



UNITED STATES NAVY

TAKE THE HELM

SEXUAL ASSAULT PREVENTION AND RESPONSE
TRAINING FOR LEADERS (SAPR-L)

FACILITATION GUIDE FY12

OVERVIEW

This facilitation guide is designed to prepare command triad teams to conduct “Take the Helm,” the Navy’s SAPR Training for Leaders (SAPR-L), as well as introduce the Command’s responsibilities in receiving and facilitating follow-on “Take the Helm” SAPR Training for the Fleet (SAPR-F). Contained within are instructions for setting up and playing the SAPR-L course video, and questions to guide facilitated discussions about the reality of sexual assault in the Navy and leaders’ roles in preventing and responding to sexual assault.

Course Goals

This course is designed for the Navy’s khaki leadership—E7 and above.

This audience plays a significant role in sexual assault prevention and response, particularly in the creation and sustainment of command climates that hold the line on a zero-tolerance policy for sexual misconduct. This course is designed to raise leaders’ **awareness** about the reality of sexual assault in the Navy, provide leaders with tools and techniques to **prevent** sexual assaults, and educate leaders about their **response** roles in the event that a sexual assault allegation is made.

Course Objectives

- ▶ Raise **awareness** among Navy leaders that sexual assault is a very real problem in the Navy by:
 - Educating leaders about the nature of the problem;
 - Imparting upon leaders the real and lasting impact that sexual assault has on victims, commands, and the Navy; and,
 - Informing leaders about the myths and misperceptions that make eradicating the crime so challenging.
- ▶ Educate leaders about their ability to **prevent** sexual assault in their commands by:
 - Setting and modeling the standards for appropriate behavior;
 - Establishing a command climate in which sexual assault is never tolerated and where Sailors feel safe reporting all inappropriate behavior, including sexual assaults;
 - Recognizing and not permitting “continuum of harm” behaviors that may increase the likelihood that sexual assaults will occur;
 - Being a “deckplate leader” who is engaged, involved, aware, and available to Sailors; and
 - Educating Sailors about sexual assault, including the influence and power of alcohol, the importance of Bystander Intervention, and the availability of resources in the event that a sexual assault takes place.
- ▶ Remind leaders about their responsibilities pertaining to sexual assault **response** following an alleged incident, including:
 - Knowing and utilizing the available SAPR resources;
 - Caring for the victim and the alleged perpetrator in a fair, non-judgmental manner;

- Minimizing the impact on the command's mission readiness;
- Avoiding revictimization;
- Enabling the official investigative process to proceed without command interference; and,
- Understanding that the command's role is to "support – report – initiate an NCIS investigation."

Course Format

This course is comprised of two primary elements: video and facilitated discussion. Through modeling and experiential learning, this course will prepare command triads to facilitate the SAPR-L course, and prepare commands to train E6 and below in the follow-on SAPR-F.

The estimated length of this training is 2.0 hours.

- ▶ Course Video: 36 min
- ▶ Facilitated Discussion: ~84 min

Set-Up and Equipment Needs

All training locations must have audiovisual equipment to play the course video (data DVD), including:

- ▶ laptop or desktop computer with a DVD drive
- ▶ projector (that can be connected to a computer)
- ▶ projection screen or surface
- ▶ speakers/audio system
- ▶ classroom in which lights can be dimmed or turned off for maximum visibility

NOTE: The disc is a data DVD, and will only play in computers. The DVD will not play in a DVD player. To ensure that the DVD plays correctly, please follow these instructions:

1. Insert the DVD into the computer.
2. The DVD will not launch on its own. Go to "My Computer" and double click on the DVD icon (TTH_SAPR-L).
3. Drag the "TakeTheHelm" .wmv file to the desktop.

Note: It may take up to 10 minutes for the file to save to the desktop. Playing directly from the DVD is not recommended because there may be visual or audio delays.

4. Double click on the "TakeTheHelm" file on the computer desktop to launch the course.

Training Guidance

Size of Training Group

A group of 10–20 training participants is ideal for maximum participation in the facilitated discussions. The class size should not exceed 30 participants; groups that are too large may stifle discussion.

Instructors

The course is designed to be facilitated by command triad teams—the commanding officer, executive officer, and command master chief. All command triad teams will be trained by Master Trainers. Facilitators should familiarize themselves with the course objectives and the facilitated discussions in this guide, as well as with other reference material pertaining to sexual assault. See **Appendix A** for a Glossary and **Appendix B** for a list of Additional Resources.

Prior to facilitating the course, command triads should determine who will lead the facilitation on which discussions, and who will be responsible for starting and pausing the video. All members of the triad should participate in the facilitated discussions.

Format of the Facilitation Guide

The facilitation guide is not designed to be a rigid script; rather, it is designed to equip command triad teams with thought-provoking questions about sexual assault prevention and response to engage their command's leadership in meaningful discussion. The guide is comprised of five sections: Drama, Awareness, Prevention and Intervention, Response, and the Challenge (conclusion). Each section includes the following prompts:

- ▶ **Suggested Script:** The script provides facilitators with informative and compelling transition statements into the course videos.
- ▶ **PLAY/PAUSE Video:** These prompts indicate when the video should be played, and when it should be paused for discussion.
- ▶ **Questions:** The questions in each segment are designed to elicit thoughtful discussion from the group. Facilitators should use these questions to explore their leaders' awareness and levels of understanding about sexual assault, identify topics or beliefs that may need to be addressed, and determine areas in which further education may be beneficial.
- ▶ **What to Listen For:** These bullets include responses that facilitators should be hearing and encouraging from the group. The group may provide responses that are not listed in this guide. Facilitators should let the group members generate original ideas and responses, and *use the bullets simply as a guide.*
 - The anchor is provided to remind the training team that if any discussion goes out of scope, facilitators can refer back to the anchor to re-focus the group:
 - » Support – Report – Initiate Investigation
 - » Consult with a JAG

“Do’s and Don’ts” of Facilitation

- ▶ **Do** ensure that everyone in the room can hear the discussion; repeat questions and comments that may have been spoken too quietly for others to hear.
- ▶ **Do** be alert to statements that reveal stigma or a myth about sexual assault. Correct these statements.
- ▶ **Do** refer to the video to emphasize speaking points; the video is a useful tool for providing examples from a shared point of reference.
- ▶ **Do not** allow only a few participants to dominate the conversation.
- ▶ **Do not** lose track of time or lose sight of the of the discussion objectives. It’s important that you cover the entire course during the two hour session.

- ▶ **Do not** attempt to guess if you do not know how to answer a question about statistics, resources, or policy. Offer to research the question and provide an answer later.
- ▶ **Do not** discuss details of current sexual assault investigations or disclose details about alleged or suspected incidents. Confidentiality of Sailors is paramount.
- ▶ **Do not** discuss your personal opinions about sexual assault, its causes, or the Navy's system for resolution.

List of Key Players in the Drama

- ▶ **ENS Kristin Wyatt, Division Officer**
- ▶ **CMDCM Joe Rivera**
- ▶ **FCC Tony Hart, Division Chief**
- ▶ **FC1 Colin Beck, LPO (perpetrator)**
- ▶ **FC1 Brett Conway (narrator)**
- ▶ **FC2 J.P. Pope**
- ▶ **FC3 Erica Walsh (sexual assault victim)**

FACILITATION GUIDE

PART 1: DRAMA

SUGGESTED SCRIPT

- ▶ *Sexual assault prevention is a top priority for the DoD, the Navy, and the CNO.*
- ▶ *Over the next two hours, you will come to understand the severity of this problem and the devastating impact that sexual assault is having on our Sailors, on morale and mission readiness, and on the Navy's reputation.*
- ▶ *We'll begin with a message from the CNO and the MCPON. Pay close attention to the CNO's thoughts on sexual assault and to what he expects of each of us.*
- ▶ *Then we will see a short drama. The main characters are played by actors and the ship is fictitious.*
- ▶ *As you watch the drama, pay attention to the characters and their roles. Do they remind you of people you have known during your career? Can you pick out subtle behaviors that may not be appropriate in a professional environment?*

VIDEO

PLAY "DRAMA" Video

PAUSE Video

FACILITATED DISCUSSION [10 MIN]

Question: As you heard, the CNO is asking each of us to focus on eliminating this crime. That means we have to be alert for behaviors that might not be appropriate in a professional environment. Thinking back to the movie, what actions or behaviors jumped out at you as potential warning signs?

What to Listen For:

- ▶ Beck's behavior (he "groomed" Walsh, he made inappropriate physical contact, he used his position of influence/authority as LPO)
- ▶ Presence of inappropriate magazines in the shop
- ▶ Inappropriate conversations and comments ("DTF" and "fresh meat")
- ▶ Laundry room incident
- ▶ CMC seeming unconcerned or too busy to properly address the situation
- ▶ Failure by leaders to sufficiently address and correct inappropriate behavior (the Chief who walked past Beck as he was cornering Walsh against the bulkhead; Chief Hart dismissing the issue after a brief, informal talk with Beck)

Question: We saw inappropriate behavior in the video that was indicative of sexual misconduct. While “continuum of sexual harm” behaviors—such as sexual harassment, sexism, and inappropriate jokes—don’t constitute sexual assault, they can foster a command climate in which sexual assaults may be more likely to occur. Have you seen any of these behaviors during your career in the Navy? In your opinion, have things improved, stayed the same, or become worse? (Remind attendees to maintain confidentiality of third parties.)

What to Listen For:

- ▶ Let the group provide stories and examples of “continuum of sexual harm” behaviors, such as harassment, sexism, and lewd jokes.
- ▶ Encourage the group to discuss any perceived shift in acceptance and behaviors over the course of their careers.
- ▶ Ensure no identifying third party information is provided.

Note: Have an example from your own career prepared for discussion in case no one immediately volunteers.

FACILITATION GUIDE

PART 2: AWARENESS

SUGGESTED SCRIPT

- ▶ *We, as the leadership of the Navy, have an important role in ensuring the safety of all of our shipmates. This includes paying attention to subtle behaviors that may be indicative of a serious problem.*
- ▶ *Many times, because we don't hear about sexual assault or sexual misconduct, we wrongly assume that it doesn't happen—OR—we think, "it will never happen in MY command."*
- ▶ *Statistics show that none of us are immune to this issue.*
- ▶ *Sometimes we find ourselves caught in the trap of misplaced loyalties; our loyalty to each other sometimes makes us act in ways disloyal to the Navy. Remember, our Core Values dictate commitment to the Navy (not to protecting our buddies) and the courage to do the right thing.*
- ▶ *In this video segment, you will hear from a number of Navy leaders who will define sexual assault, assess its impact, and talk about a few myths and misperceptions.*

VIDEO

PLAY "AWARENESS" Video

PAUSE Video

FACILITATED DISCUSSION [15 MIN]

WE NEED TO FACE THE FACTS:

- ▶ In FY11, there were 408 unrestricted reports and 174 restricted reports.
- ▶ This is a crime that affects everyone in the Navy; we have offenders in all ranks.
- ▶ 2/3 of all reports were blue on blue; 1/3 of all reports were superiors abusing subordinates.

(These statistics can be found in the published annual reports at DOD SAPRO's website – www.sapr.mil)

CASE STUDIES

- ▶ *CO of USS MOMSEN (DDG-92) was relieved last year for “loss of confidence in his ability to command stemming from allegations of misconduct.”*
 - *He was sentenced to 10 years confinement (which was reduced to 42 months by a pre-trial agreement).*
 - *During court-martial, the CO plead guilty to one count of rape, three counts of aggravated sexual assault and contact, and three counts of conduct unbecoming an officer for sexually assaulting two women under his command - one female junior officer (Ensign) and one female enlisted sailor (E-3).*

- ▶ *XO of USS ROOSEVELT (DDG-80) was sentenced during court-martial to 1 year confinement.*
 - *The XO was convicted of 3 counts of wrongful sexual contact, assault consummated by battery and conduct unbecoming an officer*
 - *XO was found guilty of committing misconduct against officers in the command.*

Question: What are some things that make the crime of sexual assault so difficult to eradicate in our commands? Can you give some examples? (Encourage the group to think about common misperceptions.)

What to Listen For:

- ▶ **Myth: This is a male-on-female crime.**
 - **Fact: Anyone can be a victim, and anyone can be a perpetrator.** Anyone can be a victim or a perpetrator, regardless of age, race, gender, rank, etc.
 - **Fact: The stigma is significant.** Male-on-male, female-on-female, and female-on-male assaults DO happen. They are much less likely to be reported when they do happen, because the stigma can be even more powerful in these cases.

- ▶ **Myth: Perpetrators are usually strangers motivated by sexual attraction or desire.**
 - **Fact: Sexual assault is usually not about sex.** Usually, sexual assault is about having power and control over another person.
 - **Fact: Perpetrators are usually not strangers.** Victims usually know, and often times trust, the people who sexually assault them.
 - **Fact: Perpetrators use a variety of techniques to single out the victim and carry out an assault.**
 - » Substances (alcohol or drugs – over the counter, illicit, or synthetic)
 - » Position of influence, power, or authority
 - » Isolation
 - » Physical strength
 - » Coercion or manipulation of trust

- **Fact: Perpetrators tend to look for victims who are socially vulnerable. This can be based on:**
 - » Gender
 - » Social awkwardness
 - » Reputation
 - » Appearance
 - » Impairment by alcohol or drugs
 - » Desire to fit in/new to a command

- **Myth: Most of the time two people agree to have “drunk sex” and then one person claims it was sexual assault the next morning.**
 - **Fact: Many times an assault is the result of both parties indulgence in alcohol which limits one’s ability to give and/or receive consent.**
 - » Collateral misconduct can be a complicating factor.
 - » Underage drinking can prevent victims from reporting and receiving the care they really need.

- **Myth: The victim was to blame.**
 - **Fact: No person “asks” to be sexually assaulted.** The way someone dresses, speaks, or acts never justifies an assault.
 - **Fact: A relationship doesn’t justify an assault.** There is no implied consent just because there is or was a dating, social, or sexual relationship.
 - **Fact: Victims are not “weak.”** Some people think that because a victim did not fight or yell for help means that they were willing participants or simply too weak to fight back. However, psychological “fight, flight, and freeze” responses are automatic. Physiological reactions may cause a person to become immobile and silent in traumatic situations, especially if they fear for their lives. “Scared to death” is a figurative translation as if fighting for your life. Also keep in mind—alcohol and drugs can incapacitate even the strongest of Sailors.

- **Myth: Sexual Assault is strictly rape.**
 - **Fact: Sexual violence offenses include rape, sexual assault, aggravated sexual contact, abusive sexual contact, and attempts to commit these offenses.** They range from any offensive touching to the most egregious forms of sexual assault, which includes rape.





UNRESTRICTED REPORT

Your obligation is to support the victim, ensure a report is filed, and initiate an official investigation by NCIS.

- ▶ **Myth: Most sexual assault allegations are false.**
 - **Fact: It is not your place to make a judgment as to whether or not an allegation is true or false.** Your obligation is to support the victim, ensure a report is filed, and initiate an official investigation by the appropriate authorities. Just because the case is dropped, the victim's story changes, or the victim decides to drop the charge—it does NOT mean it didn't happen. It does not mean it DID happen, either. It is not your job to judge.

Question: Our loyalty is to the Navy and our Core Values, not our buddies.

How did the drama demonstrate this decisional dilemma faced by Petty Officer Conway?

What to Listen For:

- ▶ Conway had to decide whether or not he should confront Beck, or ignore what he was seeing.
- ▶ Encourage the group to discuss the dilemma of loyalty to one's peers versus loyalty to the Navy.

FACILITATION GUIDE

PART 3: PREVENTION AND INTERVENTION

SUGGESTED SCRIPT

- ▶ *The mainstay of prevention is Bystander Intervention. In the follow-on “Take the Helm” course for the fleet (SAPR-F), you will be reinforcing this concept with your E6s and below.*
- ▶ *The training will emphasize sexual assault awareness and prevention, and in particular, emphasize the importance of Bystander Intervention in getting left of the event.*
- ▶ *As the Navy’s leaders, we have the power and the obligation to proactively take measures to prevent sexual assault.*
- ▶ *It’s going to take more than simply “checking the box” by taking the annual refresher trainings.*
- ▶ *There are several tangible Bystander Intervention techniques that we, and our Sailors, can employ to prevent sexual assault.*
- ▶ *In the next video segment, you will hear a variety of Navy leaders and experts describe ways to prevent sexual assault in their commands. Think about ways you can use their advice in your own interactions with your Sailors.*

VIDEO

PLAY “PREVENTION” Video

PAUSE Video

FACILITATED DISCUSSION [17 MIN]

Question: *This is about prevention. It requires leadership skills that not only apply to sexual assault, but also suicide prevention and other wellness areas. What can we do in our command—and what tangible things can YOU do as a leader of sailors—to actively prevent sexual assault?*

What to Listen For:

- ▶ **Discuss this problem openly:** We need to be frank and discuss this issue. Talking about sexual assault prevention brings the issue to the forefront as a command priority. This is an uncomfortable topic, but it is one that must be addressed.
- ▶ **Be clear and united in our position:** We need to communicate a top-down leadership message that sexual assault is never acceptable. Sexual assault is a crime and it cannot be tolerated in a professional organization such as the Navy.
- ▶ **Set and model the standards for appropriate behavior:** Our actions need to support our words. We need to set the standards for appropriate actions, and model those behaviors for our Sailors.

- ▶ **Let our actions indicate that we take this seriously:** As leaders we each have a responsibility to take the issue of sexual assault seriously and to adhere to policy and law. When there are allegations of sexual assault, we must ensure the allegations are thoroughly investigated so the facts relevant to the case can be determined and offenders can be held accountable.
- ▶ **Set the right command climate:** We need to foster a command climate built upon trust, respect, and open communication. Ensure that everyone collectively creates a culture in which disrespect, in any form, is not allowed. Environmental factors in the military associated with an increased likelihood of sexual assault include:
 - Unwanted sexual advances or remarks (“continuum of sexual harm” behaviors)
 - Environments where superiors engage in quid pro quo behaviors, such as when a superior makes inappropriate demands of a subordinate
 - Environments where irresponsible consumption of alcohol is glamorized
- ▶ **Be alert to unacceptable behavior:** “Continuum of harm” behaviors—things like sexual jokes, innuendo, sexism, and sexual harassment—when left unaddressed, foster an environment in which a perpetrator may feel he or she has leeway to push boundaries, and perhaps, get away with a sexual assault. When we notice unsatisfactory behaviors, we must swiftly address and correct them. Sailors should be called on inappropriate jokes, unequal treatment of Sailors based on gender or other factors, and any behaviors that could offend an individual or group.
- ▶ **Be engaged:** We need to be “deckplate” leaders who are engaged and present. We should walk around, pay attention to what is going on, and get to know our Sailors. This not only keeps us in-tune with what is going on, but our Sailors will be more likely to come to us with concerns or problems if they know we are approachable.
- ▶ **Educate our Sailors:** We need to ensure our Sailors are educated about the reality of sexual assault. This includes mentoring them, advising them, communicating with them, and providing training.
- ▶ **Encourage Bystander Intervention:** Remind your Sailors that it is every Sailor’s responsibility to step in and intervene whenever a situation is not right. Set a command climate in which all Sailors know they can come forward to report inappropriate behavior without fear of retaliation. It’s better to step in and risk being wrong than to do nothing and learn later that something occurred because we didn’t act.
- ▶ **Deglamorize alcohol use and misuse:** Remind your Sailors about the risks of alcohol misuse and the consequences of compromised decision making. Consent is a key discriminating factor in the difference between sexual assault and consensual sex.

Question: A key aspect of sexual assault prevention is education. Sailors need to know the facts about sexual assault, such as what it is and what to watch for. In particular, they need to know that stepping in and intervening is ALWAYS the right thing to do for a fellow Sailor, regardless of rank. All of our Sailors are being taught Bystander Intervention strategies in “A” school, and we need to reinforce them. What important points should you emphasize to your Sailors about Bystander Intervention?

What to Listen For:

- ▶ **The Bystander Intervention process:**
 - Notice the event.
 - Interpret the event as an emergency.
 - Take responsibility to act—don’t assume someone else will.
 - Decide how you will act (listed below).
 - Choose to act.

- ▶ **How to intervene:**
 - VCNO wants Bystander Intervention out in the Fleet, and we’re responsible for reinforcing it. We should ensure that we, and our Sailors, know the Bystander Intervention strategies:
 - » **Direct:** Talk to the person who is acting inappropriately, or to the potential victim.
 - » **Distraction:** Utilize creative options to distract the people involved in order to de-escalate the situation. This may involve humor or appealing to other interests of the people involved.
 - » **Indirect:** Suggest that someone observing the situation might be concerned about the person’s conduct.
 - » **Protocol:** Report what you observed “up the chain” or to other authorities and seek guidance on how to respond.

Question: In the drama, where could various crew members have intervened to prevent the assault? Use the four intervention methods to generate ideas about how someone could have safely and effectively intervened.

What to Listen For:

- ▶ **Direct:** (Conway could have told Walsh to stay away from Beck at the party.)
- ▶ **Distraction:** (Someone at the party could have distracted Beck with a conversation.)
- ▶ **Indirect:** (Someone at the party could have told Beck, “I know you probably didn’t mean it this way, but Conway overheard you talking to Walsh and he might think you were harassing her.”)
- ▶ **Protocol:** (Conway could have re-engaged the chain of command.)

Question: Why are individuals often reluctant to intervene? How can you promote Bystander Intervention?

What to Listen For:

- ▶ People are often afraid to intervene because:
 - They think they're the only ones who notice a problem, therefore they think there is no problem.
 - They don't want to do something unpopular.
 - They don't want to "cock block" their friend.
 - They fear for their safety.
 - They think it isn't their problem.
 - They think they're misreading the situation.
- ▶ You can promote Bystander Intervention by:
 - Reminding Sailors that it is their responsibility to protect one another.
 - Educating Sailors about the lasting impact of sexual assault.
 - Equipping Sailors with intervention tactics and techniques.

FACILITATION GUIDE

PART 4: RESPONSE

SUGGESTED SCRIPT

- ▶ *Unfortunately, we can do everything right and an assault may still happen.*
- ▶ *Our response to a sexual assault can do more harm than good, despite our best intentions, if we're not aware of what our roles are: Support, Report, Initiate the Official Investigation.*
- ▶ *The video segment you are about to see stresses the importance of knowing what to do BEFORE you are faced with a reported incident.*
- ▶ *But you need to know your role, your responsibilities, and the resources available so you can respond swiftly and appropriately if a sexual assault allegation is made.*

VIDEO

PLAY "RESPONSE" Video

PAUSE Video

FACILITATED DISCUSSION [40 MIN]

Question: *We have talked about staying left of the event, but if a sexual assault happens, how should we respond?*

What to Listen For:

- ▶ **Know our SAPR resources:** Resources include the Sexual Assault Response Coordinator (SARC), Unit SAPR Victim Advocate (VA), medical officer, and chaplain.
- ▶ **Maintain good order and discipline:** After an assault, we need to ensure that we address and disallow rumors, gossip, speculations, and side-taking.
- ▶ **Ensure the victim has access to proper care:** Ensure the victim has access to appropriate resources, including medical services and SAPR resources.
- ▶ **Treat the victim and the alleged offender with fairness:** It is not your responsibility to pass judgment. Everyone is innocent until proven guilty.
- ▶ **Ensure a rigorous investigation is conducted by the proper authorities:** Every case must be thoroughly investigated by law enforcement so that the facts relevant to that case can be determined. It is not a command's place to investigate sexual assault allegations; doing so could severely impede the official investigation.

SUGGESTED SCRIPT

- ▶ *Sexual assault cases can be incredibly complicated, and as we've discussed, command leaders must limit their involvement in the cases and simply "support – report – and initiate an official NCIS investigation."*
- ▶ *However, it is important for you to understand the current policy and protocol—much of which is relatively new.*

For JAG facilitators only.

- ▶ **Article 120**
 - Changes to Article 120 took effect on 28 Jun 12.
 - Key is that commanders need only be alert specifically to the changes:
 - » Sexual assault offenses include rape, sexual assault, aggravated sexual contact and abusive sexual contact (from Article 120). Additionally, it includes forcible sodomy (Article 125) and attempts to commit these offenses (Article 80).
- ▶ **Sexual Assault Initial Disposition Authority (SA-IDA) within the Navy**
 - Who it applies to: All commanders who are not an O-6 with special court-martial convening authority
 - What offenses it applies to: rape, sexual assault, forcible sodomy and attempts to commit these offenses
 - What other offenses are affected? Collateral misconduct. All other offenses arising from or relating to the same incident(s), whether committed by the alleged perpetrator or the alleged victim.

Question: Leaders in all commands should have a fundamental understanding of certain legal procedures following a sexual assault allegation. What do you know about expedited transfers? Military protective orders? Pre-trial confinement?

What to Listen For:

- ▶ **Expedited transfers**
 - Servicemembers who have made a credible allegation of sexual assault may request to transfer from their command.
 - The servicemember's request must be acted upon within 72 hours of receipt by the Commanding Officer.
 - Commands should be familiar with the complete process (see MILPERSMAN 1300-1200).
- ▶ **Military protective orders**
 - Commanding officers should assess whether it is necessary to issue a military protective order after notification of a sexual assault.
 - CO's should consult with a JAG and refer to DD Form 2873.
- ▶ **Pre-trial confinement/restraint**
 - Commanding Officers should assess whether pre-trial restraint or confinement is necessary.
 - CO's should consult with a JAG and refer to Rules for Court-Martial (RCM) 304 and 305.

FACILITATION GUIDE

PART 5: THE CHALLENGE

SUGGESTED SCRIPT

- ▶ *Eliminating sexual assault from our ranks is an all-hands effort that is leadership-driven.*
- ▶ *Any claim to leadership we have is founded on the trust and confidence that our Sailors, and the American People, have in us.*
- ▶ *We KNOW what's right, and we have the strength to DO what's right.*
- ▶ *Furthermore, we have the responsibility—it's a charge of command to develop stronger character in our subordinates, and to build depth in our Navy now and into the future.*
- ▶ *We need to make sure our Sailors know that we will intervene early and swiftly in the continuum of sexual harm.*
- ▶ *As leaders we must be truly committed to prevention and we must respond deliberately and appropriately when an unrestricted report is made.*
- ▶ *This is our charge to act!*

VIDEO

PLAY “the CHALLENGE” Video

End of Training

APPENDIX A

GLOSSARY

1. **Assault** – The use of unlawful force or violence either as an overt act with the intent of inflicting bodily harm, or as an unlawful demonstration of violence, through an intentional or culpably negligent act or omission, either of which creates in the mind of another a reasonable apprehension of receiving immediate bodily harm.
2. **Consent** – Words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved in the sexual conduct at issue shall not constitute consent. There is no consent where the person is sleeping or incapacitated (due to age, alcohol or drugs, or mental incapacity). A person cannot consent to force causing or likely to cause death or grievous bodily harm or to being rendered unconscious.
3. **Domestic Abuse**
 - a. Domestic violence; or
 - b. A pattern or behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty when such violence or abuse is directed toward a person of the same sex or opposite sex who is:
 - (1) A current or former spouse;
 - (2) A person with whom the abuser shares a child in common; or
 - (3) A current or former intimate partner with whom the abuser shares or has shared a common domicile.
4. **Domestic Violence** – An offense under the United States Code, the UCMJ, or State law that involves the use, attempted use, or threatened use of force or violence against a person of the same sex or opposite sex, or the violation of a lawful order issued for the protection of a person of the same sex or opposite sex, who is:
 - a. A current or former spouse;
 - b. A person with whom the abuser shares a child in common; or,
 - c. A current or former intimate partner with whom the abuser shares or has shared a common domicile.

5. **Healthcare Personnel** – All healthcare providers are considered healthcare personnel. This also includes persons assisting or otherwise supporting healthcare providers in providing healthcare services (e.g., administrative personnel assigned to a MTF).
6. **Healthcare Provider** – Those individuals who are employed or assigned as healthcare professionals, or credentialed to provide healthcare services, at a military medical or military dental treatment facility or military family support center, or who provide such care at a deployed location or in an official capacity. This includes military personnel, DoD civilian employees, and DoD contractors who provide healthcare at an occupational health clinic for DoD civilian employees or DoD contractor personnel. The definition includes Fleet and Family Support program clinicians that function in a government oversight and/or supervisory capacity.

7. Reporting

- a. **Restricted Reporting** – Reporting option that allows sexual assault victims to confidentially disclose the assault to specified individuals (i.e., SARC, SAPR VA, or healthcare personnel), and receive medical treatment, including emergency care, counseling, and assignment of a SARC and SAPR VA, without triggering an official investigation. The victim's report provided to healthcare personnel (including the information acquired from a SAFE Kit), SARCs, or SAPR VAs will NOT be reported to law enforcement or to the command to initiate the official investigative process unless the victim consents or an established EXCEPTION applies. The Restricted Reporting Program applies to Service members and their military dependents 18 years of age and older. Only a SARC, SAPR VA, or healthcare personnel may receive a Restricted Report, previously referred to as Confidential Reporting; however, it may not be an option if the sexual assault occurs outside of the military installation or the victim first reports to a civilian facility and/or a civilian authority or if prohibited by law. This will vary by State, territory, and/or overseas local agreements. See DoD Directive 6495.01.
- b. **Unrestricted Reporting** – A process by which the sexual assault victim discloses, without requesting confidentiality or restricted reporting, that he/she has been the victim of a sexual assault. Under this circumstance, the victim's report and any details provided to healthcare personnel, SARC, SAPR VA, command authorities, or other persons are reportable to law enforcement and may be used to initiate the official investigative process. The victim's command is required to report the incident to NAVCRIMINSERV. However, nothing in DoD policy requires a victim to participate in any criminal investigation. Details regarding the incident will be limited to only those personnel who have a legitimate need to know.

8. **Sexual Violence Offenses** – Sexual violence offenses include rape, sexual assault, aggravated sexual contact, abusive sexual contact, and attempts to commit these offenses.
9. **Sexual Assault Response Coordinator (SARC)** – A military or DoD civilian at an installation who serves installation, tenant and operational commanders as the SAPR subject matter expert and central POC with responsibility for ensuring that training and responsive care is properly coordinated, provided to victims of sexual assault, and tracked from the initial report through final disposition and resolution.
10. **Sexual Assault Prevention and Response Victim Advocate (SAPR VA)** – A military service member or DoD civilian, at an installation, who provides non-clinical crisis intervention, referral, and ongoing non-clinical support to adult sexual assault victims. Support will include providing information on available options and resources to victims. The SAPR VA, on behalf of the sexual assault victim, provides liaison assistance with other organizations and agencies on victim care matters and reports directly to the SARC when performing victim advocacy duties. Personnel who are interested in serving as a SAPR VA are encouraged to volunteer for this duty assignment.
11. **Sexual Harassment** – A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career;
 - b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or,
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.
12. **Victim** – For purposes of this guide, a victim is any person who reports the commission of a sexual offense upon him/herself, or is identified, based upon the report of another person or other information, as a person who has been subjected to a sexual offense.

APPENDIX B

ADDITIONAL RESOURCES

DoD Sexual Assault Prevention and Response Office (SAPRO):

www.sapr.mil

Navy SAPR Program:

www.cnic.navy.mil/CNIC_HQ_Site/WhatWeDo/FleetandFamilyReadiness/FamilyReadiness/FleetAndFamilySupportProgram/SexualAssaultPreventionandResponse

SAPR-Leadership web resources:

www.sapr.navy.mil

MyDuty.mil:

www.myduty.mil

DoD Safe HelpLine:

www.safehelpline.org

Phone Number: 877-995-5247

Text: 55-247 CONUS or 202-470-5546 OCONUS (international fees apply)

Policy, Guidance, and Directives:

- ▶ OPNAVINST 1752.1B, Sexual Assault Victim Intervention (SAVI) Program (revision currently enroute for signature)
- ▶ SECNAV 1752.4A, Sexual Assault Prevention and Response
- ▶ DOD Instruction 6495.02, Sexual Assault Prevention and Response Program Procedures
- ▶ DOD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program