



# Alaska National Guard

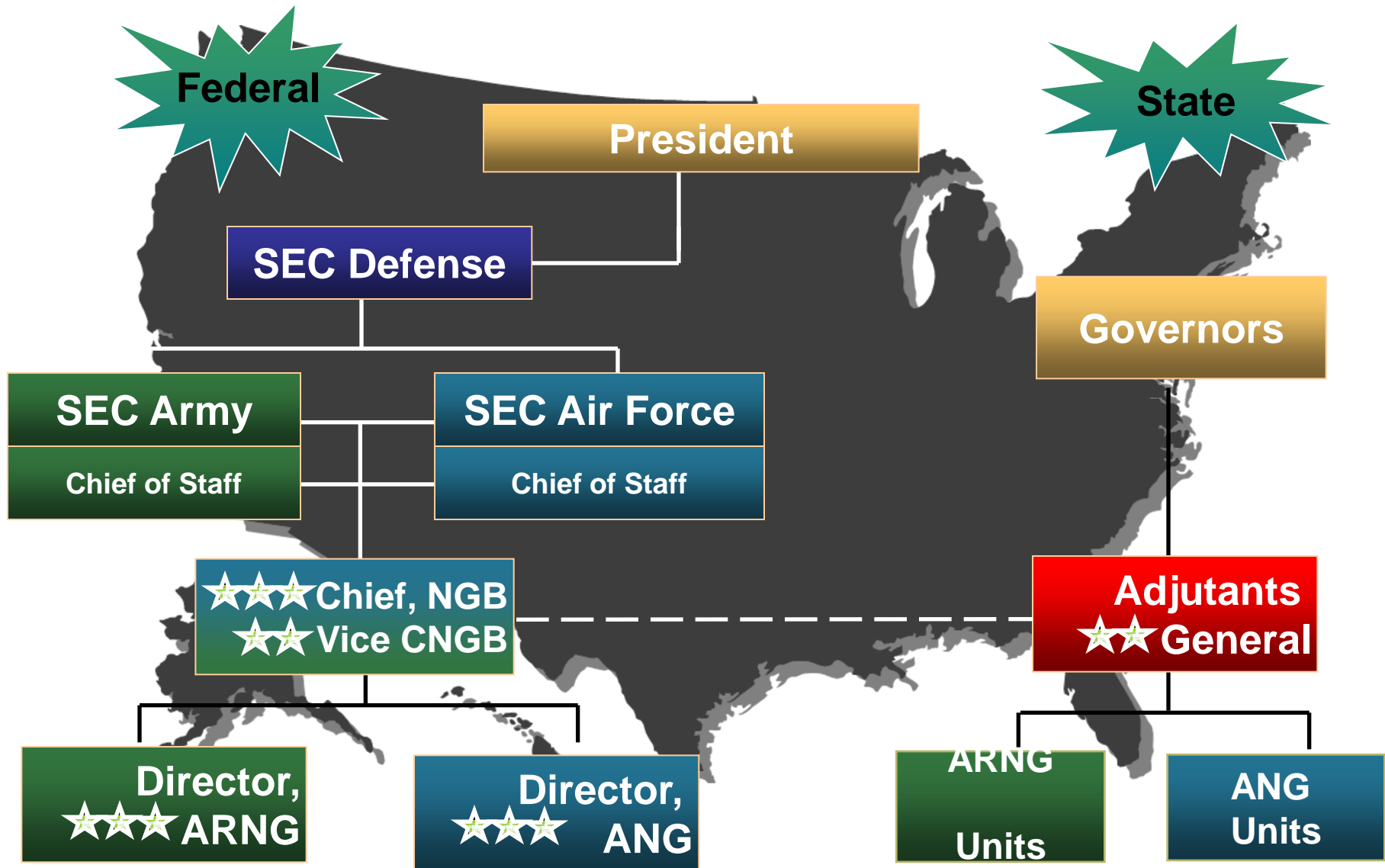
## Sexual Assault Response Program

Octavia Thompson, JFHQ SARC





# Constitutionally Unique



# Sexual Assault Prevention and Response Authorities



- National Defense Authorization Act
- Department of Defense Directive (DODD) 6495.01
- Department of Defense Instruction (DODI) 6495.02
- AR 600-20, Chapter 8
- AFI 36-6001
- Uniform Code of Military Justice (Active Duty)
- NGB All States Memoranda
- *State of Alaska laws*
- *AK Statute 18.66.200-250*

# Sexual Assault Prevention and Response (SAPR) Elements and Purpose



- The purpose of the SAPR/SHARP is to eliminate incidents of sexual assault through a comprehensive program that centers on:
  - Awareness and Prevention
  - Training and Education
  - Reporting
  - Response
  - Victim advocacy
  - Accountability

# JFHQ Sexual Assault Response Coordinator (SARC)



- The JFHQ SARC :
  - State's Program Manager for SAPR program
  - Reports directly to Senior Leadership regarding incidents of sexual assault
  - Coordinates with local, state and active duty facilities to ensure victims receive needed services
  - Coordinates/trains/oversees Victim Advocates/SHARPS and case management
  - Ensures all soldiers/airmen receive unit/wing level annual SAPR training
  - Facilitates the meetings of the state SAPR Committee



# Types of Reporting Options

## *Resources Depend on Victim's Status at Time of the Incident*

### • UNRESTRICTED REPORTING

- Report made to chain of command, legal and law enforcement
- Traditional military process utilized to notify chain
- Mandatory reporting if subordinate in chain of command
- LOD
- Expedited transfer/relocate victim or subject
- Office of Complex Investigations (National Guard Bureau)

### • RESTRICTED REPORTING

- DOES NOT TRIGGER THE INVESTIGATIVE PROCESS
- Confidential communications with healthcare providers, SARC and VA (once assigned by SARC)
  - Treated as restricted until victim elects reporting option
  - Chaplain retains “privilege”
- Allows the victim to receive:
  - Medical Treatment – JFHQ SARC Completes Confidential LOD\*
  - Sexual Assault Forensic Exam (SAFE)
  - Advocacy & Counseling Services

\*(Line of Duty)

# Military Sexual Assault Legislation



- Combating Military Sexual Assault and the Military Justice Improvement Act of 2013 have been rolled into the DoD's appropriation bill S.1034/H.R.1960 – National Defense Authorization Act of 2014
  - Special victims' counsel;
  - Enhances the responsibilities and authority of DoD's SAPR Office so that it can better oversee efforts to combat military sexual assault across the Armed Forces and regularly track and report on a range of MSA statistics, including assault rate, number of cases brought to trial, and compliance with appropriate laws and regulations within each of the individual services;
  - Refers cases to the general court martial level when sexual assault charges are filed or to the next superior competent authority where there is a conflict of interest in the immediate chain of command;
  - Bars sexual contact between instructors and trainees during and within 30 days of completion of basic training or its equivalent



# Removed during the Senate Armed Services Committee amendment process:

- Strengthen prosecution of sexual assault crimes in the military by taking away the authority of commanders to overturn or lessen-court-martial verdicts in sexual assault cases;
  - Require justifications for changes in court-martial verdicts in sexual assault cases;
  - Remove the military chain-of-command from determining whether sexual assault cases are prosecuted
- 
-



# S. 294 Ruth Moore Act of 2013



- This legislation would make disability benefits available for women veterans if they are suffering PTSD or depression following a military related sexual assault



# FY13 Annual Report on Sexual Assault in the Military

- Implemented a wide variety of SAPR Policy and Program enhancements
  - All victim advocates and SARC must have extensive background checks
  - Attend 40 – 80 hour training
  - NOVA Credentialing and bi annual CEUs
- In FY13, sexual assault reporting increased by 50%
  - 3374 reports in FY12
  - 5061 reports in FY13
- DoD had sufficient evidence to take some kind of disciplinary action against 73% of military offenders

# Military Sexual Assault Victims and Trauma



- Higher rates of prior victimization
- Prior victimization = higher risk for mental health & physical problems, drug/alcohol use, suicide
- Prior victimization = higher risk for future victimization
- Predators prey on vulnerability
- Victims usually know perpetrators
- Victims are usually young
- Military is like a family
- Military culture places premium on strength, self-sufficiency & loyalty
- Victims have restricted freedom of movement
- Re-exposure & re-victimization more likely

# Take Aways



- Know your State program
- Know the difference between Active Duty programs and National Guard
  - Who has jurisdiction?
  - What legislation does your state have for victim advocate confidentiality
  - Military Rule of Evidence 5-14  
(National Guard victim advocates are not covered by this, only if State law)



# RESOURCES

<http://www.sapr.mil/>

<https://www.safehelpline.org/>

DoD Safehelpline: 877-995-5247

[www.Rainn.org](http://www.Rainn.org)

---



# Questions?



Octavia Thompson, JFHQ SARC  
(907)428-6219  
[Octavia.I.thompson2.civ@mail.mil](mailto:Octavia.I.thompson2.civ@mail.mil)