

Appendix D: Statistical Data on Sexual Assault and Sexual Harassment



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Appendix D: Statistical Data on Sexual Assault and Sexual Harassment

Introduction

The Department of Defense's (DoD) sexual assault reporting data capture Restricted and Unrestricted Reports of sexual assault involving cadets, midshipmen, or prep school students ("academy students")¹ as victims and/or subjects in allegations made during Academic Program Year (APY) 2017-2018 (17-18). These reports may include:

- Sexual assaults alleged by academy students against academy students
- Sexual assaults alleged by academy students against non-academy students (i.e., Service members, civilians/foreign nationals, or unknown subjects)
- Sexual assaults alleged by non-academy students (i.e., Service members, civilians/foreign nationals, adult military dependents) against academy students

However, the number of sexual assaults reported to DoD authorities is not necessarily indicative of the number of sexual assaults that may have occurred. Consequently, DoD employs scientific surveys of the military population to estimate the number of personnel who may have experienced sexual assault in the past year. In surveys of cadets/midshipmen, DoD uses a measure called "unwanted sexual contact" (USC), a proxy for the range of penetrative and contact sexual crimes prohibited by the Uniform Code of Military Justice (UCMJ). USC provides a reliable estimate of the number of cadets/midshipmen experiencing sexual assault crimes addressed by the UCMJ and the Sexual Assault Prevention and Response (SAPR) program.

DoD and civilian research indicate that a small fraction of people who experience sexual assault report the crime. This holds true for the Military Service Academies (MSAs) as well. This year, DoD estimates that of the cadets/midshipmen who indicated an experience of USC in the past year, 12 percent reported the matter to a military authority – the same as when last measured in 2016 (Exhibit 5). The following sections describe the reports received in APY 17-18 and the disposition information associated with completed investigations of Unrestricted Reports, a description of survey data, and information about sexual harassment at the academies.

Restricted Reports

As Service members, academy students can make Restricted Reports to specified individuals (i.e., Sexual Assault Response Coordinators (SARCs), SAPR Victim Advocates (VAs), or healthcare providers) who facilitate care and response services while maintaining confidentiality.² Since people who choose Restricted Reports have a strong desire for confidentiality, DoD does not investigate this type of report, nor does it obtain extensive details about the incident.³ Rather, SARCs record limited data about the person making the report and the alleged incident in the Defense Sexual Assault Incident Database (DSAID), but do not request nor maintain identities of the alleged perpetrator. Additionally, a person can choose to

¹ "Cadets/midshipmen" is used when discussing students at one of the three military academies; therefore, this designation excludes prep school students.

² A change to DoD policy in 2012 allowed military dependents (aged 18 and over) to make Restricted Reports of sexual assault.

³ Use of the term "victim" or "subject" does not convey any presumption about the guilt or innocence of the alleged offenders, nor does the term "incident" substantiate the occurrence of sexual assault.

convert a Restricted Report to an Unrestricted Report at any time. DoD policy also allows adult military dependents to make a Restricted Report involving allegations against academy students. DoD includes all reports involving an academy student in this report.⁴

Unrestricted Reports

Unlike Restricted Reports, Unrestricted Reports involve command notification and a referral for investigation by a Military Criminal Investigation Organization (MCIO). MCIO information systems comprise the systems of record for Unrestricted Reports. An interface between MCIO information systems and DSAID incorporates information about the subject of the investigation and investigative case and SARCs enter additional victim and incident data directly into DSAID.

One Unrestricted Report includes only *one* victim but may still include *multiple* subjects and/or allegations. DoD's sexual assault reporting statistics include data about completed and attempted sexual contact and penetrating crimes between adults, as defined in Articles 120, 125, and 80 in the UCMJ, as amended in 2012. When a report falls under a criminal offense category (e.g., rape, sexual assault, aggravated sexual contact), it means the crime in that category was the most serious of the infractions alleged and/or investigated. The crime alleged/investigated does not necessarily reflect the final findings of MCIOs or the final disposition of the allegation.

Case Dispositions

MCIOs initiate an investigation for each Unrestricted Report of sexual assault that falls within their investigative purview. MCIOs and judge advocate personnel report each investigation's outcome/disposition to DoD. DoD may only take disciplinary action against individuals subject to the UCMJ. Academy students are Service members subject to the UCMJ. When a Service member commits an offense within a civilian jurisdiction (e.g., state, county, or municipality), civilian authorities may also prosecute that Service member. The civilian authority may choose to relinquish its jurisdiction over military members back to DoD. Service member prosecutions by civilian authorities are decisions made on a case-by-case basis and such actions may not yield the same level of case or disposition detail obtained from the military justice system.⁵

MCIOs provide reports to military leadership upon conclusion of an investigation. The subject's military commander, in consultation with the servicing Staff Judge Advocate (SJA), reviews available evidence and considers legal action, if appropriate. However, for crimes of rape, sexual assault, nonconsensual sodomy, and attempts to commit these crimes, a senior military officer who is at least a special court-martial convening authority (SPCMA) and in the grade of O-6 (Colonel or Navy Captain) or higher retains initial disposition authority.

⁴ DoD Instruction 6400.06 (Domestic Abuse Involving DoD Military and Certain Affiliated Personnel) defines "domestic abuse" as domestic violence or a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person who is: a current or former spouse; a person with whom the abuser shares a child in common; or a current or former intimate partner with whom the alleged abuser shares or has shared a common domicile. Sexual assault occurring within the context of this definition of domestic abuse is referred to the Family Advocacy Program (FAP) for comprehensive safety planning, victim advocacy and support, and treatment when appropriate. Such cases are excluded from this report.

⁵ An accused civilian or foreign national is not often subject to the UCMJ, and DoD cannot court-martial or prosecute these persons under the military justice system, except in rare circumstances (e.g., a civilian accompanying the force in the field in a contingency operation). A host nation's ability to prosecute a Service member may be subject to the Status of Forces Agreement (SOFA) between the U.S. and a foreign government. SOFAs vary from country to country.

The SPCMA is responsible for determining initial disposition action. This includes whether action is warranted and, if so, whether the matter should be resolved by court-martial, nonjudicial punishment (NJP), administrative discharge, or some other adverse administrative action. At the MSAs, the Superintendent (a Lieutenant General or a Vice Admiral) is the initial case disposition authority. Military attorneys assist commanders in identifying charges and appropriate means of addressing misconduct and disposition options based on the available evidence.

Each year there are cases in which disciplinary actions are precluded (i.e., not possible) due to legal issues, or evidentiary problems. For example, when the investigation fails to show sufficient evidence of an offense for command action or when the victim declines to participate in the justice process, a commander may be precluded from taking disciplinary action against an alleged subject.

In the data that follow, when more than one disposition action is involved (e.g., when a NJP is followed by an administrative discharge), only the most serious disciplinary action taken is reported. These actions, in descending order, include referral of court-martial charges, NJP, administrative discharge, and other adverse administrative actions most often administered through the Cadet Disciplinary System or the Midshipman Misconduct System.

Case Timelines

For this report, DoD uses the period of the APY. Some investigations extend across APYs, as it often takes several months to investigate a report of sexual assault thoroughly. Therefore, investigations opened near the end of the APY typically continue into the next APY. Likewise, case disposition actions can extend across APYs. The Sexual Assault Prevention and Response Office (SAPRO) marks dispositions as “pending” if they have not been completed or reported at the end of the APY. SAPRO tracks pending dispositions and requires the Military Services to report on them in subsequent years’ reports.

Under DoD’s SAPR policy, a Service member can report a sexual assault to a SARC or MCIO at any point, regardless of the amount of time between the incident and the report. Therefore, DoD may receive reports for incidents that occurred in previous years or reports submitted for sexual assaults that occurred prior to a cadet/midshipman’s military service. When reports like these occur, DoD provides care and services to cadets/midshipmen, but may not be able to hold alleged offenders appropriately accountable if they are not subject to military law. DoD authorities may assist in contacting the appropriate civilian or foreign law enforcement agency to address their cadet/midshipman allegations, if requested to do so.

Data Sources

Defense Sexual Assault Incident Database

DSAID became the system for data collection and reporting by the MSAs in APY 14-15. Since DSAID is a real-time data-gathering tool, not all data points are immediately available for this report. Data provided in this report represent the state of DSAID data at the time of the DoD’s final query of the database in August 2018.⁶ Despite best efforts by DoD and the Services to enter data accurately and expediently, some information may be incomplete at the time of the

⁶ Due to missing data fields, six reports involving an academy student as a subject and/or victim were not present in the final data pull. USNA data were updated from data retrieved on November 8, 2018.

DSAID data pull. Therefore, some demographic or case-related information presented below is categorized as “relevant data not available.”⁷

In addition, data may change over time and may differ from data previously reported by DoD. Updates, changes, and corrections occur as a standard, continuous process of DSAID case management. SAPRO works with the academies and Service SAPR program managers to validate entries, identify errors, and make corrections throughout the year. The investigative process may also uncover additional information. For example, an investigation may clear some subjects of an allegation and/or implicate others. Data presented here reflect this process.

Service Academy Gender Relations Survey

The Office of People Analytics (OPA) conducts the *Service Academy Gender Relations Survey (SAGR)* every two years at the MSAs to estimate the past-year prevalence rate of USC in the cadet/midshipman population.⁸ The *2018 SAGR* is the seventh in a series of surveys mandated by the MSA assessment process directed by the FY07 National Defense Authorization Act. Similar to 2016, this year’s *SAGR* took a census of all cadets/midshipmen at the three MSAs.

DoD uses the *SAGR* to estimate the number of cadets/midshipmen who indicated at least one experience of USC in the current APY, regardless of whether cadet/midshipmen chose to report that incident. As discussed in the introduction, differences between the number of sexual assault reports and the estimated prevalence of sexual assault stems from apparent underreporting of sexual assault incidents to DoD authorities. The *SAGR* employs a measure of USC that covers a range of activities prohibited by the UCMJ, which provides a reliable estimate of the crimes addressed by the SAPR program. However, USC is only a proxy measure for crimes described in military law and not a crime index.

In addition to the estimated past-year prevalence of USC, the *SAGR* includes:

- APY 17-18 estimated past-year prevalence rates of sexual harassment and gender discrimination
- Students’ perceptions of academy culture with respect to sexual assault, sexual harassment, and gender relations
- Opinions on program effectiveness in reducing or preventing sexual assault and sexual harassment
- Indicators of alcohol use

APY 17-18 Overall Reporting Data on Sexual Assault

Exhibit 1 shows that DoD received 117 sexual assault reports involving an academy student as a victim or subject in APY 17-18. Of these 117 reports, cadets/midshipmen made 101 reports. Other prep school students, active duty Service members, and civilians comprised the remaining 16 reports. This APY, reports involving an academy student increased by 6 reports

⁷ For DoD to classify a victim or subject accurately as a cadet, midshipman, or prep school student, demographic data must be completed in DSAID. This report uses the term “relevant data not available” when these data fields are missing or unavailable.

⁸ Although the term “unwanted sexual contact” does not appear in Articles 120, 125, or 80 of the UCMJ, for the purposes of the *SAGR* and this report, it refers to a range of activities that the UCMJ prohibits. These activities include completed or attempted oral, anal, or vaginal penetration by a body part or an object, and the unwanted touching of genitalia, buttocks, breasts, or inner thighs when the victim did not or could not consent.

at the U.S. Military Academy (USMA), 3 reports at the U.S. Naval Academy (USNA), and decreased by 4 reports at the U.S. Air Force Academy (USAFA).

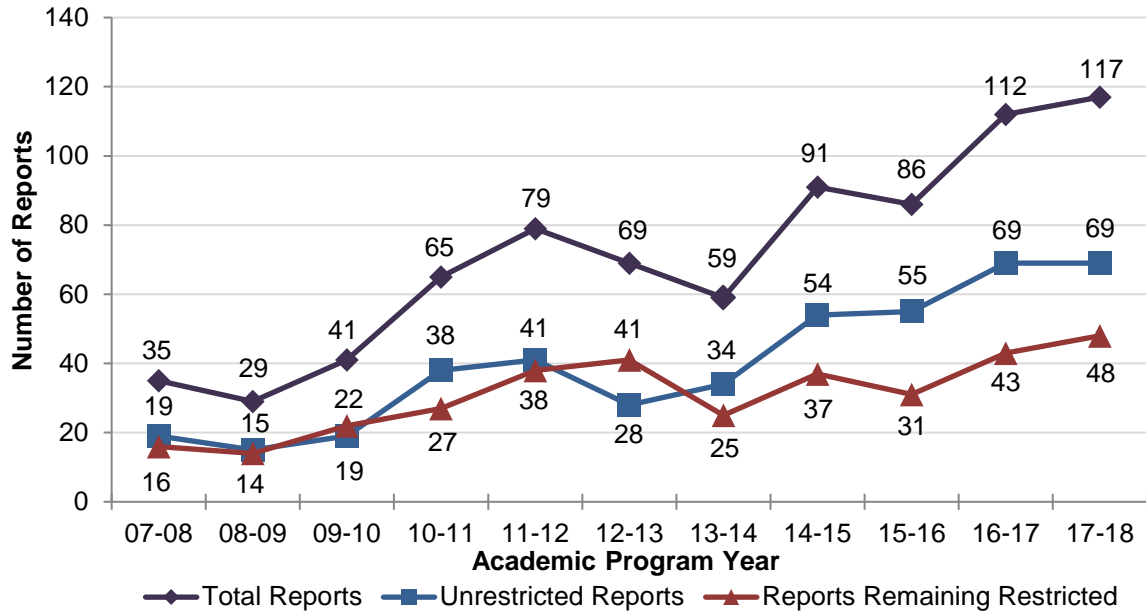


Exhibit 1: Reports of Sexual Assault to the MSAs by Report Type, APY 07-08 to 17-18

As discussed previously, DoD policy permits cadets/midshipmen to report sexual assaults and receive assistance, even when the reported incident occurred prior to entry into military Service. Exhibit 2 below illustrates this pattern in cadet/midshipman reporting of sexual assault allegations. Exhibit 2 shows that 9 of the 101 sexual assault reports made by cadets/midshipmen this year involved an incident that occurred prior to military Service (6 Unrestricted and 3 Restricted Reports). Notably, Exhibit 2 excludes sexual assault reports from prep school students, active duty Service members, and civilians, and thus does not match the total reports in Exhibit 1 (see Table 1 for a breakdown of all reports made this APY).

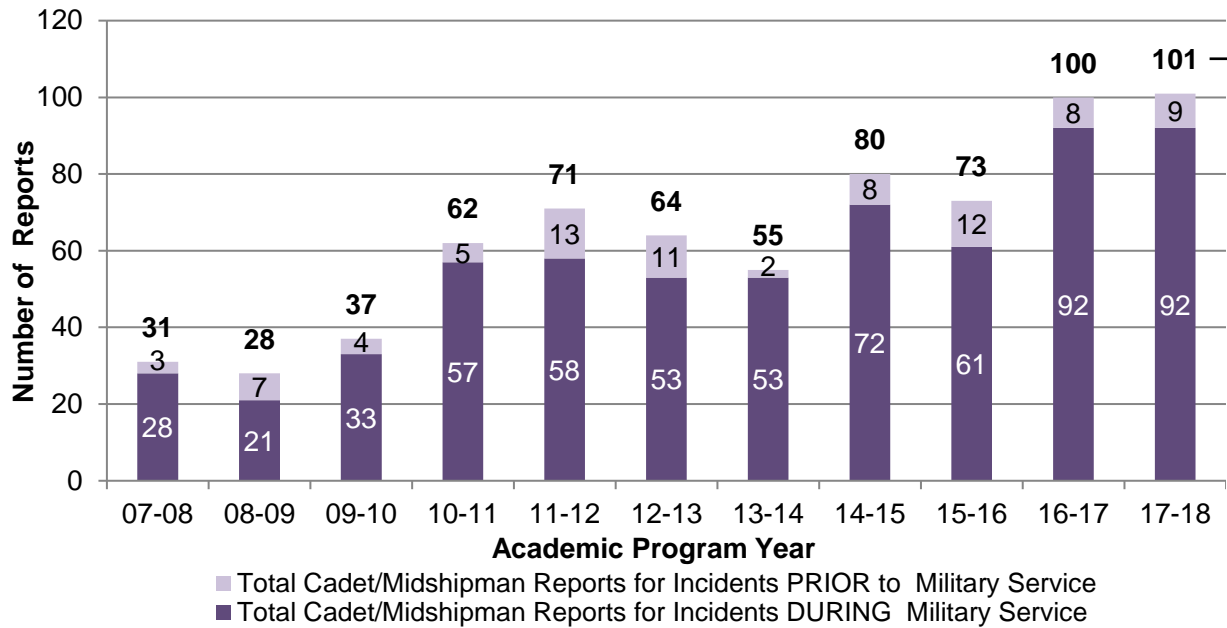


Exhibit 2: Total Reports made by Cadets and Midshipmen Occurring Prior to and During Military Service, APY 07-08 to 17-18

	Unrestricted Reports	Restricted Reports Remaining	Total Reports
All Reports involving Academy Students	69	48	117
Reports made by Cadets/Midshipmen	63	38	101
Reports made by Others	6	10	16
Prep School Students	0	2	2
Active Duty Service Members	3	8	11
Civilians	3	0	3
Cadet/Midshipman Reports for Incidents that Occurred Prior to Military Service	6	3	9
Cadet/Midshipman Reports for Incidents that Occurred During Military Service	57	35	92

Table 1: Sexual Assault Reports by Victim and Military Status, APY 17-18

The flow chart on the next page depicts reports made, investigations completed, and disposition information received in APY 17-18. Each point in the flow chart corresponds to a letter in the subsequent text. Of the 117 reports received, 69 were Unrestricted Reports involving academy students as either the victim and/or subject of a sexual assault investigation (Exhibit 3, Point B). Of the 69 Unrestricted Reports, cadets/midshipmen made 6 reports alleging incidents of sexual assault that occurred prior to entering military Service and 57 reports alleging incidents that occurred during military Service. Prep school students, active duty Service Members, and civilians make up the remaining 6 Unrestricted Reports. DoD and civilian investigative agencies opened 55 investigations associated with 69 Unrestricted Reports this APY. The remaining 14 Unrestricted Reports did not move forward in the investigative process for a variety of reasons (e.g., allegations fell outside the MCIOs' authority to investigate, no covered sexual assault offense alleged, investigation opened in APY 18-19, investigative information not yet available at the time of data retrieval).

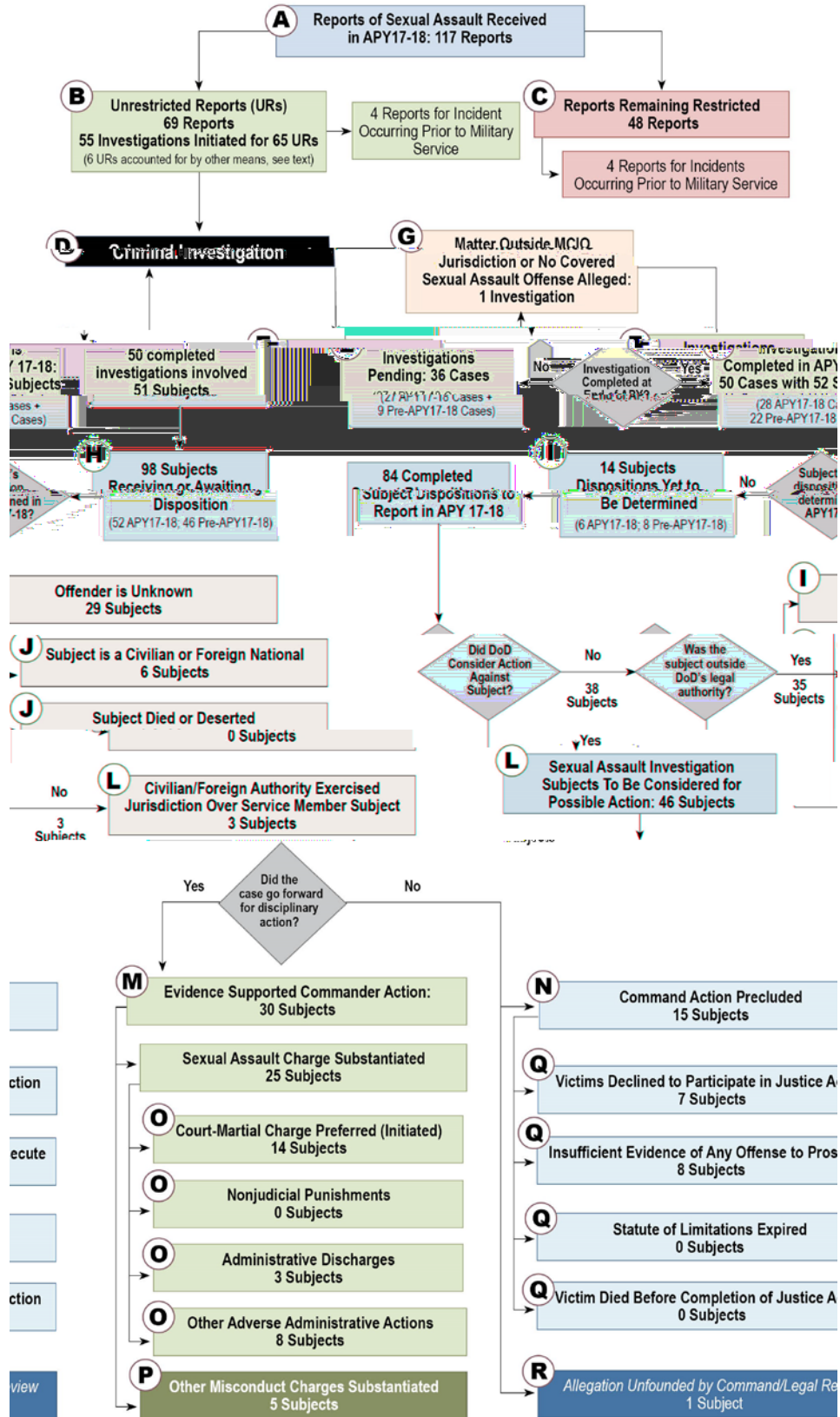


Exhibit 3: Reports of Sexual Assault, Investigations, and Dispositions Completed, APY 17-18

Exhibit 4 illustrates the number of sexual assault reports made to each MSA since APY 05-06. Compared to APY 16-17, the total number of sexual assault reports made in APY 17-18 increased by 5 reports. Specifically, reports of sexual assault increased by 6 reports at USMA and 3 reports at USNA, while reports of sexual assault decreased by 4 at USAFA. Although reports at USMA have steadily increased over the past few years, reports of sexual assault at USAFA and USNA have remained increased relatively constant. Table 2 displays the Unrestricted and Restricted Reports made by each MSA in APY 17-18.

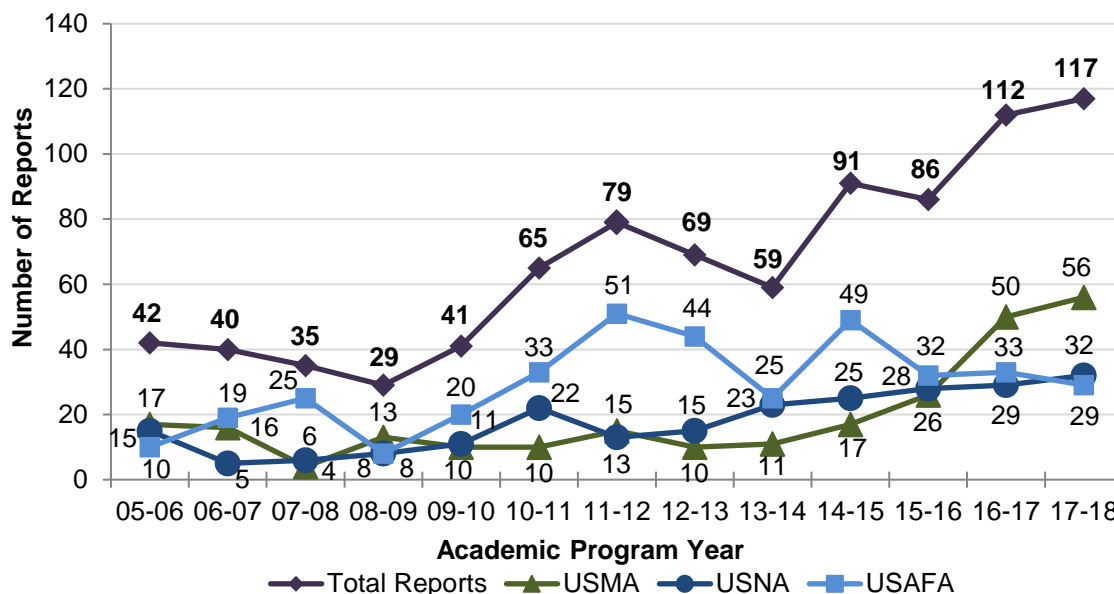


Exhibit 4: Reports of Sexual Assault by Academy, APY 07-08 to APY 17-18

Table 2: Total Reports of Sexual Assault by Type of Report and Academy, APY 17-18

Academy	Total Reports	Unrestricted Reports	Restricted Reports Remaining
U.S. Military Academy	56	43	13
U.S. Naval Academy	32	17	15
U.S. Air Force Academy	29	9	20
Total Reports	117	69	48

Reports of sexual assault made to DoD authorities provide only partial insight into the overall occurrence of sexual assault at the MSAs. As previously discussed, sexual assault in both the civilian and military sectors is underreported, meaning that sexual assaults estimated to occur using scientific surveys of a given population outnumber official reports made to authorities.

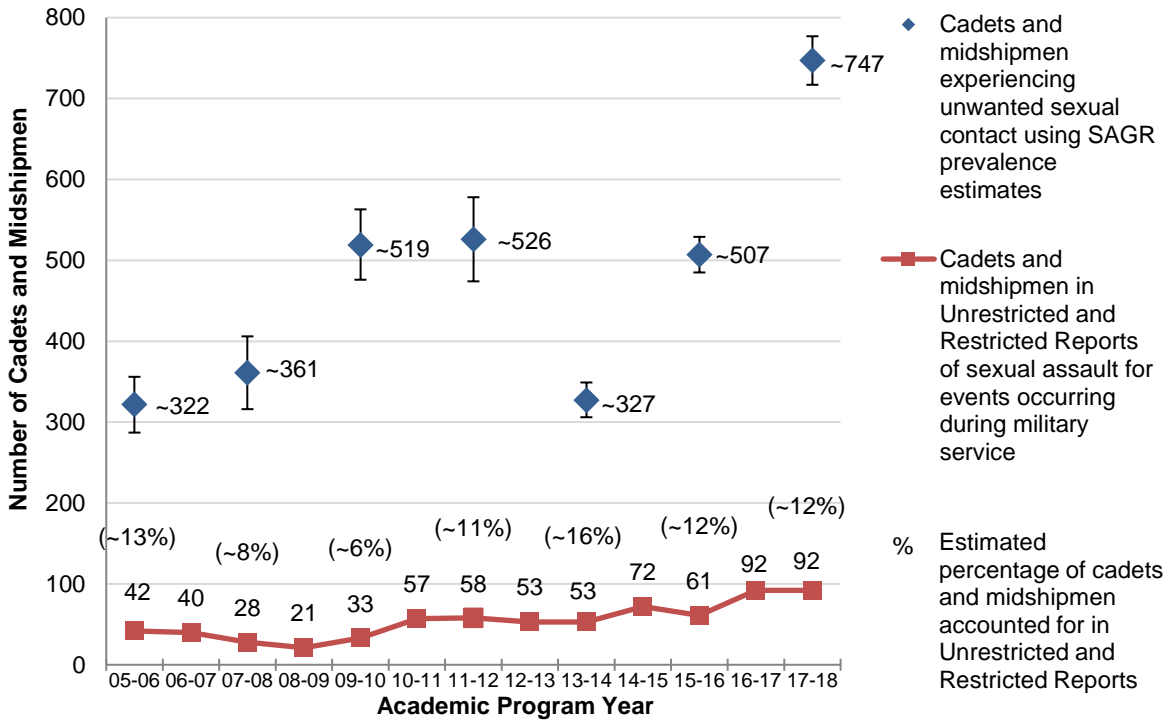


Exhibit 5: Estimated Cadets and Midshipmen Experiencing USC Based on Past-Year Prevalence Rates compared to the Number of Cadets and Midshipmen in Reports of Sexual Assault Made for Incidents Occurring during Military Service, APY 05-06 to APY 17-18⁹

The 2018 SAGR estimated that 15.8 percent of female cadets/midshipmen and 2.4 percent of male cadets/midshipmen experienced USC, a statistically significant increase from 2016 estimated prevalence rates (12.2 percent and 1.7 percent, respectively).¹⁰

Exhibit 5 compares the estimated number of cadets/midshipmen¹¹ who experienced past-year USC to the number of cadets/midshipmen who made a report of sexual assault in the APY. Therefore, this graph excludes reports made by prep school students, active duty Service members, and civilians (Table 1). Results from the 2018 SAGR estimate that about 747 cadets/midshipmen experienced some form of USC in the past-year, compared to 92 reports of sexual assault received by DoD from cadets/midshipmen for an incident that occurred during military Service. Using these figures, DoD estimates that about 12 percent of the estimated cadets/midshipmen who experienced USC made an official report of sexual assault to a DoD authority.

⁹ Bars around survey point estimates represent margins of error. SAGR estimates from 2018 show that the number of cadets/midshipmen who experienced past-year USC fell between 717 and 777 with a midpoint of 747.

¹⁰ OPA estimates the number of cadets/midshipmen who experienced USC by multiplying the weighted estimated USC prevalence rate across cadets/midshipmen at the MSAs (~5.8 percent) and the cadet/midshipman population at the time of the survey. SAGR prevalence *is only an estimation*. DoD uses these estimates to measure the scope of sexual assault and the degree of underreporting at each academy.

¹¹ In APYs 13-14 and prior, DoD received aggregated data from the academies and could not separate prep school students from the total reports received, as depicted by the red line in Exhibit 5. Beginning in APY 14-15, DSAID gave DoD analysts the ability to separate reports made by prep school students from the total number of reports, resulting in a more accurate comparison between sexual assault reporting and USC survey estimates, which do not include prep school students.

APY 17-18 Unrestricted Reports of Sexual Assault

In APY 17-18, 69 Unrestricted Reports of sexual assault involved academy students as either the subject and/or victim of a sexual assault investigation. DoD policy requires that an allegation be referred to an MCIO for investigation once a person makes an Unrestricted Report of sexual assault. An investigation can take a few weeks to several months to complete depending upon the complexity of the alleged crime. Consequently, not all investigations in a given APY are completed by the end of that APY.

- Of the 55 criminal investigations initiated during APY 17-18, 28 investigations were completed in APY 17-18. DoD will report the outcomes of the other 27 investigations in forthcoming years' reports (Exhibit 3, Points F and E)
- MCIOs also completed 22 investigations of sexual assault initiated in reporting periods prior to APY 17-18
- In sum, MCIOs completed 50 investigations of sexual assault (Exhibit 3, Point E) involving 52 subjects (Exhibit 3, Point G) during APY 17-18 for reports made in the current APY or prior APYs

MCIOs investigate each alleged violation of military law alleged by a person making an Unrestricted Report of sexual assault. SAPRO categorizes Unrestricted Reports by the most serious sexual assault offense alleged. Exhibit 6 shows the sexual assault offenses alleged for the 69 Unrestricted Reports made in APY 17-18 compared to APY 16-17. The offense charged or addressed with disciplinary action *may not always* reflect the offense investigated. For example, if the crime of "rape" is alleged, but MCIO agents only discover evidence for the crime of "aggravated sexual contact" during the investigation, then only "aggravated sexual contact" can be charged.

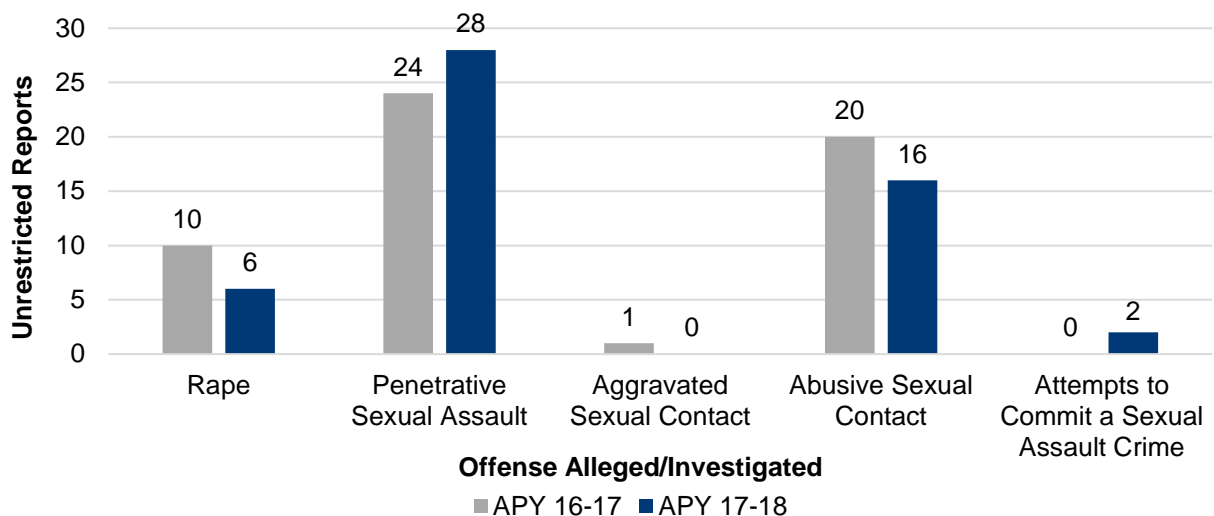


Exhibit 6: Sexual Assault Crimes Investigated in Unrestricted Reports, APY 16-17 to APY 17-18

Notes:

1. In APY 16-17 and 17-18, no investigations involved non-consensual sodomy, wrongful sexual contact (eliminated in the UCMJ in 2012), and indecent assault (eliminated in the UCMJ in 2007) as the most serious crime alleged/investigated.
2. In APY 16-17, the academies received 69 Unrestricted Reports; however, the exhibit excludes 10 reports due to missing data on the investigated offense. Similarly, in APY 17-18, the academies received 69 Unrestricted Reports, and this exhibit excludes 17 reports due to missing data on the offense investigated.

Exhibit 7 illustrates the involvement of academy students in Unrestricted Reports of sexual assault. In APY 17-18, 32 of the 69 Unrestricted Reports involved an academy student alleging sexual assault by another academy student.

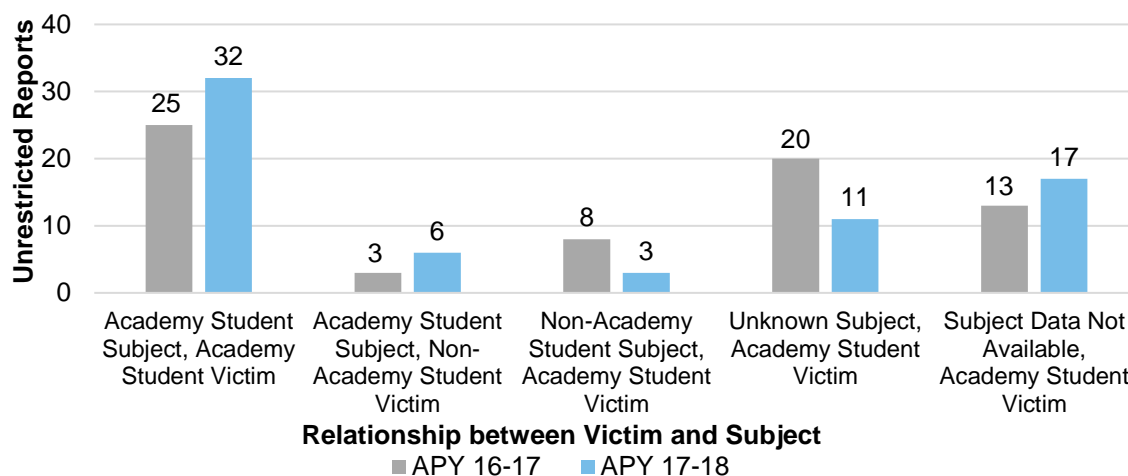


Exhibit 7: Unrestricted Reports of Sexual Assault by Victim and Subject Status, APY 16-17 to APY 17-18

Disposition of Sexual Assault Reports Adjudicated in APY 17-18

When DoD authorities investigate an Unrestricted Report, the goals of the investigation include identifying which, if any, crimes have been committed, and if so, who has been victimized, and who may be held appropriately accountable for the crime. DoD holds alleged offenders appropriately accountable when it has legal authority and sufficient evidence to do so. As noted above, the allegations reflect a range of penetrative and sexual contact crimes. As in the U.S. civilian justice system, crimes in the military justice system vary in legal severity and carry potential penalties that correlate with the severity of the crime.

In APY 17-18, 50 criminal investigations were completed, involving 52 subjects. The MSAs also completed outcomes for an additional 46 subjects for investigations closed in previous APYs for which disposition information has not yet been reported. Of 50 cases with completed investigations in APY 17-18 or prior, 14 case dispositions were pending determination at the end of APY 17-18. By the end of APY 17-18, MSAs had completed disposition information for 84 subjects, and Exhibit 3 below outlines the disposition information regarding these 84 subjects.

- 84** Subjects of APY 17-18 investigations and pre-APY 17-18 investigations with disposition information to report at the end of APY 17-18
 - 29 Subjects could not be identified, despite a thorough investigation (Exhibit 3, Point J)
 - 6 Subjects were civilian (Exhibit 3, Point K) and outside of DoD's legal authority
 - 3 Subjects with civilian authority exercising jurisdiction over the case

- 46** Subjects under DoD legal authority review for possible action (Exhibit 3, Point N)
 - 7 Subjects associated with victims who declined to participate in the military justice process (Exhibit 3, Point O)
 - 8 Subjects whose investigations yielded insufficient evidence to prosecute an offense (Exhibit 3, Point O)
 - 1 Subject with allegation(s) unfounded by legal review

- 30** Subjects for whom evidence supported command action (Exhibit 3, Point P):

DoD actions taken for sexual assault crimes are as follows (Exhibit 3, Point Q):

- 14 Subjects had court-martial charge preferred
- 0 Subjects received NJPs
- 3 Subjects received an adverse administrative discharge
- 8 Subjects received an adverse administrative action, including the Cadet Disciplinary System or Midshipman Conduct System

The actions taken for other misconduct that was discovered during the sexual assault investigation are as follows (Exhibit 3, Point R):

- 2 Subjects had court-martial charges preferred
- 0 Subjects received NJPs
- 2 Subjects received an adverse administrative discharge
- 1 Subject received an adverse administrative action, including the Cadet Disciplinary System or Midshipman Conduct System

Demographics of Unrestricted Reports

SAPRO draws the following demographic information from the 50 investigations of sexual assault completed during APY 17-18. These investigations involved 51 victims and 52 subjects. Table 3 displays the sex of victims and subjects in completed investigations of Unrestricted Reports in APY 17-18. As in previous APYs, most investigations involve reports from female students (92 percent) and most alleged subjects are male (65 percent). Table 4 shows victim and subject age in completed investigations of Unrestricted Reports in APY 17-18. Most victims (90 percent) and subjects (60 percent) are between ages 16 and 24.

Table 3: Sex of Victims and Subjects in Completed Investigations, APY 17-18

Sex	Victims		Subjects	
	Count	Percentage	Count	Percentage
Male	4	8%	34	65%
Female	47	92%	2	4%
Sex Unknown/Data Not Available	0	0%	16	31%
Total	51	100%	52	100%

Table 4: Age of Victims and Subjects at the Time of Incident in Completed Investigations, APY 17-18

Age at Time of Incident	Victims		Subjects	
	Count	Percentage	Count	Percentage
0-15	1	2%	3	6%
16-19	28	55%	12	23%
20-24	19	37%	19	37%
25-34	0	0%	2	4%
35-49	0	0%	1	2%
50 and older	0	0%	1	2%
Age Unknown/Data Not Available	3	6%	14	27%
Total	51	100%	52	100%

Note: One academy student in the “0-15” category reported an incident that occurred prior to military Service.

APY 17-18 Restricted Reports of Sexual Assault

SAPR personnel collect limited data about the victim and the allegation made in a Restricted Report due to the person's desire for confidentiality. As with Unrestricted Reports, individuals can make Restricted Reports for incidents that occurred in prior APYs and/or prior to military Service.

There were 67 initial Restricted Reports of sexual assault in APY 17-18. Of the 67 reports, 19 converted to Unrestricted Reports. At the close of APY 17-18, 48 reports remained Restricted:¹²

- 40 academy students made a Restricted Report
 - 3 academy students made a Restricted Report for a sexual assault allegation that occurred prior to military Service
 - 37 academy students made a Restricted Report for a sexual assault allegation that occurred during military Service
- 8 active duty Service members made a Restricted Report against an academy student

The percentage of academy students who convert Restricted Reports to Unrestricted Reports at the MSAs fluctuates yearly. Exhibit 8 shows the Restricted Reports and conversion rates from APY 07-08 through APY 17-18.

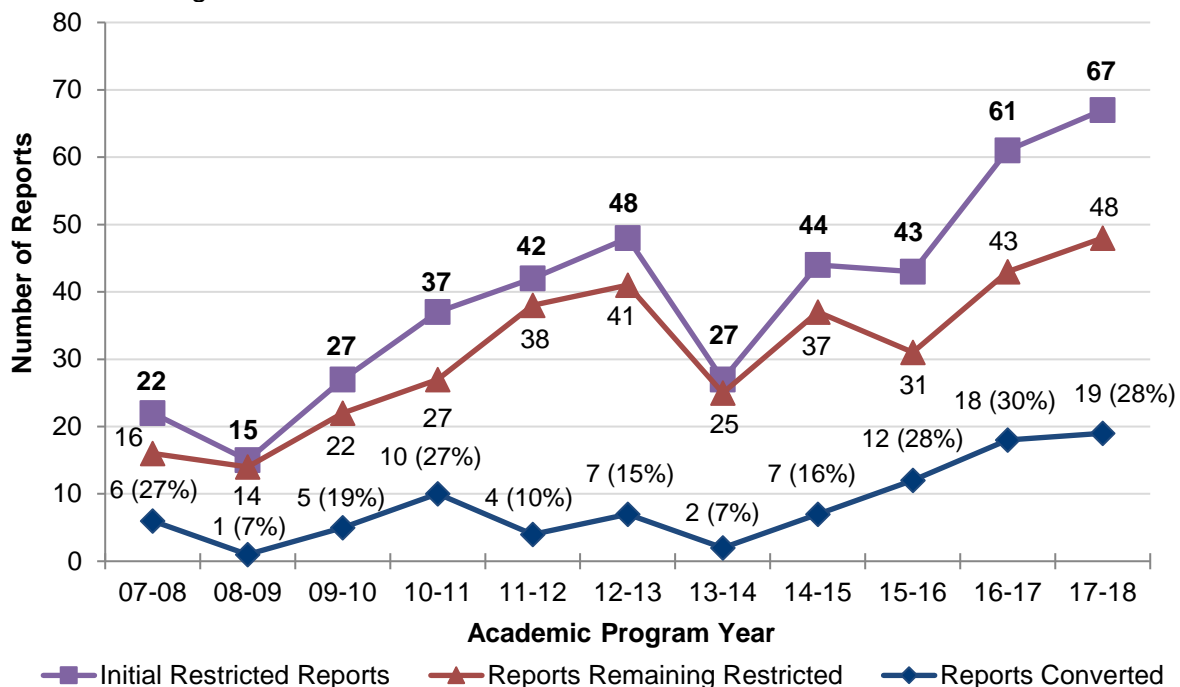


Exhibit 8: Reports Initially Made Restricted, Reports Remaining Restricted, and Restricted Reports Converted to Unrestricted, APY 07-08 to APY 17-18

¹² Unrestricted Report data cited earlier includes Restricted Reports that converted to Unrestricted Reports this year.

Demographics of Restricted Reports of Sexual Assault

The subsequent information pertains to people who made a Restricted Report that remained Restricted at the end of APY 17-18. Tables 5 and 6 display data by reporters' sex and age, respectively. As with Unrestricted Reports, females and people aged 16 to 24 comprise most Restricted Reports at the academies. Exhibit 9 shows the most Restricted Reports involved academy students as subjects and/or victims in APYs 16-17 and 17-18.

Table 5: Restricted Reports by Sex, APY 17-18

Sex	Count	Share
Male	5	10%
Female	43	90%
Total	48	100%

Table 6: Age of People Making Restricted Reports at the Time of Their Incident, APY 17-18

Age at the Time of Incident	Count	Share
0-15	1	2%
16-19	20	42%
20-24	25	52%
25-34	0	0%
35 and older	0	0%
Data not available	2	4%
Total	48	100%

Note: One academy student in the "0-15" age group reported an incident that occurred before military Service.

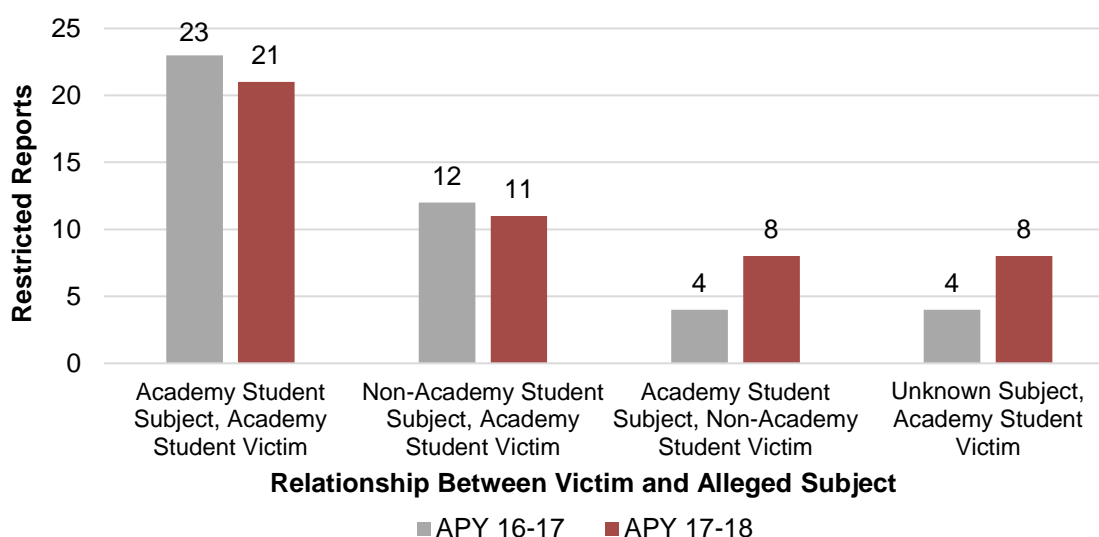


Exhibit 9. Restricted Reports of Sexual Assault by Victim and Subject Status, APY 16-17 to APY 17-18

2018 Service Academy Gender Relations Survey (SAGR)

Estimated Past-Year Prevalence of Unwanted Sexual Contact

As described in sections above, 15.8 percent of female cadets/midshipmen and 2.4 percent of male cadets/midshipmen indicated experiencing USC, a statistically significant increase from 2016 estimated prevalence rates (12.2 percent and 1.7 percent, respectively). Most of the increase measured for women was due to increases in USC endorsed by female cadets at USMA and USAFA. Most of the increase measured for men was due to an increase in USC among male cadets at USMA. Rates of USC remained statistically unchanged for male and female midshipmen at USNA and male cadets at USAFA.

Among female cadets/midshipmen overall, 5.8 percent indicated that the unwanted incident involved attempted sexual penetration of the vagina, anus, or mouth,¹³ followed by 5.3 percent who experienced completed unwanted vaginal, anal or oral penetration, and 4.7 percent who experienced unwanted sexual touching. Among male cadets/midshipmen, 1.3 percent reported experiencing unwanted sexual touching, followed by 0.6 percent who indicated experiencing completed unwanted sexual intercourse, or anal or oral penetration, and 0.5 percent who reported experiencing attempted unwanted sexual intercourse, or anal or oral penetration.¹⁴

Perceptions of Retaliation

Of cadets/midshipmen who indicated experiencing USC and reported the incident to a DoD authority, 18 percent perceived behaviors consistent with professional reprisal, ostracism, and/or other negative outcomes as described by military law and policy. Due to the nature of survey data, respondent endorsements of these survey items do not constitute a report of retaliation, nor do they constitute a finding under the law that the victim experienced some form of retaliation. Survey responses also do not indicate whether the respondents reported the behaviors to the appropriate authorities for investigation.

Despite these caveats, perceived retaliation of any kind is concerning and information from the SAGR provides a greater understanding of the overall impact of those experiences on these individuals. In fact, 31 percent of cadets/midshipmen who indicated experiencing USC and reported the incident to a DoD authority also perceived some kind of behavior they believed to be retaliatory, though not all the behaviors they endorsed fully met definitions of retaliation in law and/or policy. Nevertheless, of cadet/midshipman respondents who reported a sexual assault incident to DoD authorities, the majority (81 percent) indicated that they would make the same decision to report.

¹³ Attempted sexual penetration can occur with or without unwanted sexual touching.

¹⁴ As measured by the SAGR, the endorsement of completed USC, anal or oral penetration, may also include experiences of attempted sex and/or sexual touching, as respondents may select one or more of the unwanted sexual experiences.

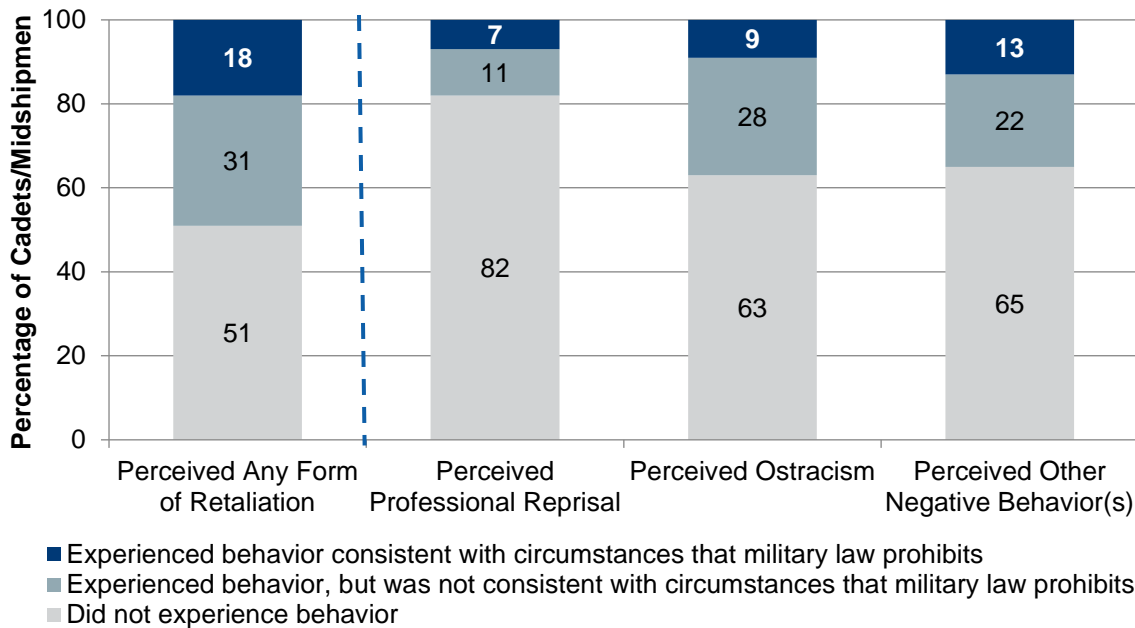


Exhibit 10. Perceived Negative Behaviors among Cadets/midshipmen who made a Report of Sexual Assault, APY 17-18

Alcohol Use

This year, DoD employed two new measures of alcohol use on the *SAGR*. The first measure asked about typical drinking behavior on a day when consuming alcohol. Overall, nearly half (48 percent) of cadets/midshipmen indicated drinking 0 to 2 drinks on a typical day when drinking alcohol. However, 15 percent of women and 32 percent of men indicated heavy drinking, defined as 5 or greater drinks on a typical day when drinking.¹⁵ Heavy drinking rates varied by academy and sex, with USAFA experiencing lower problematic drinking rates (10 percent of women; 22 percent of men) than USMA (17 percent of women; 35 percent of men) and USNA (18 percent of women; 38 percent of men).

The second measure assessed the extent to which drinking had a negative impact on functioning, specifically the number of times in the past year that a cadet/midshipman had difficulty remembering the events of the night before due to drinking alcohol. Overall, about 25 percent of women and 28 percent of men indicated at least once experience of alcohol interfering with recall of events the night before. Once more, results varied by academy, with fewer USAFA cadets indicating an experience of alcohol-related memory loss (21 percent of women; 23 percent of men) than cadets at USMA (25 percent of women; 31 percent of men) and midshipmen at USNA (28 percent of women; 30 percent of men).¹⁶

The new alcohol measures contextualize alcohol use as a risk factor for USC. Well over half of cadets/midshipmen who reported experiencing USC indicated they or their alleged offenders had been drinking alcohol at the time of the incident.¹⁷ The results varied by sex and academy. Of the women who reported experiencing USC at each academy, 52 percent at USMA, 72

¹⁵ In this context, heavy drinking is defined as drinking five or more drinks in an average day of consumption. This measure does not indicate the frequency or regularity of alcohol use.

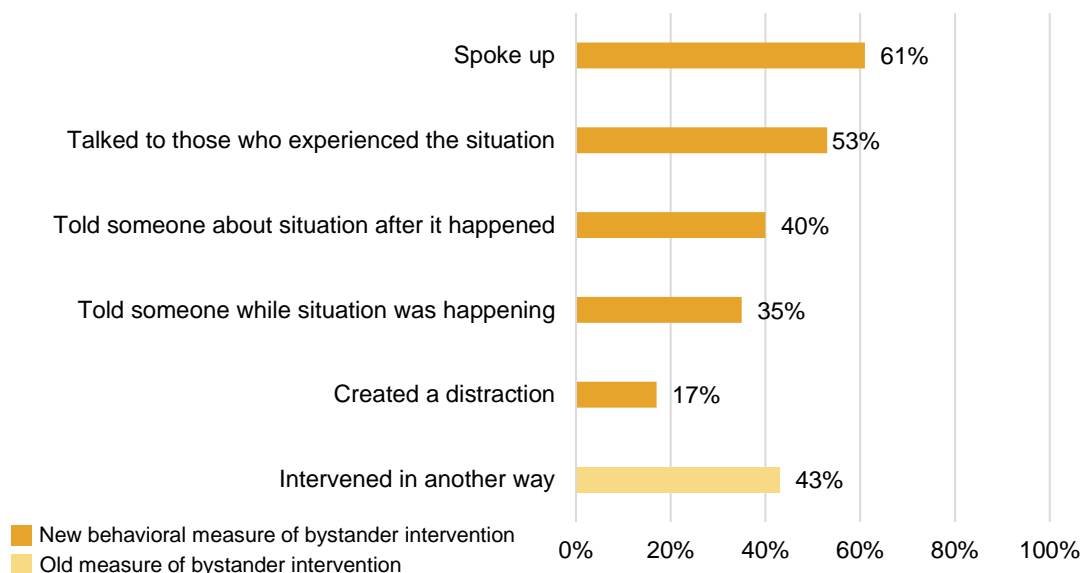
¹⁶ For the 2018 *SAGR*, DoD revised alcohol items to better assess alcohol use in at the academies. Thus, these items cannot be compared to 2016 *SAGR* alcohol items.

¹⁷ Respondents were asked about the circumstances of the one USC incident in the past year that had the greatest effect on them.

percent at USNA, and 65 percent at USAFA indicated that they or their alleged offenders had been drinking. Reported alcohol involvement varied more widely among male cadets/midshipmen who experienced USC, with 59 percent at USMA, 45 percent at USNA, and 62 percent at USAFA indicating that they or their alleged offenders had been drinking.

Bystander Intervention

The 2018 SAGR included an updated measure to assess bystander intervention. Results show that 54 percent of cadets/midshipmen observed a situation they perceived to be disrespectful or at risk for sexual assault. Of cadets/midshipmen who observed one of these situations, 9 out of 10 (92 percent) said they intervened in some way. The most common responses to the high-risk or disrespectful situation were that cadets/midshipmen spoke up or talked to those experiencing the situation. Exhibit 11 depicts all actions taken by cadets/midshipmen who observed and intervened in one of these situations.



Note: Responses do not add to 100%, since respondents could select more than one option.

Exhibit 11: Cadet/midshipman Response to a Situation They Perceived to be Disrespectful or at Risk for Sexual Assault, APY 17-18

APY 17-18 Data on Sexual Harassment

Complaints of Sexual Harassment

DoD’s sexual harassment reporting process differs from policies governing sexual assault reporting; however, DoD considers both behaviors equally unacceptable. DoD policy encourages resolution of situations perceived to involve sexually harassing behaviors at the lowest interpersonal level,¹⁸ but Service members may also elect to address offensive situations through an informal or formal complaint. In APY 17-18, cadets/midshipmen made 0 formal complaints and 7 informal complaints of sexual harassment. As depicted in Exhibit 12, sexual harassment complaints at the academies vary widely from year to year but remain low when compared to survey estimates of sexual harassment.

¹⁸ DoD Directive 1020.2, Diversity Management and Equal Opportunity in the Department of Defense, 5 February 2009.

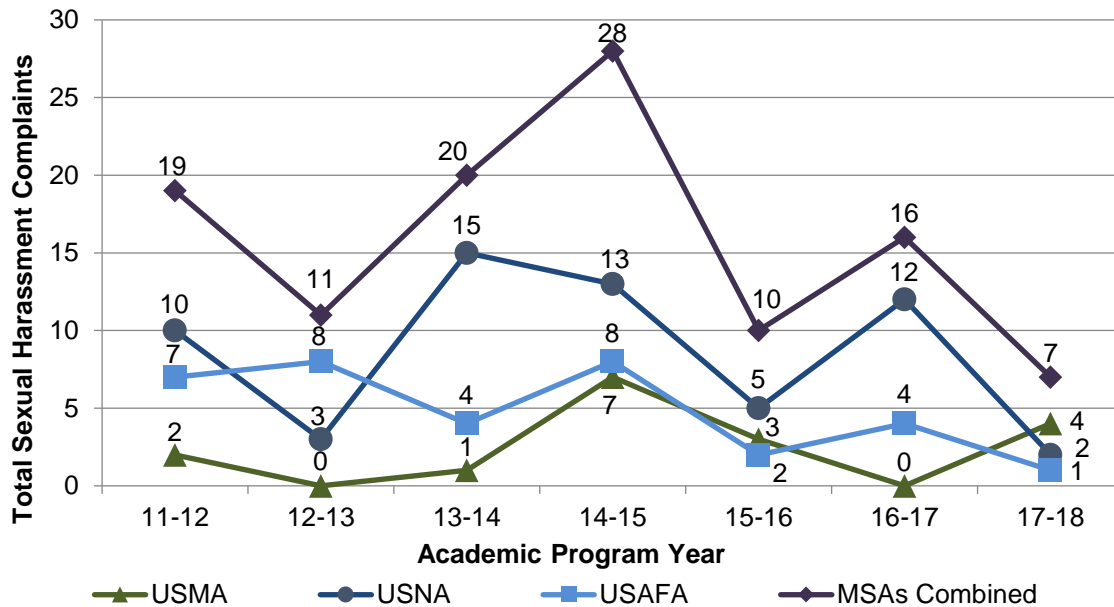


Exhibit 12: Total Sexual Harassment Complaints by Academy, APY 11-12 to 17-18

Estimated Past-Year Prevalence of Sexual Harassment

Overall, about half (51 percent) of female cadets/midshipmen indicated an experience of sexual harassment at some point in APY 17-18, a slight increase from 48 percent in APY 15-16. The estimated past-year prevalence of perceived sexual harassment for female cadets/midshipmen varied by location with fewer than half of USAFA and USMA women and 56 percent of USNA women indicating a sexual harassment experience in the past year (Table 7).

Table 7: Past-Year Sexual Harassment Prevalence among Female Cadets and Midshipmen

Female Cadets/Midshipmen	APY 15-16	APY 17-18	Statistical Change
MSAs Combined	48%	51%	Increase
USMA	46%	48%	No change
USNA	51%	56%	Increase
USAFA	47%	46%	No change

Across all three MSAs, about 16 percent of male cadets/midshipmen indicated an experience of sexual harassment in the past year, a statistically significant increase from 12 percent observed in APY 15-16. About 13 percent of USAFA men and 17 percent of USMA and USNA men indicated an experience of past year sexual harassment (Table 8).

Table 8: Past-Year Sexual Harassment Prevalence among Male Cadets and Midshipmen

Male Cadets/Midshipmen	APY 15-16	APY 17-18	Statistical Change
MSAs Combined	12%	16%	Increase
USMA	13%	17%	Increase
USNA	12%	17%	Increase
USAFA	11%	13%	No change