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Appendix B: Statistical Data on Sexual Assault

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Appendix B: Statistical Data on Sexual Assault

Background: What It Captures

Reports of Sexual Assault

DoD uses the term "sexual assault" to refer to a range of crimes, including rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit these offenses, as defined by the Uniform Code of Military Justice (UCMJ). In this section, crime type reflects the most serious of the infractions alleged by the victim or investigated by investigators. It does not necessarily reflect the final findings of the investigators or the crime(s) addressed by court-martial charges or other forms of disciplinary action against a suspect (referred to by DoD as "subjects of investigation" or "subjects").

Pursuant to reporting requirements levied by Congress, DoD sexual assault data capture the Unrestricted and Restricted Reports of sexual assault made to DoD during a Fiscal Year (FY) involving a military subject and/or a military victim.

An Unrestricted Report of sexual assault is an allegation by one victim against one or more subjects that will be referred for investigation to a Military Criminal Investigation Organization (MCIO; called CID, NCIS, or AFOSI by Army, Navy/Marine Corps, and Air Force, respectively).[1] DoD collects data on Unrestricted Reports from the cases entered into the Defense Sexual Assault Incident Database (DSAID) by Sexual Assault Response Coordinators (SARCs). Additionally, MCIO information systems "push" data to DSAID to add case information.

Information on Restricted Reports is limited at the election of the victim, because these are reports of sexual assault made to specified parties within DoD (e.g., SARCs, Sexual Assault Prevention and Response (SAPR) Victim Advocates (VA), or healthcare providers) that allow the report to remain confidential, while also enabling the victim to seek care and services. Given the victim's desire for confidentiality, DoD does not investigate these reports and the victim is not asked to provide many details about the sexual assault. As a result, SARCs record limited data about these victims and the offenses in DSAID. The Department does not request or maintain subject identities for Restricted Reports entered into DSAID.

DoD's sexual assault reporting statistics include data about sexual contact crimes by adults against adults, as defined in Articles 120 and 125 of the UCMJ and Article 80, which governs attempts to commit these offenses. The DoD SAPR program does not request data from the Military Services on sexual assaults occurring between spouses or intimate partners. Those matters fall under the purview of DoD Family Advocacy Program (FAP) and are not included in the data reported in this section. DSAID data also excludes sexual harassment complaints that fall under the purview of the Office of Diversity Management and Equal Opportunity (ODMEO). While most victims and subjects in the following data are aged 18 or older, DoD statistics occasionally capture victims and subjects aged 16 and 17 at the time of the report (including Service members who are approved for early enlistment prior to age 18). Since the age of

[1] Criminal Investigative Division (CID), Naval Criminal Investigative Service (NCIS), Air Force Office of Special Investigations (AFOSI).

consent under the UCMJ is 16 years old, military and civilian victims aged 16 and older may be included if such matters do not fall under FAP's purview.

The number of sexual assaults reported to DoD authorities in a given FY does not necessarily reflect the number of sexual assaults that occurred in that FY. Civilian research indicates that victims only report a small fraction of sexual assaults to law enforcement. For example, of the 1.1 million U.S. civilian women estimated to have experienced nonconsensual vaginal, oral, or anal penetration in 2005, only about 173,800 (16%) said they reported the matter to police authorities.[2]

Reporting rates vary significantly by the type of sexual contact (i.e., penetrating or sexual touching) and the tactic used (physical force or alcohol/drugs). In a survey commissioned by the Association of American Universities in 2015, about 23% of undergraduate women respondents experienced nonconsensual sexual contact involving physical force or incapacitation at some point since entering college. Of those college women who indicated victimization, about 26% of women who experienced physically forced penetration reported the crime to an agency, while only about 5% of women who experienced sexual touching while incapacitated reported the crime.

Sexual assault reporting in the military mirrors civilian reporting: only a small fraction of victims report sexual assault to DoD authorities. However, recent data indicates the size of this fraction is growing. Prior to FY14, 15% or fewer military sexual assault victims reported the matter to a military authority each year. However, in FY14, DoD estimates that nearly 25% of the Service members who experienced a sexual assault that year reported the incident to either SAPR program personnel or law enforcement.

Subject Dispositions

Once the investigation of an Unrestricted Report is complete, Congress requires the Military Services to provide the outcome or "disposition" of the allegations against each subject named in an investigation. DoD holds Service members who have committed sexual assault appropriately accountable based on the available evidence.

Upon completion of a criminal investigation, the MCIO conducting the investigation provides a report documenting evidentiary findings. The servicing staff judge advocate (SJA) also reviews the report and recommends appropriate legal or other action, indicated by the evidence. For investigations of rape, sexual assault, forcible sodomy, and attempts to commit these crimes, a senior military officer who is at least a special court-martial convening authority (SPCMCA) and in the grade of O-6 (Colonel or Navy Captain) or higher retains initial disposition authority.

The SPCMCA determines which initial disposition action is appropriate, to include whether further action is warranted and, if so, whether the matter should be resolved by court-martial, nonjudicial punishment, administrative discharge, or other adverse administrative action. The SPCMCA bases his/her initial disposition decision upon a review of the matters transmitted in the investigative report, any independent review, and consultation with a SJA. Subordinate unit commanders may also provide their own recommendations regarding initial disposition to the convening authority.

[2] Kilpatrick, D., Resnick, H., Ruggiero, K., Conoscenti, L., & McCauley, J. (2007). *Drug-Facilitated, Incapacitated, and Forcible Rape: A National Study. Washington, DC*: DOJ. Publication No.: NCJ 219181. Available at http://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf.

Commanders do not make disposition decisions alone. Military attorneys assist commanders in identifying the charges that can be made, the appropriate means of addressing such charges, and the punishments that can be administered if supported by the evidence.

Each FY, disciplinary action against a particular subject may not be possible due to legal issues or evidentiary problems with a case. For instance, a commander may be precluded from taking disciplinary action against a subject when the investigation fails to show sufficient evidence of an offense to prosecute or when the victim declines to participate in the justice process.[3]

In the data that follow, when more than one disposition action is involved (e.g., when nonjudicial punishment is followed by an administrative discharge), DoD reports only the most serious disciplinary action for each subject. These disposition actions, in descending order, are preferral of court-martial charges, nonjudicial punishment, administrative discharge, and other adverse administrative action.

Legal authority for the Department to exercise military justice jurisdiction is limited to Service members who are subject to the UCMJ. Civilians are not subject to the UCMJ for the purpose of court-martial jurisdiction, except in rare circumstances such as deployed environments. In FY15, there were no such civilians tried by a court-martial for allegedly perpetrating sexual assault.

Additionally, local civilian authorities in the U.S. and our host nations overseas hold primary responsibility for prosecuting U.S. civilians and foreign nationals[4], respectively, for allegedly perpetrating sexual assault against Service members. A civilian authority, such as a state, county, or municipality, may prosecute Service members any time they commit an offense within the civilian authority's jurisdiction. This may occur when a civilian or foreign national accuses a Service member of a sexual assault, or when a state holds primary jurisdiction over a location where a Service member sexually assaults another Service member. In some cases, the civilian authority may agree to let the military exercise its UCMJ jurisdiction over its members. Prosecutions by civilian authorities against Service members are made on a case-by-case and jurisdiction-by-jurisdiction basis.

Whom It Describes

Unrestricted and Restricted Reports capture data about sexual assaults committed by and against Service members. However, some reports consist of alleged sexual assaults committed by civilians/foreign nationals against Service members or alleged sexual assaults committed by Service members against civilians/foreign nationals. This report includes Restricted and Unrestricted Reports made by adult dependents when the offense involves a Service member (other than a spouse or intimate partner) as a subject and/or a victim.

When It Happened

This Annual Report includes data on sexual assaults reported from October 1, 2014 to September 30, 2015. The data that follow are a "snapshot in time." In other words, the following information describes the status of sexual assault reports, investigations, and subject dispositions as of September 30, 2015.

[3] Use of the term "victim" includes alleged victims and does not convey any presumption about the guilt or innocence of the alleged offenders, nor does the term "incident" substantiate an occurrence of a sexual assault.
[4] A host nation's ability to prosecute a Service member is subject to the Status of Forces Agreement (SOFA) between the U.S. and a particular foreign government. SOFAs vary from country to country.

Some investigations of sexual assault extend across FYs. For example, it often takes a few months to investigate a report of sexual assault. As a result, those investigations opened toward the end of the FY typically carry over into the next FY. Disciplinary actions, such as court-martial and discharge proceedings also take time; therefore, reporting of these outcomes can extend across FYs. In these instances, case dispositions are marked as pending completion at the end of the FY. DoD tracks these pending dispositions and requires the Military Services to report on them in subsequent years' reports.

Under DoD's SAPR policy, there is no time limit as to when a sexual assault victim can report a sexual assault. Consequently, in any given year, DoD may not only receive reports about incidents that occurred during the current year, but also incidents that occurred in previous years, and even incidents that occur prior to service.

Service members may submit a report of sexual assault for an incident that occurred prior to their enlistment or commissioning. When a report of this nature occurs, DoD provides care and services to the victim, but may not be able to punish the alleged offender if he or she is not subject to military law. In these cases, Department authorities often assist the victim in contacting the appropriate civilian or foreign law enforcement agency.

The definition of "sexual assault" in the UCMJ has changed several times over recent years:

- For incidents that occurred prior to the changes made to the UCMJ on October 1, 2007, the term "sexual assault" referred to the crimes of rape, forcible sodomy, indecent assault, and attempts to commit these acts.
- For incidents that occurred between October 1, 2007 and June 27, 2012, the term "sexual assault" referred to the crimes of rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, forcible sodomy, and attempts to commit these acts.
- For incidents that occur on or after June 28, 2012, the term "sexual assault" refers to the crimes of rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy, and attempts to commit these acts.

How It Is Gathered

Prior to FY14, SAPRO obtained DoD's sexual assault data from incident information collected by SARCs and official investigations conducted by MCIO agents. DoD SAPRO aggregated data provided by the Services in order to perform subsequent DoD-level analyses.

As of FY14, DoD uses DSAID to collect and report information for DoD and the Services. For each report of sexual assault, SARCs must use DSAID to enter information about the victim and the incident. DSAID interfaces with MCIO systems, which contribute additional information about subjects and incident-specific information. MCIOs' databases are the system of record for all Unrestricted Reports they investigate. Service-appointed legal officers validate and enter case disposition information into DSAID.

The full implementation of DSAID in FY14 altered the way in which sexual assault data are reported in two key ways:

- Previously, the Department recorded Unrestricted Reports as the number of sexual assault cases, as organized by the MCIOs. Investigations of alleged subjects of sexual assault can include more than one victim. Thus, one MCIO investigation did not necessarily correspond to one victim report. Starting in FY14, Unrestricted cases are organized by DSAID reports, not MCIO investigations. DSAID captures data for each individual report of sexual assault, such that each report corresponds to one victim. Restricted Reports, by policy, have always involved one victim per reported incident.
- In past FYs, Service affiliations for subjects and victims referred to the Service in which they belonged. With the introduction of DSAID in FY14, Service affiliation now refers to the Service affiliation of the SARC handling the case. This shift provides valuable insight into the resources each Service expends to respond to reports of sexual assault. However, as in past FYs, when discussing subject dispositions, affiliation refers to the subject's Service. For DoD civilians, contractors, and foreign national subjects, Service affiliation aligns with the victim's Service.

Since DSAID is a real-time data-gathering tool, not all case-level data are immediately available. As a result, some demographic information presented below is incomplete and categorized as "data not available." Throughout the FY, the Military Services, in collaboration with DoD SAPRO, review the information in DSAID for quality assurance purposes. DoD SAPRO aggregates and analyzes data from DSAID throughout the FY and reports its analysis in this Annual Report.

Why It Is Collected

Annually, DoD collects data on sexual assault to inform SAPR policy, program development, and oversight actions. Congress requires data about the number of sexual assault reports and the outcome of the allegations made against each subject.

Overview of Reports of Sexual Assault

This section closely follows the flow chart shown in Figure 1. Letters on the flow chart correspond to the information in the text that follows.

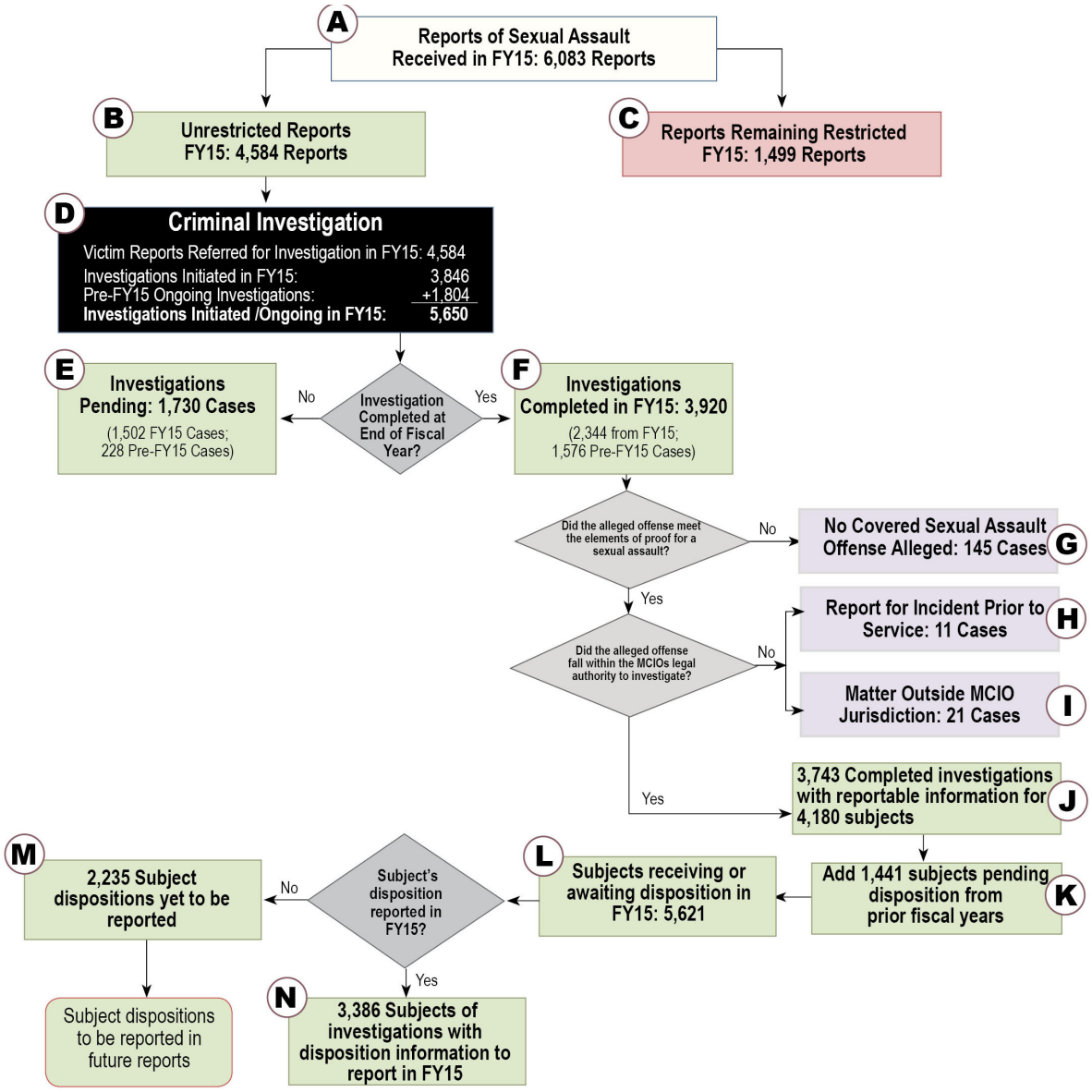


Figure 1: Reports of Sexual Assault, Completed Investigations, and Subject Dispositions, FY15

Notes:

1. For incidents that occur on or after June 28, 2012, the term "sexual assault" refers to the crimes of rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy, and attempts to commit these offenses.
2. The number of investigations initiated in FY15 is lower than the number of victim reports referred for investigation because: there can be multiple victims in a single investigation, some investigations referred in FY15 did not begin until FY16, and some allegations could not be investigated by DoD or civilian law enforcement.
3. The analysis of G, H, and I is a new process and subject to review. Accordingly, these numbers may be adjusted in the future.

In FY15, the Military Services received 6,083 reports of sexual assault involving Service members as either victims or subjects (Figure 2), a 1% decrease from the reports made in FY14. Female victims made the majority of reports (80% women; 19% men; 1% relevant data not available). Although many of these reports were about incidents that occurred in FY15, some incidents occurred in prior FYs. Of the 6,083 reports, 504 Service member victims (8%) made a report for incidents that occurred before the victim entered into military service.

Of the 6,083 victims, how many were Service members?
5,240 Service member victims.

Who were the other victims?
804 victims were U.S. civilians, foreign nationals, and others who were not on Active Duty status with the U.S. Armed Forces. Data on Service member status was not available for the remaining 39 victims.

- The Military Services received 4,584 Unrestricted Reports involving Service members as either victims or subjects, a 2% decrease from FY14. Of the 4,584 Unrestricted Reports, 183 (4%) were made by Service member victims for incidents that occurred before the victim entered military service.

- The Military Services initially received 1,900 Restricted Reports involving Service members as either victims or subjects. Of those 1,900 Restricted Reports, 401 (21%) later converted to and are counted as Unrestricted Reports. A greater number of victims converted their Restricted Reports to Unrestricted Reports this year than ever before.

- 1,499 reports remained Restricted at the end of FY15, a 2% increase from FY14. Of the 1,499 reports that remained Restricted, 321 (21%), involved Service member victims who made Restricted Reports for incidents that occurred before the victim entered military service. Per the victim's request, the reports remained Restricted and MCIOs did not investigate these allegations. The Services do not request nor record the identities of subjects in Restricted Reports. Figure 2 displays the number of Unrestricted and Restricted Reports from FY07 to FY15.[5]

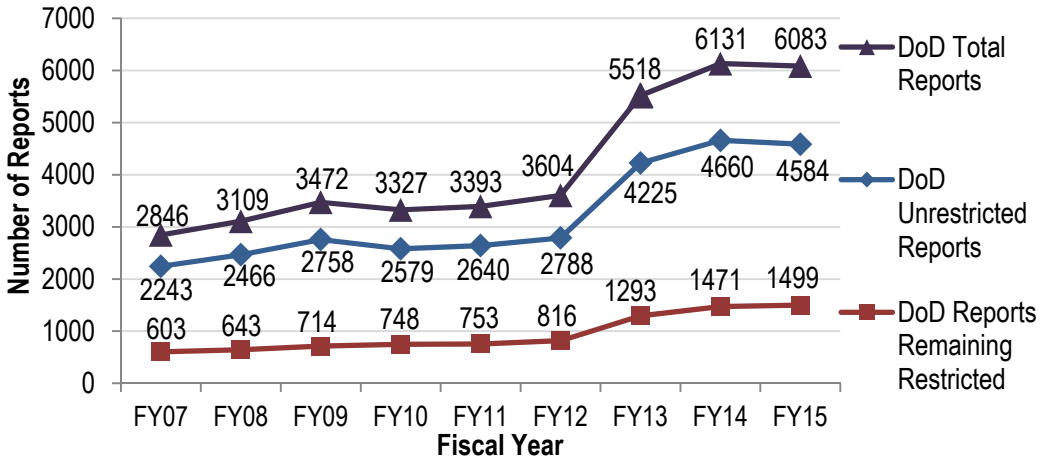


Figure 2: Reports of Sexual Assault Made to DoD, FY07 – FY15

[5] All Unrestricted Reports made in FY15 were referred for investigation, however, not all of these reports had investigations initiated or completed by the end of the FY (Figure 1).

The 6,083 sexual assault reports included 5,240 Service member victims of sexual assault (each report represents one victim). Table 1 shows the rates of victim reporting by Military Service since FY07. DoD calculates victim-reporting rates using the number of Service member victims in Unrestricted and Restricted Reports and Active Duty Military Service end-strength for each year on record with the Defense Manpower Data Center (DMDC). In FY15, for every 1,000 Service members, 4.0 Service members made a Restricted or Unrestricted Report of sexual assault. While the FY15 reporting rate is higher than the FY12 and FY13 rates, DoD observed no change in the reporting rate from FY14 to FY15.

Table 1: Reporting Rate per Thousand, FY07 – FY15

Service	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15
Overall DoD	1.6	1.7	1.9	1.8	1.9	2.1	3.4	4.0	4.0
Army	2.4	2.5	2.6	2.4	2.5	2.3	3.6	4.3	4.3
Navy	1.1	1.3	1.6	1.6	1.6	2.1	3.2	3.7	3.9
Marine Corps	0.9	0.8	1.3	1.1	1.3	1.7	3.8	4.1	4.1
Air Force	1.4	1.5	1.4	1.6	1.6	2.0	2.9	3.7	3.7

Why show a reporting rate?

A reporting rate allows for the comparison of reports across groups of different sizes. Reporting rates also allow for year after year comparisons, even when the total number of people in a group has changed.

Research shows that reporting sexual assault makes it more likely for victims to engage in medical treatment and other forms of assistance.[6] DoD's SAPR policy encourages increased reporting of sexual assault, works to improve response capabilities for victims, and works with and encourages victims to participate in the military justice process.

Figure 3 shows an increase in Service Member victims who made an Unrestricted or Restricted Report of sexual assault for incidents that occurred during and prior to military service since FY09. Based on prior survey-estimated prevalence rates of sexual assault and other factors, DoD attributes this increase to a greater number of victims coming forward to report sexual assault, and not due to an overall increase in crime. This aligns with the results of the FY14 *RAND Military Workplace Study (RMWS)*, which indicated that past-year prevalence of sexual assault decreased for women and stayed about the same for men, compared to FY12 rates.

[6] DOJ (2002). Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992–2000. Washington, DC: Rennison, Callie Marie.

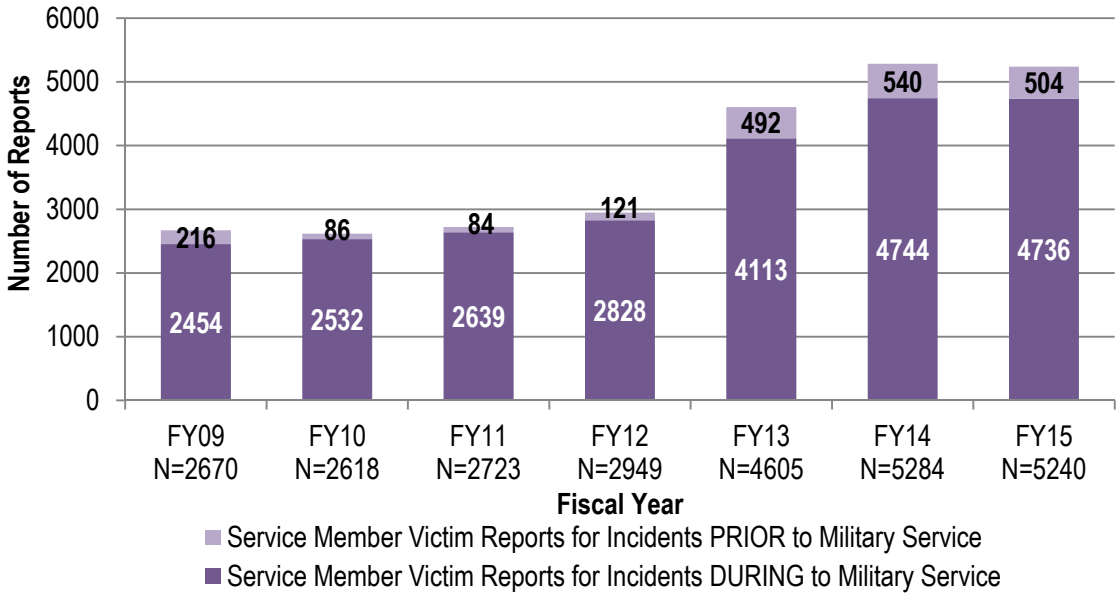


Figure 3: Service Member Victims in DoD Sexual Assault Reports for Incidents that Occurred During and Prior to Military Service, FY09 – FY15

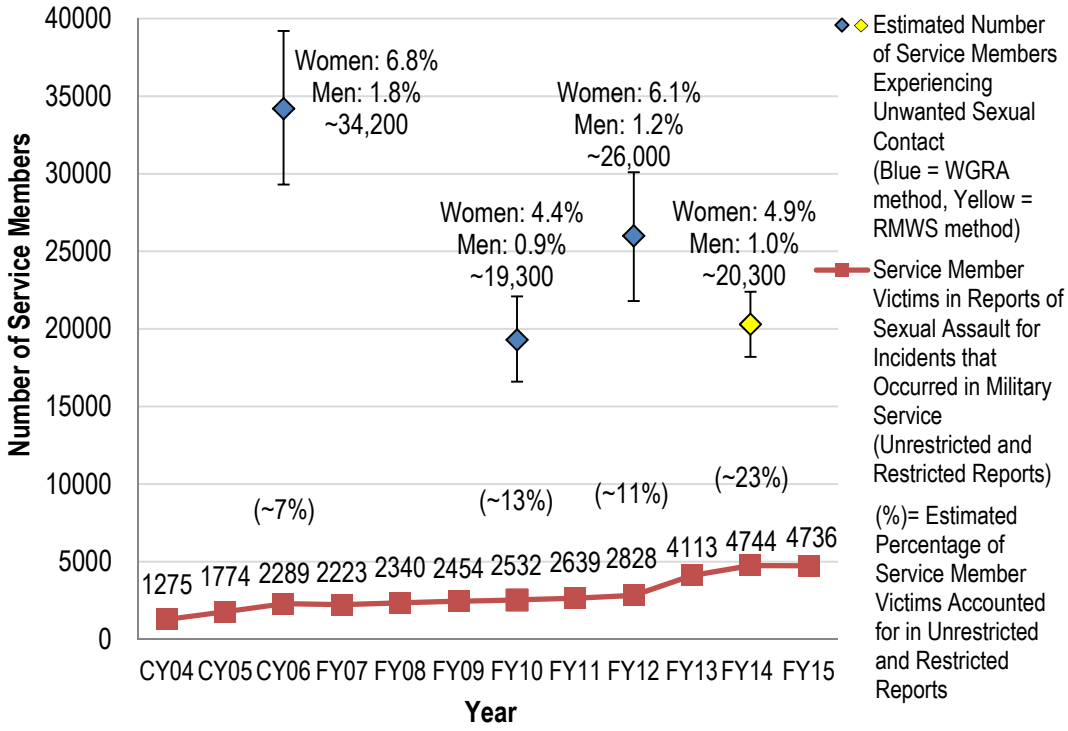
Figure 4 demonstrates the difference between the estimated number of Service members who indicated they experienced sexual assault, based on *RMWS* survey estimates, and the number of Service members reporting sexual assault for an incident occurring during military service. DoD administers its sexual assault prevalence survey biennially, thus prevalence estimates are only available for CY06, FY10, FY12, and FY14. In FY16 and forthcoming years, the Department will use the *RMWS* measure to collect sexual assault prevalence data.

In FY14, the "gap" between prevalence and reporting narrowed, meaning fewer sexual assaults occurred, but a greater number of victims chose to make a report. Notably, the gap between prevalence and reporting is greater for male victims than female victims. Although male Service members account for the majority of the survey-estimated victims of sexual assault (over 10,600 men and over 9,600 women in FY14), a greater proportion of female victims report their assault. Specifically, about 38% (3,671) of survey-estimated female victims, but only about 10% (1,073) of survey-estimated male victims made a report of sexual assault in FY14 for an incident occurring during military service.

DoD does not expect 100% of victims to submit a report. However, DoD expects that the "gap" or difference between the number of survey-estimated victims experiencing sexual assault and the number submitting a report can be reduced over time in two ways:

- Research-based sexual assault prevention initiatives should reduce past-year prevalence rates of sexual assault, as measured by prevalence surveys like the *RMWS*.
- Initiatives that encourage victim reporting and improvements to the military justice system should increase the number of Service members who choose to submit an Unrestricted or Restricted Report.

Although reports to DoD authorities are unlikely to account for all sexual assaults estimated to occur in a given year, DoD's intent is to narrow the gap between prevalence and reporting in order to reduce the underreporting of sexual assault in the military community.



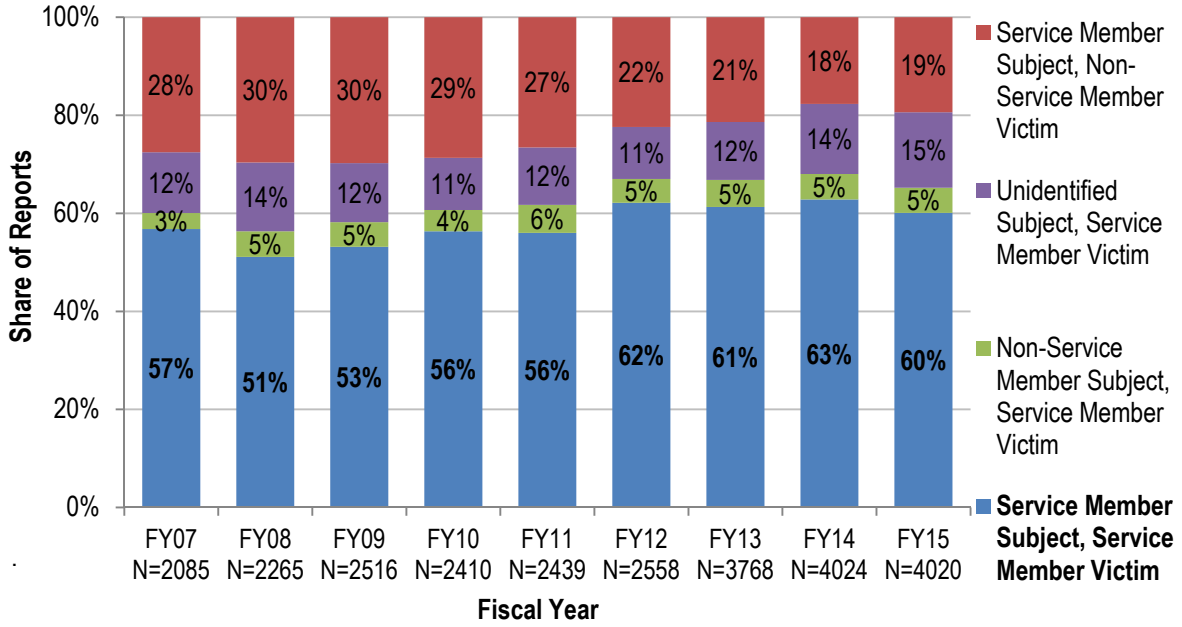
Notes:

1. This graph depicts the estimated number of Service members who experienced sexual assault in the past year (based on prevalence surveys) versus the number of Service member victims in actual reports of sexual assault made to DoD.
2. The 4,744 Service member victims in Unrestricted and Restricted Reports of sexual assault to DoD authorities in FY14 accounted for approximately 23% of the estimated number of Service members who may have experienced sexual assault (~20,300) that year, as calculated using data from the *RMWS* form.
3. The *Workplace and Gender Relations Survey of Active Duty Members* (*WGRA*) method refers to the survey administered by DMDC in CY06, FY10, and FY12 to assess unwanted sexual contact. In FY14, RAND administered a new version of the prevalence survey, the *RMWS* form, to assess prevalence rates in a manner more closely aligned with legal language in the UCMJ.

Figure 4: Estimated Number of Service Members Experiencing Sexual Assault Based on Past-Year Prevalence Rates versus Number of Service Member Victims in Reports of Sexual Assault for Incidents Occurring During Military Service, CY04 – FY15

Unrestricted Reports of Sexual Assault

SARCs and MCIOs collect and report data about Unrestricted Reports to DoD. In FY15, there were 4,584 Unrestricted Reports of sexual assault involving Service members as either the subject or victim of a sexual assault. Each year, the majority of sexual assault reports received by MCIOs involve the victimization of Service members by other Service members. In FY15, 2,415 of the 4,584 Unrestricted Reports involved allegations of sexual assault perpetrated by a Service member against a Service member. Figure 5 illustrates how Service members were involved in Unrestricted Reports of sexual assault between FY07 – FY15.



Notes:

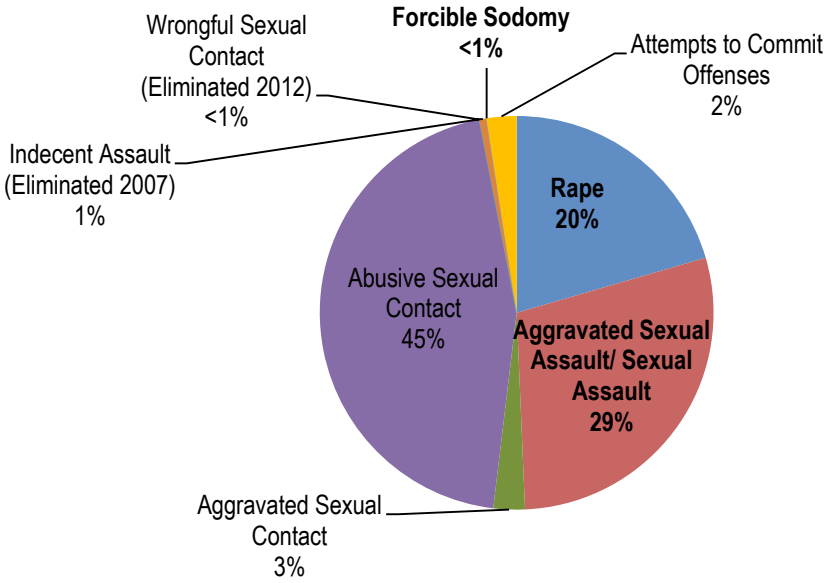
1. There were 4,584 Unrestricted Reports in FY15 and 4,660 Unrestricted Reports in FY14. However, the chart excludes 564 reports for FY15 and 636 reports for FY14 due to missing data on subject or victim type.
2. Some percentages do not sum to 100% due to rounding.

Figure 5: Unrestricted Reports of Sexual Assault by Service Member Involvement, FY07 – FY15

Crimes Alleged in Unrestricted Reports

The Department uses the term "sexual assault" to refer to the range of crimes in military law that constitute contact sexual offenses between adults. Since 2004, three versions of Article 120 have existed in the UCMJ, which defines most of those crimes (see "When it Happened" section).[7]

Of the total Unrestricted Reports made to DoD in FY15, the majority of offenses alleged fall into three categories: rape, aggravated sexual assault/sexual assault, and abusive sexual contact. MCIOs categorize Unrestricted Reports by the most serious offense *alleged* in the report, which may not ultimately be the same offense for which evidence supports a misconduct charge, if any. Figure 6 shows the breakdown of Unrestricted Reports of sexual assault by offense originally alleged. Table 2 presents the offense originally alleged, broken down by the military status of the victim.



Notes:

1. In FY15, there were 4,584 total Unrestricted Reports. However, 452 have been excluded from this chart due to missing data on the offense originally alleged.
2. Bold text designates penetrating crimes (rape, aggravated sexual assault/sexual assault, and forcible sodomy).
3. Percentages do not sum to 100% due to rounding.

Figure 6: Offenses Originally Alleged in Unrestricted Reports of Sexual Assault, FY15

[7] Since June 28, 2012, misconduct addressed by the offense "Aggravated Sexual Assault" is captured by the offense "Sexual Assault." Likewise, misconduct previously addressed by "Wrongful Sexual Contact" is captured by "Abusive Sexual Contact."

Table 2: Unrestricted Reports of Sexual Assault by Offense Alleged and Military Status, FY15

Most Serious Offense Alleged in Report	Total Unrestricted Reports	Reports Involving Service Members as Victims	Reports Involving Non-Service Members as Victims	Relevant Data Not Available
Rape	839	619	214	6
Aggravated Sexual Assault and Sexual Assault	1,180	949	227	4
Aggravated Sexual Contact	106	91	15	0
Abusive Sexual Contact	1,844	1,548	282	14
Wrongful Sexual Contact	20	17	2	1
Indecent Assault	25	19	5	1
Forcible Sodomy	18	14	4	0
Attempts to Commit Offenses	100	88	12	0
Offense Data Not Available	452	430	18	4
Total Unrestricted Reports	**4,584**	**3,775**	**779**	**30**

Investigations of Unrestricted Reports

According to DoD policy, all Unrestricted Reports must be referred for investigation by an MCIO. However, MCIOs often cannot investigate reports received for incidents prior to military service when the alleged offender is not subject to military law. In FY15, MCIOs initiated 3,846 sexual assault investigations (Figure 1).

The length of an investigation depends on a number of factors that include:

- Offense alleged
- Location and availability of the victim, subject, and witnesses
- Amount and kind of physical evidence gathered during the investigation
- Length of time required for crime laboratory analysis of evidence

Depending on these and other considerations, investigation length may range from a few months to over a year. The average length of a sexual assault investigation in FY15 was 4.2 months. Consequently, sexual assault investigations and their outcomes can span multiple reporting periods.

Of the 3,920 sexual assault investigations completed during FY15, MCIOs completed 2,344 sexual assault investigations that were opened in FY15 and completed 1,576 investigations that were opened in years prior to FY15. Of the 3,920 investigations completed in FY15, 145 cases did not meet the elements of proof for sexual assault (Figure 1, Point G) and 32 cases did not fall within MCIOs legal authority to investigate (the report was for an incident prior to Service or the matter was outside MCIO jurisdiction; Figure 1, Points H and I). In total, there were 4,180 subjects in completed investigations with reportable information.

In future reports, DoD will document the outcomes of 1,730 ongoing sexual assault investigations that MCIOs opened in FY15 or prior to FY15, but did not complete by September 30, 2015 (Figure 1).

Sexual Assault Subject Dispositions

Congress requires DoD to report on the dispositions (outcomes) of the sexual assault allegations made against Service members. At the end of FY15, there were 3,386 subjects with disposition information to report. Of these subjects, 69 had a prior investigation for sexual assault.

The goals of a criminal investigation are to identify the victim, the alleged perpetrator, and the crimes the alleged perpetrator has committed. DoD seeks to hold Service members who have committed sexual assault appropriately accountable based on the available evidence. However, in order to comply with Congressional reporting requirements, DoD's sexual assault data represent a 12-month snapshot in time. As a result, 2,235 subject dispositions were not yet determined at the end of FY15. DoD will report these in forthcoming years' reports (Figure 1, Point M).

Can DoD take action against everyone it investigates?

No. In FY15, DoD could not take action against 603 subjects because they were outside DoD's legal authority or a civilian/foreign authority exercised jurisdiction over a Service member subject.

The 3,386 subjects from DoD investigations for whom dispositions were reported in FY15 included Service members, U.S. civilians, foreign nationals, and subjects that could not be identified (Figure 7).

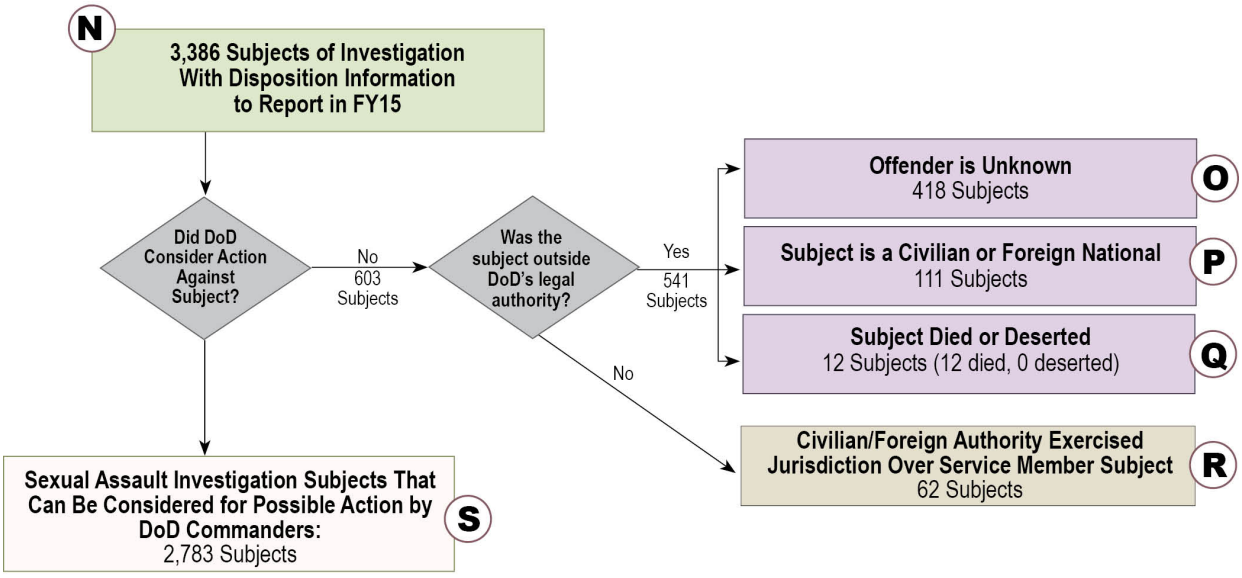


Figure 7: Subjects outside DoD Legal Authority, FY15

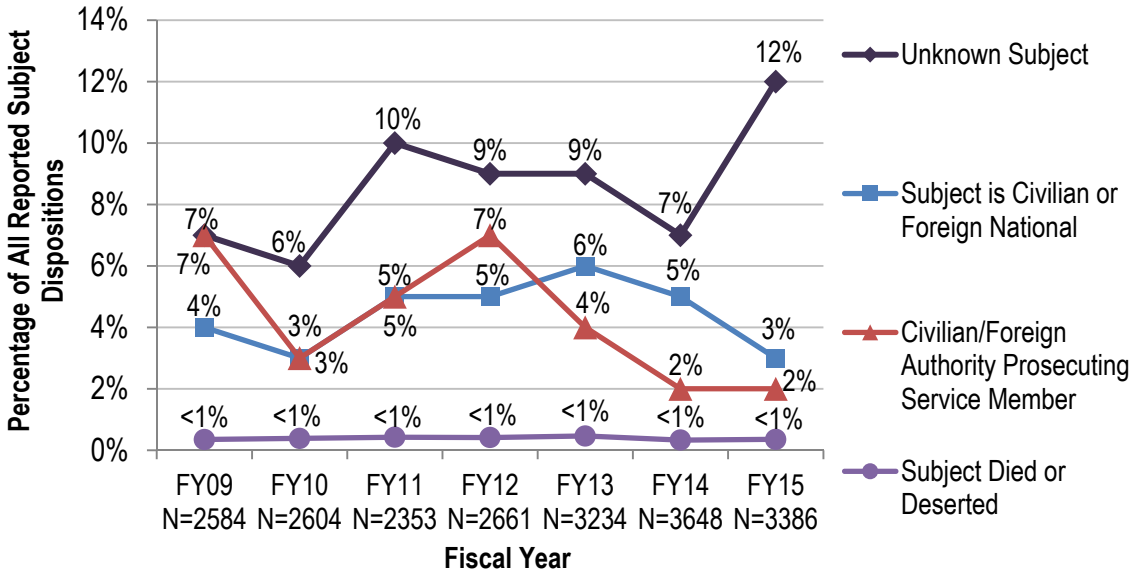
A key difference between the civilian and military legal systems is that in the civilian system, a prosecuting attorney may review the evidence and, if appropriate, file charges against all identified suspects within the attorney's area of legal authority. **However, for the vast majority of cases in the military justice system, commanders are limited to taking legal or disciplinary action against only those Service members who are subject to the UCMJ.** Each year, DoD lacks jurisdiction over several hundred subjects in its sexual assault

reports/investigations. In FY15, DoD could not consider taking action against 603 subjects because:

- 541 subjects were outside of DoD's legal authority (Figure 7, Points O, P, and Q). Specifically, MCIOs could not identify a subject despite a criminal investigation, a subject was a civilian or foreign national not under the military's jurisdiction, or a subject had died or deserted before DoD could take disciplinary action.

- 62 Subjects were Service members being prosecuted by a civilian/foreign authority (Figure 7**,** Point R). While a Service member is always under the legal authority of DoD, sometimes a civilian authority or foreign government will exercise its legal authority over a Service member who is suspected of committing a crime within its jurisdiction.

Figure 8 shows that from FY09 to FY15, between 12% and 21% of subjects investigated by DoD for sexual assault were found to be either outside the DoD's legal authority or under the authority of another jurisdiction.



Notes:
1. In FY15, 603 (18%) of the 3,386 subjects in completed dispositions were outside DoD legal authority or were Service member subjects prosecuted by a civilian or foreign authority.
2. Percentages do not sum to total due to rounding.

Figure 8: Subjects Investigated for Sexual Assault by DoD Who Were Outside Its Legal Authority or Service Members Prosecuted by a Civilian/Foreign Authority, FY09 – FY15

Military Subjects Considered for Disciplinary Action

In FY15, 2,783 subjects investigated for sexual assault were Service members that DoD could consider for possible action. Table 3 and Figure 9 present dispositions of military subjects under DoD legal authority. Table 3 also presents the number of victims associated with each subject disposition. Of the 2,783 subjects, 204 allegedly assaulted multiple victims.

Table 3: Subject Dispositions and Associated Victims, FY15

Subject Disposition Category	Subject Dispositions Reported in FY15	Victims Associated with Subject Dispositions in FY15
Sexual Assault Investigation That Can Be Considered for Possible Action by DoD Commanders:	2,783	3,004
Evidence Supported Commander Action	2,013	2,252
Sexual Assault Charge Substantiated	1,437	1,634
Court-Martial Charge Preferred (Initiated)	926	1,050
Nonjudicial Punishments (Article 15, UCMJ)	303	347
Administrative Discharges	95	119
Other Adverse Administrative Actions	113	118
Other Misconduct Charge Substantiated	576	618
Court-Martial Charge Preferred (Initiated)	64	69
Nonjudicial Punishments (Article 15, UCMJ)	338	373
Administrative Discharges	55	55
Other Adverse Administrative Actions	119	121
Unfounded by Command/Legal Review	73	79
Command Action Precluded	697	673
Victim Died before Completion of Justice Action	1	1
Victim Declined to Participate in Justice Action	257	249
Insufficient Evidence of Any Offense to Prosecute	420	404
Statute of Limitations Expired	19	19

Note: Victims whose cases involved multiple subjects are counted only once, to correspond with the subject who received the most serious disposition.

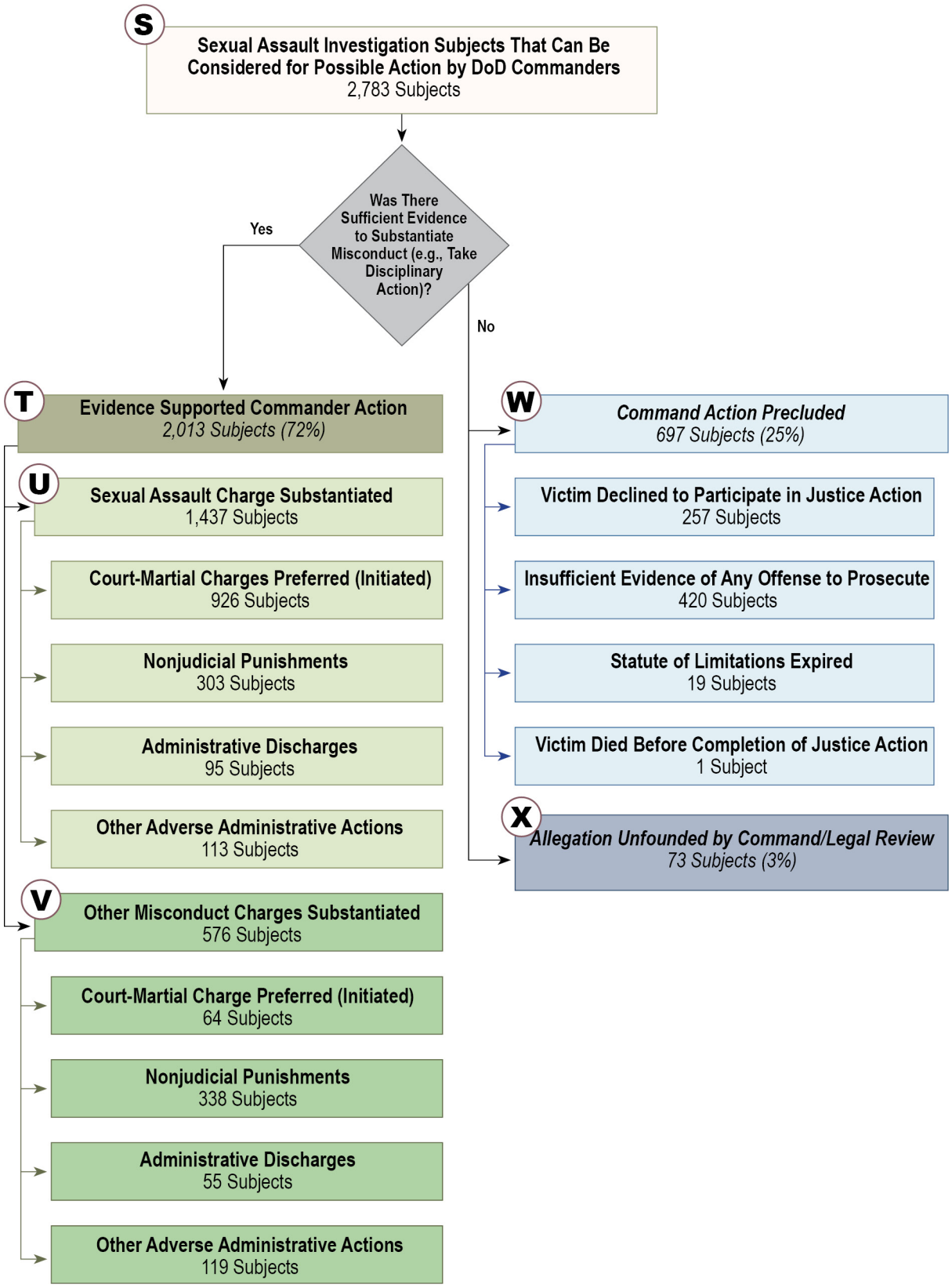


Figure 9: Dispositions of Subjects under DoD Legal Authority, FY15

Command Action Precluded or Declined

Legal factors sometimes prevent DoD from taking disciplinary action against some subjects. For example, commanders could not take disciplinary action against 697 military subjects due to insufficient evidence of an offense to prosecute, the victim declining to participate in the military justice process, the statute of limitations expiring, or the victim dying before completion of justice action (1 victim died in an accident). See Figure 9, Point W.

Two potential situations can lead MCIOs to conclude that the allegations of a crime should be unfounded, meaning the allegation is categorized as false or baseless: (1) When evidence discovered demonstrates that the accused person did not commit the offense and (2) when evidence refutes the occurrence of a crime. After examining the facts of each case with a military attorney, commanders declined to take action against 73 military subjects, because available evidence indicated the allegations against these subjects were false or baseless (unfounded; Figure 9, Point X).[8]

Figure 10 illustrates the percentage of cases in which command action was precluded (e.g., insufficient evidence, victim declined to participate), command action was declined (unfounded), or command action was taken. Since FY09, the percentage of Service member subjects for whom command action was precluded or declined has decreased. A larger percentage of subjects had misconduct substantiated in FY15 (72%) than in FY09 (57%).

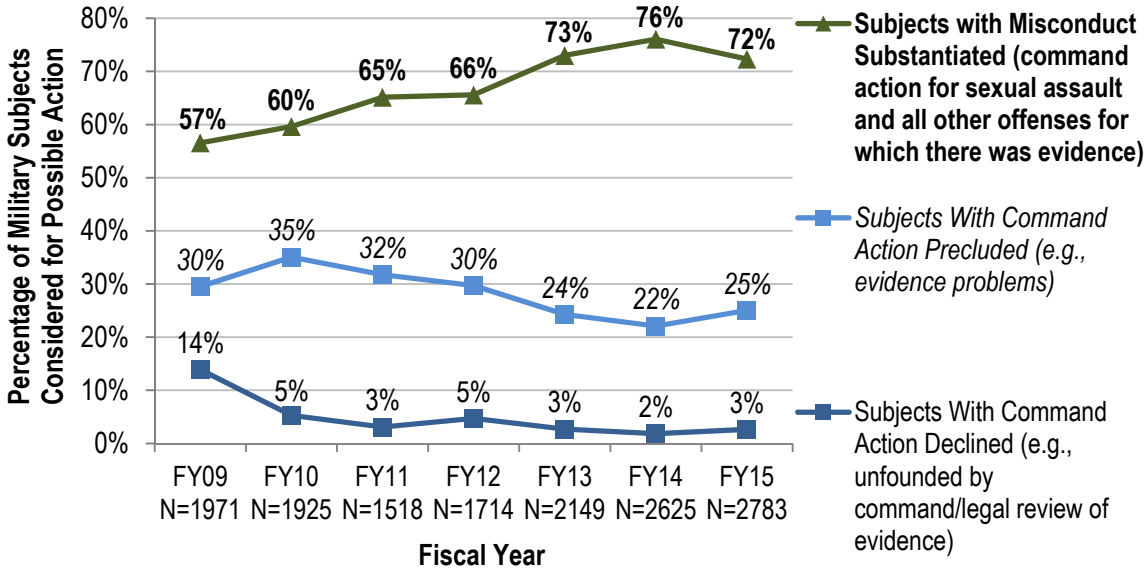


Figure 10: Percentage of Military Subjects with Misconduct Substantiated, Command Action Precluded, and Command Action Declined, FY09 – FY15

Evidence Supported Command Action

For 2,013 subjects, commanders had sufficient evidence and the legal authority to support some form of disciplinary action for an alleged sexual assault offense or other misconduct (Figure 9, Point T). When a subject receives more than one disposition, DoD reports only the

[8] In prior FYs, DoD presented data on allegations investigated by the MCIOs that were unfounded by legal review. This year, the Department developed new categories to reflect the nature and outcomes of these allegations more accurately (Figure 1, Points G, H, and I, account for these allegations).

most serious disciplinary action. The possible actions, listed in descending order of severity are: preferral of court-martial charges, nonjudicial punishment, administrative discharge, and other adverse administrative action.

The following represents the command actions taken for the 1,437 subjects for whom it was determined a sexual assault offense warranted discipline:

- 64% (926 subjects) had court-martial charges preferred (initiated) against them.
- 21% (303 subjects) were entered into proceedings for nonjudicial punishment under Article 15 of the UCMJ.
- 14% (208 subjects) received a discharge or another adverse administrative action.[9]

For 576 subjects, evidence supported command action for other misconduct discovered during the sexual assault investigation (such as making a false official statement, adultery, underage drinking, or other crimes under the UCMJ), but not a sexual assault charge (Figure 9, Point V). Command actions for these subjects follow below:

- 11% (64 subjects) had court-martial charges preferred against them.
- 59% (338 subjects) were entered into proceedings for nonjudicial punishment.
- 30% (174 subjects) received some form of adverse administrative action or discharge.

Military Justice

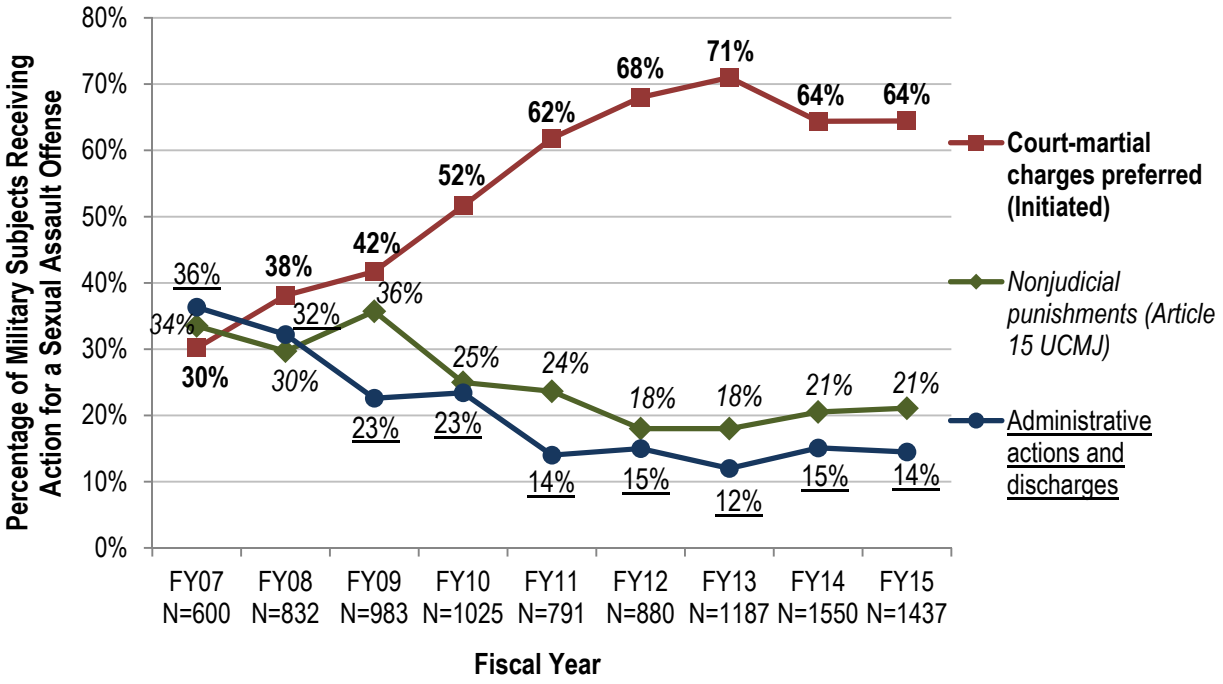
The following information describes what happens once a military subject's commander finds that there is sufficient evidence to take disciplinary action.

Figure 11 shows that commanders' preferral of court-martial charges against military subjects for an alleged sexual assault offense increased from 30% of subjects in FY07 to 64% of subjects in FY15. During the same period, nonjudicial punishment, other adverse administrative actions, and administrative discharges decreased. Each action taken is based on the evidence identified during a thorough investigation. In addition, since June 2012, initial disposition decisions for the most serious sexual assault crimes have been withheld to the O-6 level (Colonel or Navy Captain). This allows more senior, experienced officers who are usually not immediately responsible for supervision of the victim(s) or subject(s) to review and decide what initial action should be taken in these cases.

What percentage of Service member subjects who received disciplinary action for sexual assault had court-martial charges preferred against them in FY15?

64%. In FY07, 30% of subjects receiving disciplinary action had court-martial charges preferred against them.

[9] Percentages do not sum to 100% due to rounding.



Notes:

1. Percentages are of subjects found to warrant disciplinary action for a sexual assault offense only. This figure does not include other misconduct (false official statement, adultery, etc.)
2. Percentages listed for some years do not sum to 100% due to rounding.

Figure 11: Breakdown of Disciplinary Actions Taken Against Subjects for Sexual Assault Offenses, FY07 – FY15

Court-Martial for a Sexual Assault Offense

As noted previously, 926 subjects had court-martial charges preferred against them. Figure 12 illustrates what happened to these subjects after their commanders preferred court-martial charges. The dispositions and the sentences imposed by courts-martial are for those subjects with at least one sexual assault charge adjudicated in FY15. Of the 926 subjects who had court-martial charges preferred against them for at least one sexual assault charge in FY15, the Services completed 813 subjects' court-martial outcomes by the end of the FY.

A total of 543 subjects proceeded to trial, 76% of whom were convicted of at least one charge at court-martial. That conviction could have been for a sexual assault offense or for any other misconduct charged. Most convicted Service members received at least four kinds of punishment: confinement, reduction in rank, fines or forfeitures, and a discharge (enlisted) or dismissal (officers) from Service. Policies codified in the FY13 NDAA, direct that the Military Services process Service members convicted of a sexual assault who do not receive a punitive discharge at court-martial for an administrative discharge. This year, the Services processed 48 convicted subjects that did not receive a punitive discharge or dismissal for administrative separation from Military Service.

Court-martial charges against 111 subjects were dismissed. However, commanders used evidence gathered during the sexual assault investigations to take nonjudicial punishment for other misconduct against 22 of the 111 subjects. The punishment may have been for any kind of misconduct for which there was evidence. The subjects who received nonjudicial punishment after a court-martial dismissal for other misconduct were adjudged five categories of

punishment: reductions in rank, forfeitures of pay, restriction, extra duty, and admonition/reprimand.

A total of 159 subjects were granted a resignation or discharge instead of court-martial. In FY15, 147 of 148 enlisted members who received a discharge in lieu of court-marital (RILO/DILO) were separated Under Other Than Honorable Conditions (UOTHC), the lowest characterization of discharge possible administratively (1 subject received a General discharge). The UOTHC discharge characterization is recorded on a Service member's DD Form 214, Record of Military Service, and significantly limits separation and post-service benefits from DoD and the Department of Veterans Affairs.

DoD grants resignations and discharges in lieu of court-martial in certain circumstances, occurring only after court-martial charges are preferred against the accused. For such an action to occur, the accused must initiate the process. Requests for a resignation or a discharge in lieu of court-martial must include:

- A statement of understanding of the offense(s) charged and the consequences of administrative separation
- An acknowledgement that any separation could possibly have a negative characterization
- An acknowledgement that the accused is guilty of an offense for which a punitive discharge is authorized or a summary of the evidence supporting the guilt of the accused

What percentage of Service member subjects who were charged and tried for sexual assault offenses were eventually convicted in FY15 and what punishment did they receive?

76% of Service members tried for a sexual assault offense were convicted of at least one charge at court-martial. The majority of convicted subjects received the following punishments: confinement, a fine or forfeiture of pay, reduction in rank, and a punitive discharge or dismissal.

These statements are not admissible in court-martial should the request ultimately be disapproved. Discharges of enlisted personnel in lieu of court-martial are usually approved at the SPCMA level. The Secretary of the Military Service approves resignations of officers in lieu of court-martial.

Figure 12 presents the outcomes of subjects against whom court-martial charges were preferred. Figure 13 presents the same information, but displays the outcomes by the type of crime charged (i.e., penetrating versus sexual contact).

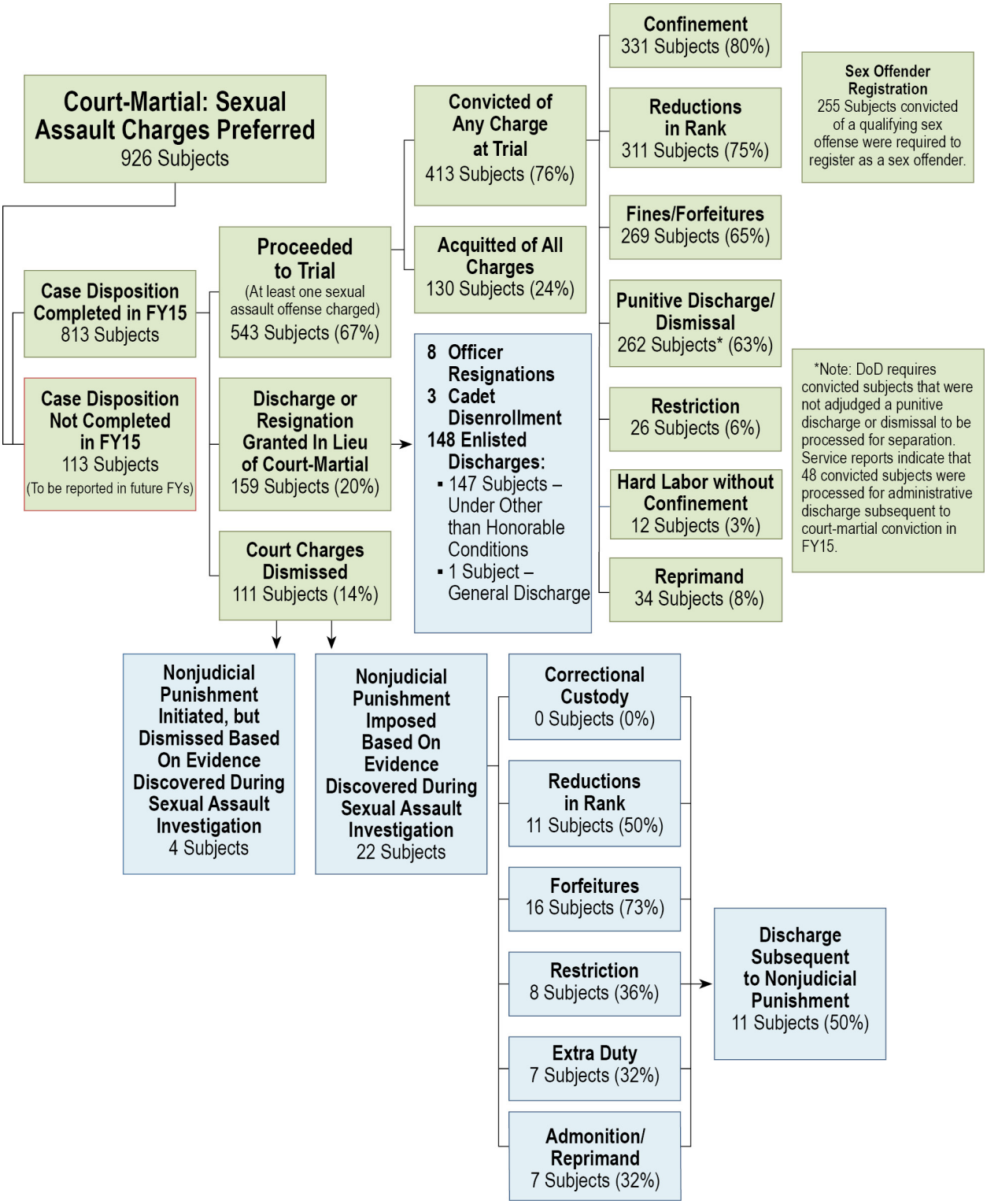


Figure 12: Dispositions of Subjects against Whom Sexual Assault Court-Martial Charges were Preferred, FY15

Notes:

1. Percentages for some categories do not sum to 100% due to rounding. Punishments do not sum to 100%, because subjects can receive multiple punishments.
2. The Services reported that 926 subjects of sexual assault investigations had court-martial charges preferred against them for a sexual assault offense.
3. Of the 926 subjects who had court-martial charges preferred against them, 113 subjects were still pending court action at the end of FY15.
4. Of the 813 subjects whose courts-martial were completed and reported in FY15, 543 subjects proceeded to trial, 159 subjects were granted a discharge or resignation in lieu of court-martial, and 111 subjects had court-martial charges dismissed.
5. In cases in which a discharge in lieu of court-martial is requested and approved, the characterization of the discharge is UOTHC, unless a higher characterization is justified.
6. Of the 111 subjects with dismissed charges, commanders imposed nonjudicial punishment on 22 subjects. An additional four subjects had a nonjudicial punishment initiated, but were subsequently dismissed. Most of these 22 subjects received two kinds of punishment: a reduction in rank and a forfeiture of pay.
7. Of the 543 subjects whose cases proceeded to trial, 413 were convicted of at least one charge. Conviction by court-martial may result in a combination of punishments. Consequently, convicted Service members could be adjudged one or more of the punishments listed. In most cases, they received at least four kinds of punishment: confinement, a reduction in rank, a fine or forfeiture of pay, and a punitive discharge (i.e., bad conduct discharge, dishonorable discharge, or dismissal (officers)). The National Defense Authorization Act (NDAA) for FY13 now requires mandatory administrative separation processing for all Service members convicted of a sexual assault offense.

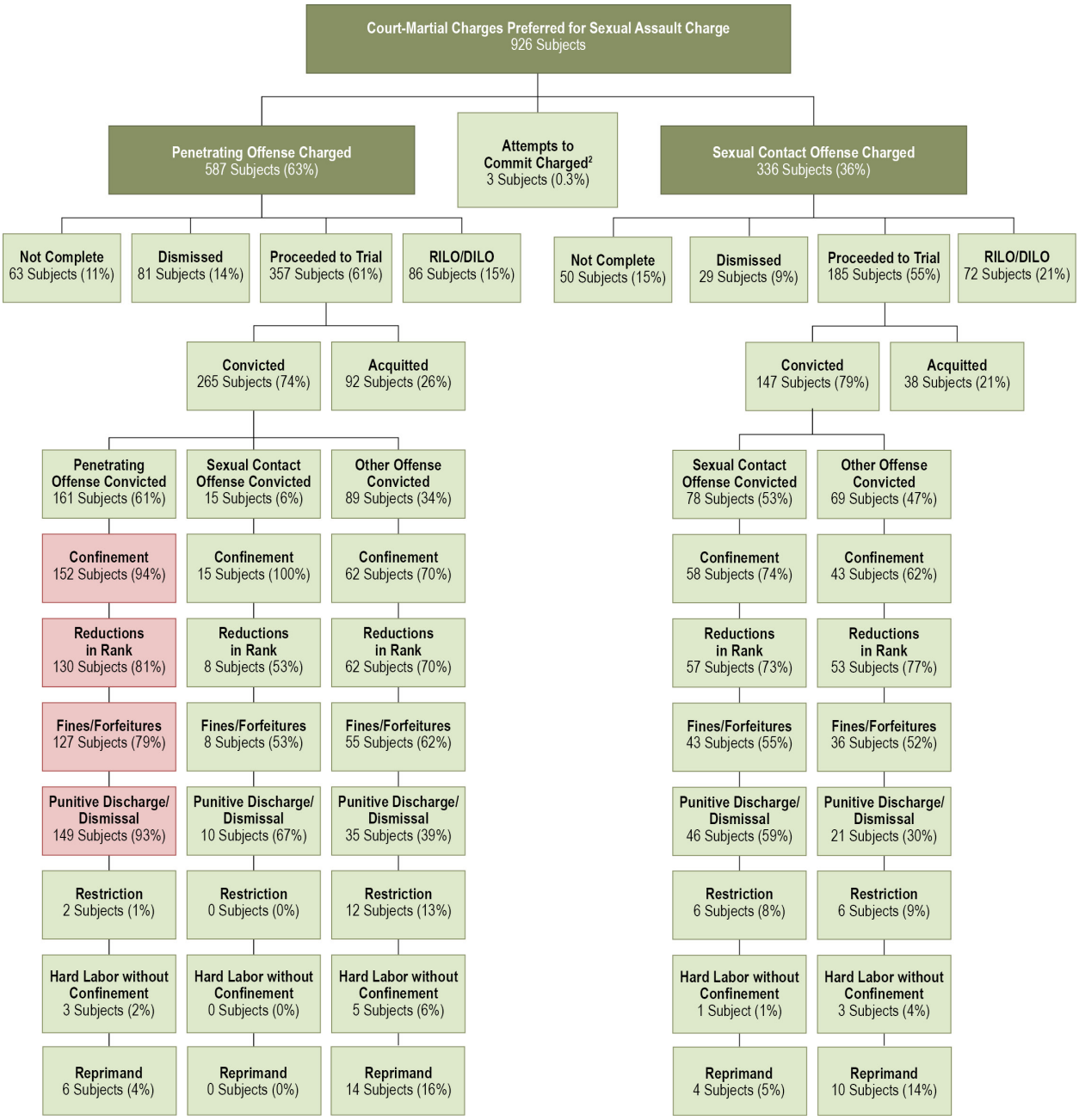


Figure 13: Dispositions of Subjects against Whom Sexual Assault Court-Martial Charges were Preferred by Crime Charged, FY15

Notes:

1. Percentages for some categories do not sum to 100% due to rounding. Punishments do not sum to 100%, because subjects can receive multiple punishments.
2. The outcomes for the attempts to commit cases were: one charges dismissed, one RILO/DILO, one convicted of a non-sexual assault offense (punishments received: confinement, reductions in rank, and punitive discharge/dismissal).

Nonjudicial Punishment

Commanders administer nonjudicial punishments in accordance with Article 15 of the UCMJ, which empowers commanding officers to impose penalties on Service members when there is sufficient evidence of a minor offense under the UCMJ. Nonjudicial punishment allows commanders to address some types of sexual assault and other misconduct by Service members that may not warrant prosecution in a military or civilian court. With nonjudicial punishment, a commander can take a variety of corrective actions, including demotions, forfeitures, and restrictions on liberty. Nonjudicial punishment may support a rationale for administratively discharging military subjects with a less than honorable discharge. The Service member may demand trial by court-martial instead of accepting nonjudicial punishment by the commander (unless the subject is attributed to or embarked on a vessel).

Do military commanders use nonjudicial punishment as their primary means of discipline for sexual assault crimes?

No. Only 21% of subjects who received disciplinary action for a sexual assault crime received nonjudicial punishment in FY15 as their most serious disciplinary action. Most subjects (64%) had court-martial charges preferred against them as their most serious disciplinary action.

Of the 1,437 Service member subjects who received disciplinary action on a sexual assault offense, 303 received nonjudicial punishment. Figure 14 displays the outcomes of nonjudicial punishment actions taken against subjects on a sexual assault charge in FY15. In FY15, commanders found 89% of the 276 subjects with completed nonjudicial punishment proceedings guilty under the authority of Article 15 in the UCMJ. Nearly all of the administered nonjudicial punishments were for non-penetrating sexual contact offenses. The majority of subjects given a nonjudicial punishment received the following punishments: reduction in rank, a forfeiture of pay, and extra duty. Available Military Service data indicated that for 80 subjects (33% of those administered nonjudicial punishment) the nonjudicial punishment served as grounds for a subsequent administrative discharge. Characterizations of these discharges were as follows:

Honorable	5 Subjects
General	39 Subjects
Under Other Than Honorable Conditions	24 Subjects
Uncharacterized	12 Subjects
Total	**80 Subjects**

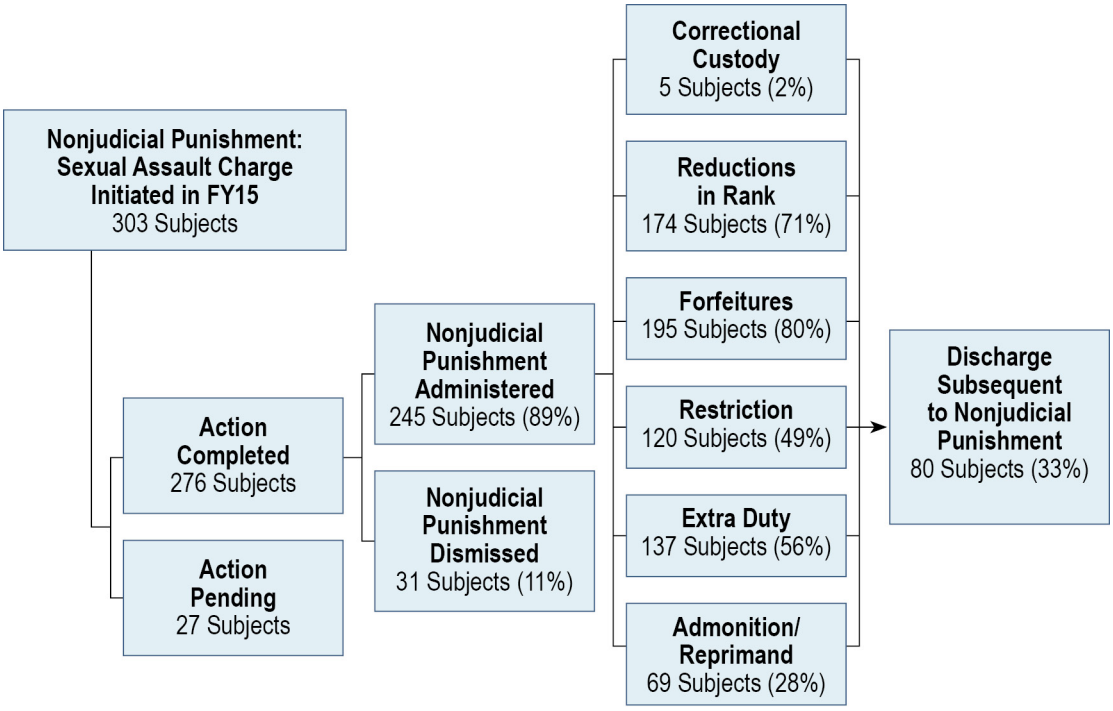


Figure 14: Dispositions of Subjects Receiving Nonjudicial Punishment, FY15

Note: Punishments do not sum to 100% because subjects can receive multiple punishments.

Administrative Discharges and Adverse Administrative Actions

A legal review of evidence sometimes indicates that the court-martial process or nonjudicial punishments are not appropriate means to address allegations of misconduct against the accused. However, commanders have other means at their disposal to hold alleged offenders appropriately accountable. Commanders may use administrative discharges to address an individual's misconduct, lack of discipline, or poor suitability for continued service. There are three characterizations of administrative discharges: Honorable, General, and UOTHC. General and UOTHC discharges may limit those discharged from receiving full entitlements and benefits from both the DoD and the Department of Veterans Affairs. Commanders processed 95 subjects in sexual assault investigations for administrative discharge in FY15. Thirteen subjects are pending characterizations. Characterizations of the discharges are outlined below:

Honorable	2 Subjects
General	41 Subjects
Under Other Than Honorable Conditions	27 Subjects
Uncharacterized	12 Subjects
Pending Characterization	13 Subjects
Total	**95 Subjects**

In FY15, commanders took adverse administrative actions against 113 subjects investigated for a sexual assault offense. Commanders typically use adverse administrative actions when available evidence does not support a more severe disciplinary action. Adverse administrative actions can have a serious impact on one's military career, have no equivalent form of punishment in the civilian sector, and may consist of Letters of Reprimand, Letters of Admonishment, and Letters of Counseling. These actions may also include but are not limited to

denial of re-enlistment, cancellation of a promotion, and cancellation of new or special duty orders. Cadets and midshipmen are subject to court-martial and an administrative disciplinary system at the Military Service Academies. These systems address misconduct that can ultimately be grounds for disenrollment from the Academy and, when appropriate, a requirement to reimburse the government for the cost of education.

Probable Cause Only for a Non-Sexual Assault Offense

The sexual assault investigations conducted by MCIOs sometimes do not find sufficient evidence to support disciplinary action against the subject on a sexual assault charge, but may uncover other forms of chargeable misconduct. In FY15, commanders took action against 576 subjects who MCIOs originally investigated for sexual assault allegations, but for whom evidence only supported action on non-sexual assault misconduct, such as making a false official statement, adultery, assault, or other crimes (Figure 15).

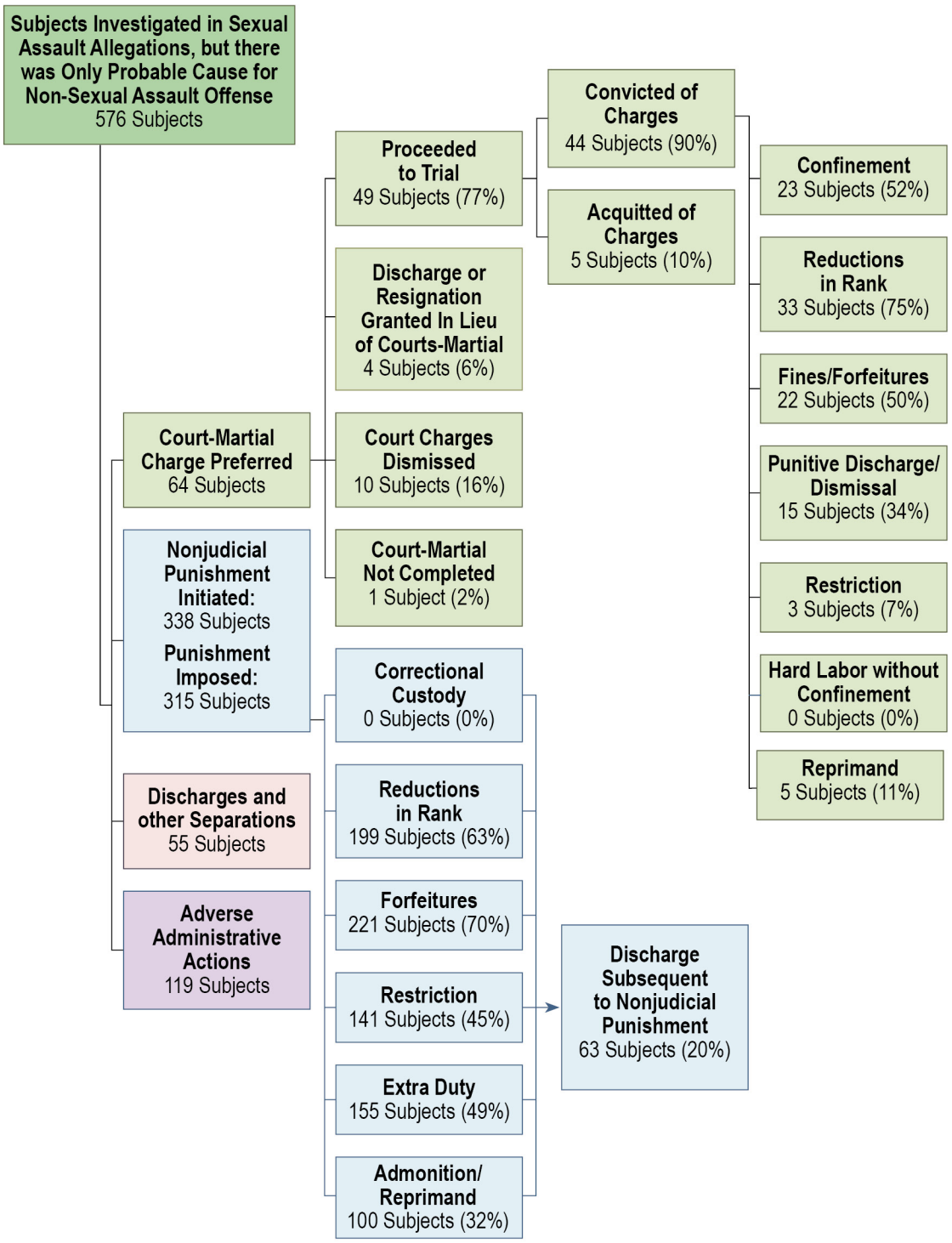


Figure 15: Dispositions of Subjects for Whom There was Only Probable Cause for Non-Sexual Assault Offenses, FY15

Notes:

1. Some percentages do not sum to 100% due to rounding. Punishments do not sum to 100% because subjects can receive multiple punishments.
2. The Military Services reported that investigations of 576 subjects only revealed evidence of misconduct not considered a sexual assault offense under the UCMJ.

3. Of the 576 subjects, 64 subjects had court-martial charges preferred against them, 338 subjects were entered into nonjudicial punishment proceedings, 55 subjects received a discharge or separation, and 119 subjects received adverse administrative action.
4. Of the 64 subjects with court-martial charges preferred, 49 subject cases proceeded to court-martial and 44 subjects were convicted of the charges against them.
5. Of the 338 subjects considered for nonjudicial punishment, 11 cases were still pending completion and commanders ultimately found 315 guilty.

Demographics of Victims and Subjects in Completed Investigations

The Department draws demographic information from the 3,920 investigations of sexual assault completed in FY15. These investigations involved 4,303 victims and 4,330 subjects or individuals alleged to be perpetrators in an investigation.[10]

Table 4 displays the gender of victims and subjects in completed investigations of Unrestricted Reports in FY15. The majority of victims in completed investigations are female (80%) and the majority of subjects are male (81%).

Table 4: Gender of Victims and Subjects in Completed Investigations of Unrestricted Reports, FY15

Gender	Victims		Subjects	
Male	807	19%	3,523	81%
Female	3,457	80%	139	3%
Gender Unknown/Data Not Available	39	1%	668	15%
Total	**4,303**	**100%**	**4,330**	**100%**

Table 5 depicts victim and subject ages (at the time of incident) for completed investigations of Unrestricted Reports. The majority of victims and subjects are between the ages of 16 and 34. Most victims in completed investigations are of junior enlisted grades and most subjects are of junior or senior enlisted grades (Table 6). As shown in Table 6, 15 foreign national subjects, from investigations completed in FY15, allegedly committed sexual assault against Service members.

Table 5: Age of Victims and Subjects in Completed Investigations of Unrestricted Reports, FY15

Age at Time of Incident	Victims		Subjects	
0-15	37	1%	33	1%
16-19	967	22%	304	7%
20-24	1,815	42%	1,380	32%
25-34	845	20%	1,224	28%
35-49	213	5%	503	12%
50 and older	12	<1%	66	2%
Age Unknown/Data Not Available	414	10%	820	19%
Total	**4,303**	**100%**	**4,330**	**100%**

[10] There were only 4,180 subjects with reportable information (i.e., offense met the elements of proof for sexual assault and fell within MCIOs legal authority). However, 150 additional individuals alleged to be perpetrators in an investigation are included in these demographic data.

Table 6: Grade/Status of Victims and Subjects in Completed Investigations of Unrestricted Reports, FY15

Grade or Status at Time of Report	Victims		Subjects	
E1-E4	2,678	62%	1,861	43%
E5-E9	544	13%	1,204	28%
WO1-WO5	5	<1%	23	1%
O1-O3	117	3%	122	3%
O4-O10	27	1%	81	2%
Cadet/Midshipman/Prep School Student	51	1%	30	1%
U.S. Civilian	798	19%	151	3%
Foreign National/Foreign Military	41	1%	15	<1%
Grade or Status Unknown/Data Not Available	42	1%	843	19%
Total	**4,303**	**100%**	**4,330**	**100%**

Notes:
1. Category percentages may not sum to 100% due to rounding to the nearest whole point.
2. The category "U.S. Civilian" includes DoD contractors, DoD civilians, and other U.S. government civilians.

Restricted Reports of Sexual Assault

Since Restricted Reports are confidential, protected communications, as defined in Department policy, SAPR personnel collect limited data about the victim and the sexual assault allegation. As with Unrestricted Reports, victims can make Restricted Reports for incidents that occurred in prior reporting periods and prior to military service.

In FY15, there were 1,900 initial Restricted Reports of sexual assault. Of the 1,900 reports, 401[11] (21%) converted to Unrestricted Reports. At the close of FY15, 1,499 reports remained Restricted (Figure 16).[12]

This year, 321 Service members made a Restricted Report for an incident that occurred prior to entering military service, representing approximately 21% of the 1,499 remaining Restricted Reports of sexual assault. Of these 321 Service members:

- 197 indicated that the incident occurred prior to age 18
- 115 indicated that the incident occurred after age 18
- 9 declined to specify

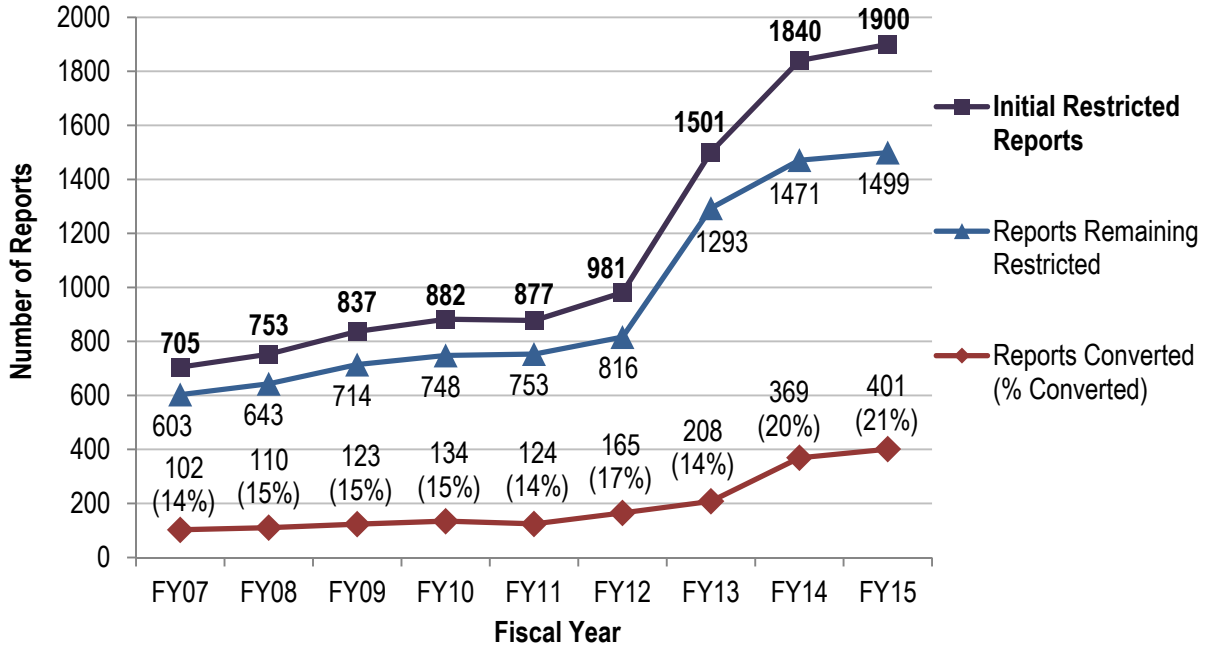
How many Restricted Reports convert to Unrestricted Reports each FY?

Prior to FY14, about 15% of victims converted their Restricted Reports to Unrestricted Reports. However, in FY14 20% of victims converted from a Restricted to an Unrestricted Report and in FY15 21% converted.

Prior to FY14, the percentage of victims who converted their Restricted Reports to Unrestricted Reports remained relatively stable with an average of 15%. In FY14 and FY15, the conversion

[11] The Department pulls and analyzes data from DSAID six weeks after the end of the FY to allow sufficient time for data validation. During this six-week period in FY16, 27 additional Restricted Reports converted to Unrestricted. These 27 reports are included with the 401 reports that converted from Restricted to Unrestricted that DoD counts with FY15 numbers.
[12] The 401 Restricted reports that converted to Unrestricted Reports are included in the total 4,584 Unrestricted Reports cited in the above section.

rate increased to 20% and 21%, respectively. Figure 16 shows the Restricted Reports and conversion rates for the past FYs.



Note: The parentheses include the percentage of cases that converted during that time period from a Restricted Report to an Unrestricted Report.

Figure 16: Restricted Reports Received and Converted, FY07 – FY15

Demographics of Victims in Restricted Reports

Table 7, Table 8, and Table 9 show that victims who submitted a Restricted Report were primarily female, under the age of 25, and of a junior enlisted grade (i.e., E1-E4).

Table 7: Gender of Victims in Restricted Reports, FY15

Victim Gender	Count	Share
Male	313	21%
Female	1,178	79%
Data Not Available	8	1%
Total	**1,499**	**100%**

Table 8: Age of Victims in Restricted Reports, FY15

Victim Age at Time of Incident	Count	Share
0-15	157	10%
16-19	346	23%
20-24	590	39%
25-34	295	20%
35-49	61	4%
50 and older	6	<1%
Data Not Available	44	3%
Total	**1,499**	**100%**

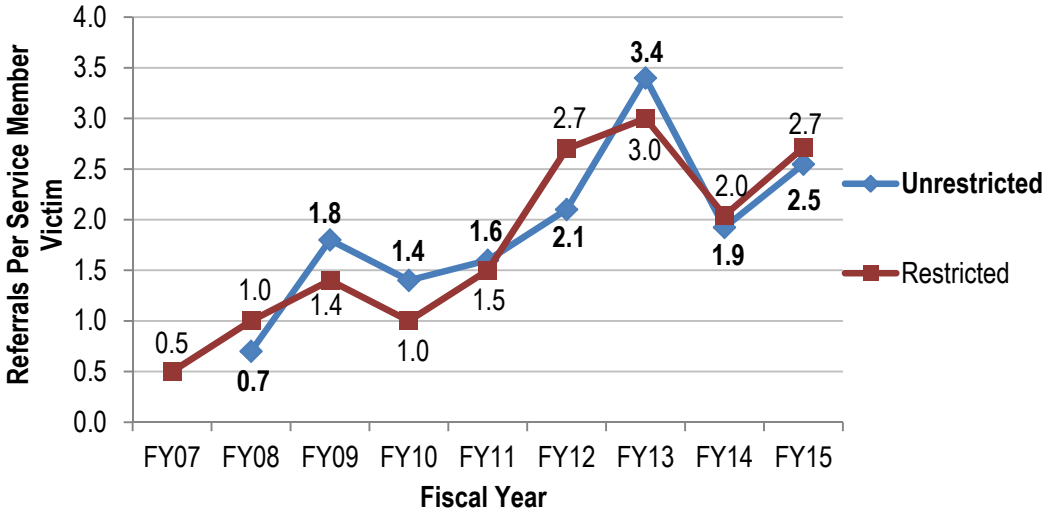
Table 9: Grade or Status of Victims in Restricted Reports, FY15

Victim Grade or Status at Time of Report	Count	Share
E1-E4	1,015	68%
E5-E9	311	21%
WO1-WO5	2	<1%
O1-O3	75	5%
O4-O10	24	2%
Cadet/Midshipman/Prep	38	3%
Non-Service Member	25	2%
Data Not Available	9	1%
Total	**1,499**	**100%**

Note: Categories may not sum to 100% due to rounding to the nearest whole point.

Service Referral Information

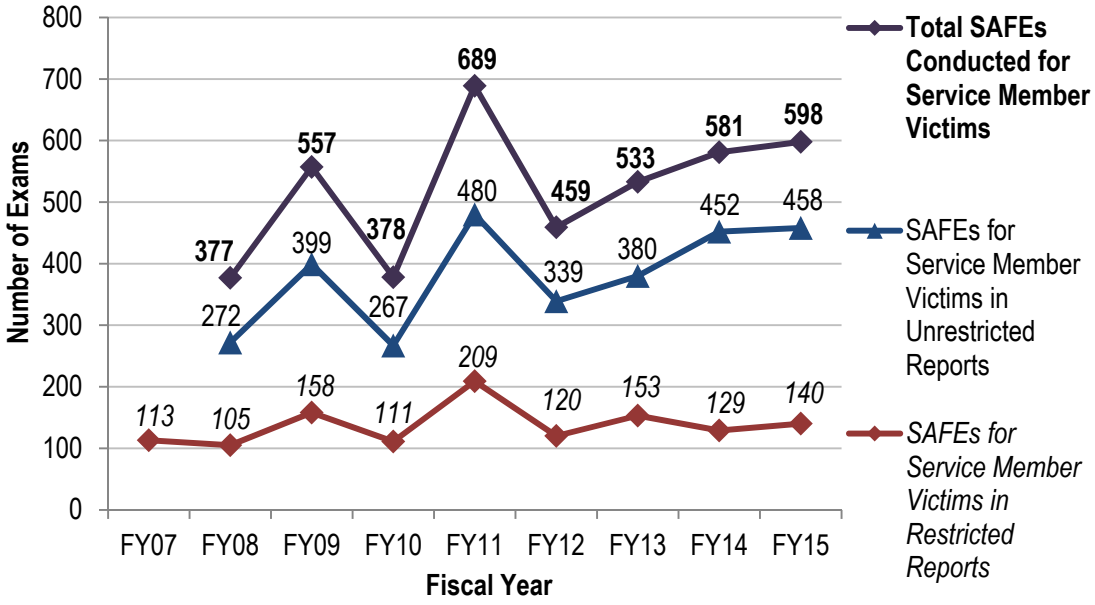
SARCs and SAPR VAs are responsible for ensuring victims have access to medical treatment, counseling, legal advice, and other support services. SARCs and SAPR VAs can refer victims to both military and civilian resources for these services. A referral for services can happen at any time while the victim is receiving assistance from a SARC or SAPR VA and may happen several times throughout the military justice process. This year, SARCs and SAPR VAs made an average of 2.5 service referrals per Service member victim submitting an Unrestricted Report. For Service member victims making Restricted Reports, SARCs and SAPR VAs made an average of 2.7 service referrals per Service member victim. Figure 17 shows the average number of referrals per Service member victim in sexual assault reports from FY07 to FY15.



Note: Referrals in Unrestricted Reports are not listed for FY07 because DoD did not direct the Services to collect these data until FY08.

Figure 17: Average Number of Service Referrals per Service Member Victim of Sexual Assault, FY07 – FY15

The Military Services reported that there were 598 Sexual Assault Forensic Examinations (SAFEs) conducted for Service member victims during FY15. Figure 18 depicts the reported number of SAFEs conducted for military victims of sexual assault from FY07 to FY15. The decision to undergo a SAFE belongs to the victim.



Note: SAFEs for Unrestricted Reports are not listed for FY07 because DoD did not direct the Services to collect these data until FY08.

Figure 18: SAFEs Reported by the Military Services involving Service Member Victims, FY07 – FY15

Expedited Transfers

Since FY12, DoD has allowed victims who submitted an Unrestricted Report of sexual assault to request an expedited transfer from their assigned units (Table 10). This may take the form of a move to another duty location on the same installation, or it may involve relocating to a new installation entirely. Victims can request a transfer from their unit commander, who has 72 hours to act on the request. Should a unit commander decline the request, victims may appeal the decision to the first General Officer/Flag Officer (GO/FO) in their commander's chain of command. The GO/FO then has 72 hours to review the request and provide a response to the victim. Table 10 shows the number of expedited transfers and denials since FY12. Expedited transfers requested and approved have been steadily increasing since FY12. From FY14 to FY15, expedited transfers increased by 12%.

Table 10: Expedited Transfers and Denials, FY12 – FY15

Transfer Type	FY12	FY13	FY14	FY15
Number of victims requesting a change in Unit/ Duty Assignment (Cross-Installation Transfers)	57	99	44	71
Number Denied	*2*	*3*	*0*	*2*
Number of victims requesting a change in Installation (Permanent Change of Station)	161	480	615	663
Number Denied	*0*	*11*	*15*	*12*
Total Approved	**216**	**565**	**644**	**720**

Reports of Sexual Assault in Combat Areas of Interest

Arduous conditions in combat areas of interest (CAI) make sexual assault response and data collection very difficult. However, SARCs, SAPR VAs, and other SAPR personnel are assigned to all of these areas. SAPR personnel are diligent in providing requested services and treatment to victims. The data reported below are included in the total number of Unrestricted and Restricted Reports described in previous sections. Figure 19 illustrates the history of Unrestricted and Restricted Reporting in CAIs since FY08. There were 118 reports of sexual assault in CAIs in FY15, a large decrease from FY13. This result is most likely a reflection of the reduced number of Service members deployed to these countries in FY14 and FY15.

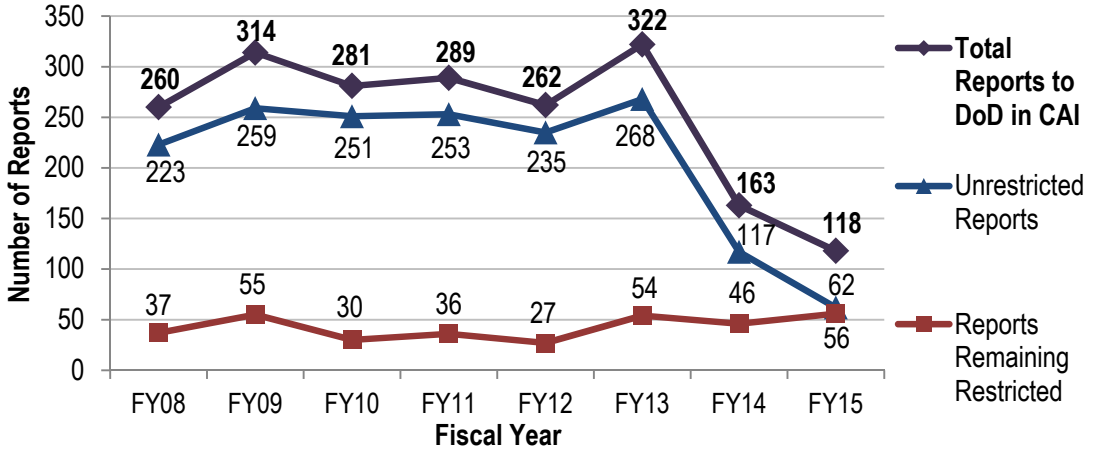
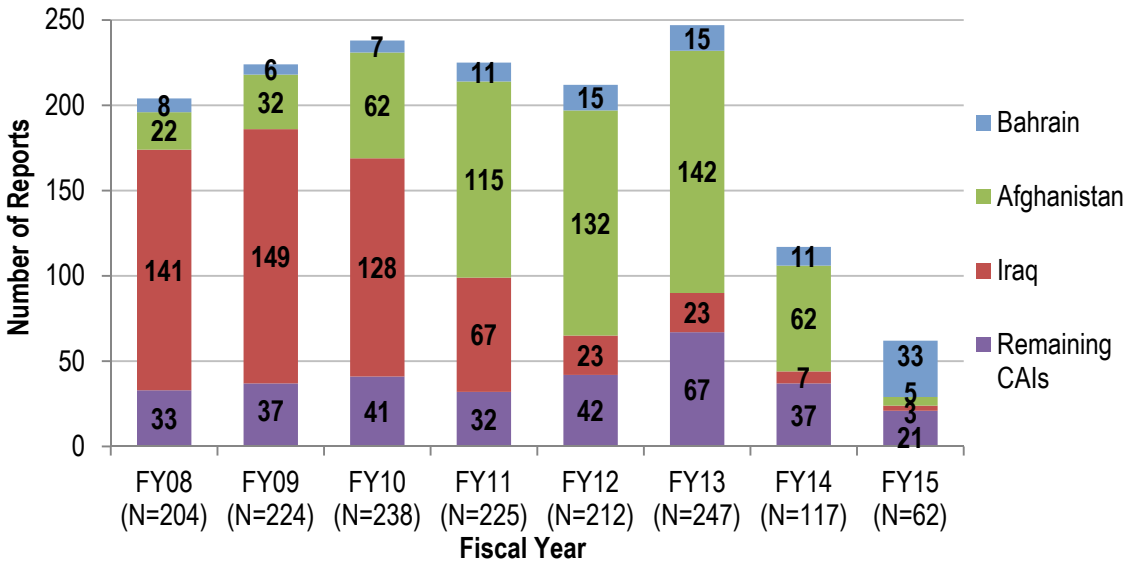


Figure 19: Reports of Sexual Assault in Combat Areas of Interest, FY08 – FY15

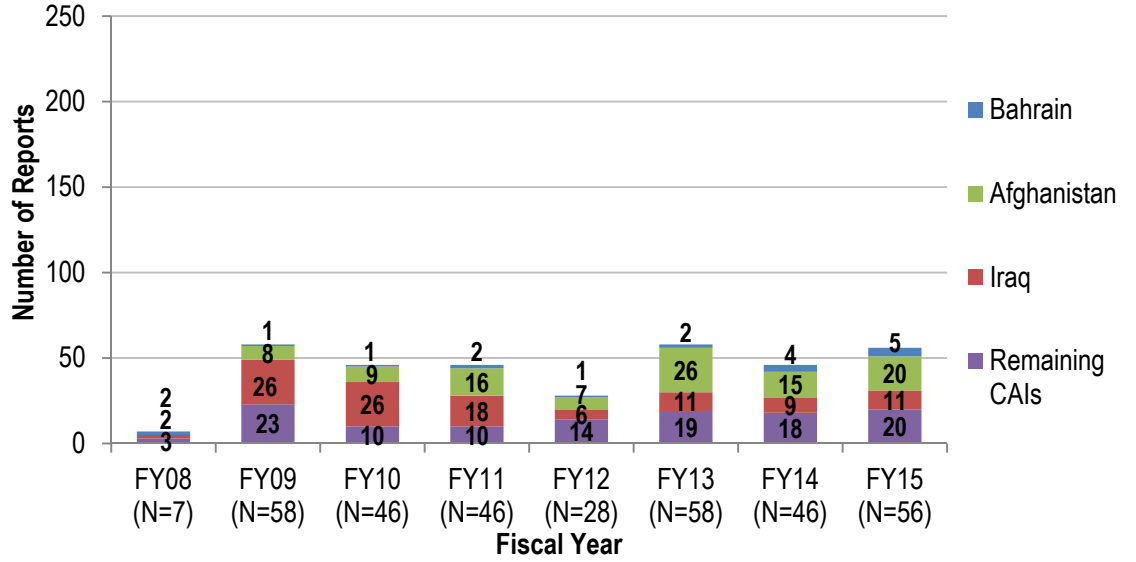
Figure 20 presents Unrestricted Reports in CAIs by region. There were 62 Unrestricted Reports in CAIs in FY15.



Note: In FY15, there were 33 Unrestricted Reports in Bahrain, 5 Unrestricted Reports in Afghanistan, 3 Unrestricted Reports in Iraq, and 21 Unrestricted Reports in the remaining CAIs.

Figure 20: Unrestricted Reports in Combat Areas of Interest, FY08 – FY15

There were 56 Reports remaining Restricted in CAIs, an increase from the 46 Reports remaining Restricted in FY14. Seven Restricted Reports converted to an Unrestricted Report during the FY. Figure 21 shows Restricted Reports by CAI since FY08. Table 11 lists the number of Unrestricted and Restricted Reports for each CAI.



Note: In FY08, there were 2 Restricted Reports in Bahrain, 2 Restricted Reports in Iraq, and 3 Restricted Reports in the remaining CAIs.

Figure 21: Restricted Reports in Combat Areas of Interest, FY08 – FY15

Table 11: Unrestricted and Restricted Reports by Combat Area of Interest, FY15

Combat Area of Interest	Unrestricted Reports FY15	Restricted Reports FY15
Afghanistan	5	20
Bahrain	33	5
Djibouti	2	4
Egypt	0	1
Iraq	3	11
Jordan	1	0
Kuwait	3	5
Kyrgyzstan	1	0
Oman	1	1
Qatar	4	4
Saudi Arabia	0	1
United Arab Emirates	9	4
TOTAL	**62**	**56**

Demographics of Victims and Subjects in Unrestricted Reports in CAIs

The Department draws demographic information about the Unrestricted Reports made in CAIs from the 49 investigations closed during FY15. These 49 investigations involved 50 victims and 49 subjects.

Victims in Completed Investigations

The demographics of victims in CAIs who submitted Unrestricted Reports mirror the demographics of victims in all Unrestricted Reports made to DoD, in that they are mostly female (76%) and of a junior enlisted grade (52%). However, victims in CAIs who submitted Unrestricted Reports tended to be slightly older than victims submitting Unrestricted Reports in general; 44% of victims in CAIs were 25 and over compared to 25% of victims in all Unrestricted Reports.

Subjects in Completed Investigations

The demographics of subjects in Unrestricted Reports submitted in CAIs are similar to the demographics of subjects in all Unrestricted Reports submitted to DoD, in that the majority are male (69%), under the age of 35 (53%), and in an enlisted grade (53%).

Demographics of Victims and Subjects in Restricted Reports in CAIs

The 56 victims with reports remaining Restricted in CAIs mirror the demographics of victims in all Restricted Reports made to DoD, in that they were mostly female (68%). However, victims making Restricted Reports in CAIs tended to be older; 57% of victims in CAIs were 25 and over compared to 24% of victims in all Unrestricted Reports. Additionally, victims in CAIs tended to be of higher rank; 45% of victims in CAIs were E1 to E4 compared to 68% of victims making Restricted Reports in general.