3. Victim Services

APY09-10 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT U.S. Naval Academy	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made .</i>	
A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	16
# Medical	2
# Counseling	7
# Legal	7
# CIVILIAN facilities (Referred by DoD)	3
# Medical	1
# Counseling	0
# Legal	2
# Unrestricted Reports where SAFEs were conducted	1
# Unrestricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making an UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	APY09-10 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	6
# Medical	2
# Counseling	4
# Legal	0
# CIVILIAN facilities (Referred by DoD)	3
# Medical	1
# Counseling	2
# Legal	0
# Restricted Reports where SAFEs were conducted	0
# Restricted Reports where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Cadets/Midshipmen making a RR that received service referrals for an incident that occurred prior to military service	0
C. APY09-10 MILITARY PROTECTIVE ORDERS (MPO)*	APY09-10 TOTALS
# Military Protective Orders issued due to an APY09-10 Unrestricted Report of Sexual Assault	4
# Reported MPO Violations in APY09-10 Completed Investigations	1
# Reported MPO Violations by Subjects	1
# Reported MPO Violations by Victims of Sexual Assault	0
*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk to the victim.	

4. Sexual Assault Case Synopses

Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
Ex:	Jun-08	1st Year	Male	1st Year	Female	Victim reported being touched on genitals by subject while asleep	Abusive Sexual Contact, Article 120	Pending; Court-Martial scheduled for 10/09	Victim asleep in dorm room and awoke to find subject digitally penetrating her and fondling her breasts. Victim yelled at subject, who fled the room. Victim called police. SAFE kit done by MTF on base. Subject apprehended and confessed. Art 32 held Apr 09. Subject convicted at court martial.
1	Dec-09	E-6, E-5, E-4	male, male, female	2nd year	female	Victim was sexually assaulted by enlisted service members while at a party	Rape, Article 120	NJP for each of three subjects/ E-6: Art 92 & 134 /E-5: Art 81 & 92 / E-4: Art 92, 120 & 134 / All three admin discharged	While victim was on third class summer cruise, three enlisted sailors hosted a party at the E-6's apartment in which alcohol was served to underage drinkers. Nine other midshipmen from the ship attended. All the other midshipmen left the victim alone with the three enlisted and returned to the ship. Victim was sexually assaulted by at least one and possibly two of the enlisted while the third failed to intervene. All three enlisted were punished at NJP on related charges and were subsequently discharged. The other nine midshipmen were dealt with via the USNA conduct system.
2	Dec-09	3rd year	male	3rd year	female	Victim reported sexual assault by classmate while on summer training	Rape, Article 120	Subject dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	Victim was on summer training in California with subject. Subject had made repeated (failed) attempts to date the victim during the training period. When subject and victim (who were both underage) became highly intoxicated during parties held in on-base transient housing, the subject texted the victim to meet up with him in the parking lot. He allegedly led her to an unoccupied restroom where he subsequently assaulted her.
3	Oct-09	(1x) 1st year, (2x) 2nd year	three males	1st year	female	Victim reported being touched by three males while in her bed	Abusive Sexual Contact, Article 120	All three subjects dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	Two intoxicated 2nd year midshipmen entered the victim's dorm room while she was asleep. They climbed into her rack and touched her inappropriately while commenting on sexual acts she should perform on them. Later, a third midshipman (1st year) who was intoxicated and on duty, escorted the other two men out and then returned to the victim's room and committed the same offenses as the other subjects.
4	Feb-10	4th year	male	4th year	female	Victim reported having breast touched with sword by subject	Wrongful Sexual Contact, Article 120	Subject dealt with via USNA conduct system due to insufficient evidence for referral for Courts Martial.	While in the dining hall, with other midshipmen present, the subject used a carving knife to touch the victim's breast while making obscene comments. On previous occasions, the subject had spread rumors about the victim's sexual activity and had made derogatory comments to her and slapped her buttocks in the presence of other junior midshipmen while in their company area.
5	Feb-10	civilian contractor	male	2nd year	female	Victim was propositioned by civilian contract worker	Counted under "Attempts to commit offenses, Article 80" although civilian not subject to UCMJ. No civil charges were filed.	Contractor fired from USNA job and prohibited from entering USNA grounds and adjacent Naval Station Annapolis	While the victim was using an unoccupied dorm room to shower and change clothes, a contractor (subject) who was inspecting rooms, discovered her presence and subsequently propositioned her. She refused and he departed. A few minutes later, the subject returned without knocking, remarking that he had hoped to catch her coming out of the shower. Subject persisted with suggestive remarks while blocking the victim's ability to escape. The victim's insistence that her boyfriend was on the way finally caused the subject to depart.
Data Dictionary Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.) Month Closed - the month and year that investigative activity was concluded Subject Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, Civilian or Unknown Subject Gender = Male, Female or Unknown Victim Status = Prep School, 1st Year, 2nd Year, 3rd Year, 4th Year, Other Cadet Year, Military Rank, or Civilian Initial Allegation Reported = Very short summary of allegation (Victim reported being touched on genitals by subject while asleep) Misconduct Charged = Offense and Article of UCMJ Disposition = Case status (Pending Art 32, Pending Court Martial, Art 15 UCMJ Punishment, Closed, etc.)									

5. Formal Sexual Harassment Rpts

Formal Sexual Harassment Reports at the US Military Service Academies APY09-10 U.S. Naval Academy	
<p>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:</p> <p>a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or</p> <p>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</p> <p>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.</p>	APY 09-10 TOTALS
A. Formal Sexual Harassment Complaints (total)	0
# Cadet/Midshipman Victims	0
# Non-Cadet/Midshipman Victims	0
B. Location of Incident	0
# On Academy Grounds	0
# Off Academy Grounds	0
# Unidentified location	0
C. # Total Sexual Harassment Investigations opened during APY09-10	0
# Investigations pending completion as of 31 May 10	0
# Completed investigations as of 31 May 10	0
D. Sexual Harassment Details - Length of time between incident and formal report	0
# Reports made within 60 days of the sexual harassment	0
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
E. # Reports forwarded to General Court Martial Convening Authority	0
# Reports forwarded to GCMCA within 72 Hours	0
# Reports forwarded to GCMCA beyond 72 Hours	0
F. Time of Sexual Harassment Incident	0
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
G. Day of Sexual Harassment Incident	0
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
H. # APY09-10 COMPLETED INVESTIGATIONS	0
# Investigations with more than one victim, more than one subject, or both	0
# of Subjects in Completed Investigations	0
I. APY08-09 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS	0
# Subjects with Unsubstantiated Complaints	0
# Pending command action as of 31 May 10	0
# Subjects for whom command action was completed of 31 May 10	0
J. # Commander Actions (APY09-10 Subjects)	0
# 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

6. SH Case Synopses

Synopsis of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen									
Number	Month Closed	Subject Status	Subject Gender	Victim Status	Victim Gender	Initial Allegation Reported	Misconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
Ex:	Jun-08	Captain	Male	1st Year	Female	Victim's supervisor pressured her to sleep with him in order to get a good rating.	Conduct Unbecoming, Art 134	Pending; Court-Martial scheduled for 10/09	Cadet was working a special project with a staff officer. This was 3rd time officer had made an overt sexual overture. Investigation substantiated misconduct.
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Data Dictionary
 Number - A number assigned for purposes of this report only. (Use 1, 2, 3, etc.)
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 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.)