

## ARMY POSITION:

- Sexual violence has no place within the Profession of Arms and is a threat to the integrity and vitality of the All-Volunteer Force. Prevention of sexual violence is an inherent responsibility of every Soldier, leader and DA Civilian. Sexual violence will not be tolerated.

## TALKING POINTS

### Prevention:

- The “I. A.M. Strong” sexual assault prevention campaign focuses on core tenants of the Profession of Arms through:
  - Increasing Soldier and leader knowledge of sexual violence facts by:
    - increasing peer-to-peer bystander intervention
    - increasing Soldier and leader awareness and knowledge of serial offender tactics
    - increasing offender accountability
    - Expanding prevention program resources
    - encouraging reporting of incidents
      - supporting acts of moral courage and sense of duty in reporting sexual violence
      - protecting and respecting human rights
      - ensuring safety, security, and backing to those who protect the character of the Army by reporting incidents
    - maintaining reporting capability
    - fostering a safe, confidential and restorative environment for survivors

### Training:

- SHARP Training, Strategic Communications and Prevention Initiatives with Clear Focus on Sexual Violence Prevention and Effective Response:
  - developed comprehensive Professional Military Education (PME) and Civilian Education System (CES)
  - are aggressively indoctrinating new recruits/officers
  - a uniquely Army approach to awareness, prevention, intervention and response
  - executed new SHARP 80-hour certification course for SHARP personnel that trains SHARP professionals to carry out their duties across the sexual violence spectrum (from sexual harassment to sexual assault)
  - executed new mandatory annual SHARP Unit Refresher Training and self-study course for all Soldier and Civilians
  - developed and distributed SHARP marketing materials to battalion level and partnered with Soldier Programs to promote grassroots prevention efforts and ensure peer-to-peer intervention

- All members of the Army team must have at their core an ingrained, values-based “gut reaction” against, not just sexual assault itself, but sexually offensive language and gestures that create an environment of abuse. They must recognize these behaviors as threats to the professionalism of the force, top-cover for serial offenders and erosion of the integrity of the Army as an institution. In keeping with the tenets of the Profession of Arms, Army leaders at each level will mentor and develop subordinates until Soldiers meet professional standards and spurn behaviors that threaten the safety and security of their comrades and the Army.

#### Investigation:

- Fairness, justice and integrity are central tenets of the military justice system. Army investigations are expected to be carried out in a professional, unbiased manner in a diligent pursuit of truth, intent upon holding the guilty accountable and the innocent blameless. Offender accountability is paramount. Survivors and witnesses are to be protected from retribution, reprisal and retaliation throughout.
  - FY10 timelines for Army sexual assault criminal investigations were as follows:
    - the length of time to complete a sexual assault criminal investigation during FY10 averaged about 93 days, slightly lower than 95 days in FY09
    - the average turn-around for DNA analysis averages approximately 50 days
    - the amount of time it takes to complete an investigation is dependent on several factors including:
      - type of complaint
      - delays in reporting the incident
      - ages and types of victims
      - amount of physical evidence and cooperation or uncooperative witnesses
  - Army investigative principles relative to investigation of allegations of sexual violence are as follows:
    - thoroughly, sensitively and professionally investigate the truth behind a case, being careful to avoid personal or other biases
    - provide prompt response to victims and others who report crimes
    - collect evidence (testimonial and physical) in order to arrive at the truth, not to contrive support for preconceived notions or other theories

#### Prosecution:

- Thorough, fair and competent investigations and appropriate prosecution of sexual assault cases are necessary to help maintain a positive culture and climate that does not tolerate sexual violence and encourages victims to report without fear of retaliation, retribution, or reprisal. The Army demands that leaders never lose sight of their responsibility for our military justice system and their duty to exercise independent discretion and judgment, both as leaders and convening authorities.
  - The Army continues to enhance its prosecution capabilities through the Judge Advocate General Corps (JAGC) Special Victims Prosecutor (SVP) and Highly Qualified Expert (HQE) programs

- new U.S. Army Military Police School (USAMPS) sexual assault victim interview techniques
  - the JAG School and Legal Center (TJAGLCS) first responder training.
- **The Army's HQE and SVP efforts are intended to establish the best practices available about disposition of sexual assault allegations and to ensure the Army's ability to most effectively prosecute and defend sexual assault and special victim's cases.**
- **The Army's SVPs focus nearly exclusively on the prosecution of sexual assault and special victims' cases and train and assist other prosecutors on the same types of cases. The Army assigned SVPs to most effectively serve not only their installation, but also their entire geographic area of responsibility.**
- (FY11 Statistics Pending.) In FY10, were 1414 subjects in allegations of sexual assault, ranging from rape to indecent assault (wrongful touching), and pending disposition in FY10. (This includes subjects from reports made in FY10 and subjects from reports in prior fiscal years that were still pending disposition on 30 Sep 09). Of the 1414 subjects pending disposition, 1028 were disposed of in FY10.

#### Support/Protection:

- The Army is committed to providing sexual violence survivors with the resources, support and protection they need to recover and build productive lives.
- **Army's effective sexual assault response capabilities are the result of an integrated collation of command, advocacy, law enforcement, investigative, medical, legal, and chaplain resources.**
- Commanders are responsible for ensuring that survivors of sexual assault have timely access to the resources and support survivors need in order to recover and rebuild their lives. A full-time Sexual Assault Response Coordinator (SARC) and one full-time Victim Advocate (VA) will be assigned at each brigade or equivalent unit to help survivors through the maze of options, resources and services. SARCs and VAs receive credentialed training to ensure they are prepared for their duties.
- Commanders are also responsible for ensuring the safety and security of survivors of sexual violence, including protection from retaliation, retribution, and/or reprisal.
- Sexual Assault Review Boards serve as an important executive oversight mechanism that can help commanders make important decisions about how to improve processes, system accountability, and victim access to quality, timely services. The SRB is the one forum in which everyone connected with a case (e.g., medical, legal and investigative personnel) must provide an update on timely access to and quality of services to the survivor, coordinator of support and services, accountability and access to care. The SARB monitors survivor safety to ensure safety from retribution, retaliation and/or reprisal and intervenes when necessary.
- Commanders are required to expeditiously consider these requests for transfer or reassignment. They are required to do this with a presumption in favor of transferring or reassigning a sexual assault survivor [in accordance with Army Directive 2011-19 (*Expedited Transfers or Reassignment Procedures for Victims of Sexual Assault*)] If they disapprove a request, the request must be reviewed by the first general officer in the chain of command.