



DEPARTMENT OF THE NAVY  
COMMANDER MILITARY SEALIFT COMMAND  
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NORFOLK VA 23511-2419

COMSCINST 1752.1A  
N00  
12 Feb 2018

COMSC INSTRUCTION 1752.1A

From: Commander, Military Sealift Command

Subj: SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM

Ref: (a) DoDI 6495 series  
(b) DoDDI 6495 series  
(c) SECNAVINST 1752 series  
(d) SECNAVINST 1730 series  
(e) OPNAVINST 1752 series  
(f) BUMEDINST 6310 series

Encl: (1) MSC Commander/Master Checklist for Unrestricted Reports of Sexual Assault  
(2) Area Commander/Ship's Captain SAPR Incident Form  
(3) MSC SAPR 24-hour Notification  
(4) Restricted Reporting Information Sheet  
(5) DoD CCIR Notification  
(6) SAPR "Cheat Sheet" for Ship Masters  
(7) SAPR Reporting Timeline (Military)  
(8) SAPR Reporting Timeline (OCONUS Civilians)  
(9) SAPR Reporting Timeline (CONUS Civilians)  
(10) MSC First Flag Report (FFR) 5354/5  
(11) Glossary

1. Purpose. The purpose of this instruction is to establish policy, assign responsibilities, and prescribe clear, standardized procedures for the Sexual Assault Prevention and Response (SAPR) program in accordance with (IAW) reference (a) through (e).

2. Cancellation. COMSCINST 1752.1

3. Applicability. This instruction applies to Military Sealift Command (MSC) afloat and ashore employees and military personnel.

4. Policy. It is MSC's policy to maintain an environment that enhances the safety and well-being of all personnel that is free of sexual assault through an environment of prevention, education and training, response, victim support, reporting, and appropriate accountability. Sexual assault is never acceptable! The Navy seeks a Department-wide culture of dignity and respect, where sexual assault victims receive compassionate and coordinated support, where offenders are held appropriately accountable, and where sexual assault is completely eliminated from all ranks. The Command intends to implement this policy via Standard Operating Procedures (SOP).

5. Forms and Information Management Control. The forms listed in this instruction are found in Military Sealift Command's SAPR Management Toolkit, which can be downloaded from the QMS Portal at <https:msc.navy.deps.mil/QMS/SitePages/Home.aspx>.

6. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV M-5210.1, of January 2012.

7. Review and Effective Date. Per OPNAVINST 5215.17A, N02SAP will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire in 5 years after effective date unless reissued or canceled prior to the 5 year anniversary date, or an extension has been granted.

8. Office of Primary Responsibility (OPR). N02SAP. The point of contact for this policy is Ms. Tina Carter, MSC SAPR Program Manager (SAPR PM). She may be contacted at (757) 341-6559 or via email at [tina.carter@navy.mil](mailto:tina.carter@navy.mil).



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**Releasability and Distribution:**

This instruction is cleared for public release and is available electronically via MSC Intranet Publications website, <http://msc.navy.deps.mil/policies/pages/directives.aspx>.

CHAPTER 1  
GENERAL INFORMATION

1. Objective. Sexual assault is a criminal act incompatible with Navy's and MSC's core values, high standards of professionalism, and personal discipline. MSC's focus on prevention and response includes effective education and training, a 24 hour, 7 days per week (24/7) response capability to ensure victim support, worldwide reporting procedures, and appropriate accountability. Commanders, ship masters, supervisors, and managers at all levels are responsible for the effective implementation of the SAPR program and policy.
2. Definitions, abbreviations, and acronyms. Please refer to the Glossary for definitions, abbreviations, and acronyms used throughout this instruction.
3. Scope. All MSC personnel are responsible for understanding the SAPR policy, the penalties and consequences for engaging in any form of sexual assault, and the adverse impact of sexual assault on MSC mission accomplishment. MSC personnel must not:
  - a. Commit sexual assault or other acts of sexual misconduct;
  - b. Retaliate or take reprisal against a person who provides information on an incident or alleged sexual assault;
  - c. Condone or ignore sexual assaults.
4. Responsibilities. See Chapter 2.
5. Notification and Processes. See Chapter 3.
6. Internal Controls. Required annual training will be tracked via Total Workforce Management System (TWMS) for compliance.
7. Reporting Options. There are two reporting options for victims of sexual assault: Restricted, and Unrestricted reporting.
  - a. **Restricted Reporting**: The Restricted Reporting option does NOT trigger a law enforcement investigation or notification to chain of command.
    - (1) Purpose. The restricted reporting option allows victims of sexual assault who wish to disclose confidentially some personal space, time and increased control over the release and management of their personal information. This is intended to empower victims to seek relevant information and support to make more informed decisions about participating in a criminal investigation.
    - (2) Eligibility. Individuals eligible for restricted report methods include:

(a) Active Duty Service members and military dependents 18 years and older, who have been sexually assaulted regardless of when or where the assault took place or the service affiliation;

(b) National Guard and activated reservist;

(c) Navy ROTC midshipmen who report sexual assaults that occurred while they were in an active duty status.

(3) Process: Sexual assault victims can confidentially disclose to the SAPR PM, Sexual Assault Response Coordinators (SARCs), Victim Advocates (VAs), or medical personnel and receive SAPR support services (i.e. medical treatment, forensic exam, advocacy, and counseling). The following actions occur with a restricted report:

(a) Upon the victim's election of a restricted report, the SAPR PM, SARC or VA will assist the victim with completing DD Form 2910;

(b) The area commander is notified that an "alleged sexual assault" occurred, but is not given the victim's name or other Personally Identifiable Information (PII). The notification is sent by the SAPR PM or the installation SARC where the sexual assault occurred/ship located at time;

(c) The SAPR PM will notify the Commander Military Sealift Command (COMSC) within 24 hours of receiving the report;

(d) While chaplains and Victim's Legal Counsel (VLC) cannot receive a restricted report (Form DD2910) of sexual assault, their confidentiality/privilege will protect a victim's ability to make a restricted report later, if desired;

(e) A victim may change a restricted report to an unrestricted report.

**b. Unrestricted Reporting.** The unrestricted reporting option triggers an official investigation and command notification.

(1) Purpose: This option is recommended for victims who desire an official investigation and command notification. When selecting unrestricted reporting, a victim should use the following reporting channels:

(a) SAPR PM, SARC, or VA;

(b) Chain of command;

(c) Naval Criminal Investigative Services (NCIS) or local law enforcement;

(d) MSC medical personnel or healthcare personnel at local Military

Treatment Facility (MTF);

(2) Eligibility: Individuals eligible to report using the unrestricted reporting method includes:

(a) Service members and military dependents 18 years and older who have been sexually assaulted, regardless of when or where the sexual assault took place or service affiliation;

(b) National Guard and activated Reservist;

(c) Navy ROTC midshipmen who report sexual assaults that occurred while they were in an active duty status (i.e., summer training, drill status);

(d) CONUS DoD civilians;

(e) OCONUS DoD civilians and their family dependents 18 years of age and older when they are stationed or performing duties OCONUS and eligible for treatment in the MHS at military installations or facilities;

(f) U.S. citizen DoD contractor personnel when they are authorized to accompany the military service in a contingency operation OCONUS and;

(g) Victims of sexual assault incidents occurring under DON jurisdiction eligible for available advocacy services..

(3) Process: The unrestricted reporting option triggers an official investigation, notification to the Chain of Command, Victim Witness Assistance Protection (VWAP) rights, command protective actions (applicable for military personnel), access to medical treatment, legal services, and counseling.

(a) Upon the victim's election of an unrestricted report, the SAPR PM, SARC or VA will assist the victim with completing DD Form 2910 (applicable for military personnel and eligible military dependents), or MSC Form 1752/8 (applicable for MSC civilian personnel);

(b) Depending on the case at hand, the SAPR PM, SARC, or VA, will notify the Installation Commander (where incident occurred) and the victim's Area Commander within 24 hours of the report. This notification may be extended to 48 hours when there are extenuating circumstances;

(c) The SAPR PM will notify the COMSC within 24 hours of receiving the report;

(d) If the Area Commander receives the unrestricted report via methods outside the SAPR umbrella (SAPR PM, SARC or VA), the commander must:

initiated;

- (1) Contact the SAPR PM, SARC or VA to ensure SAPR services is
- (2) Refer all allegations of sexual assault immediately to NCIS;
- (3) Consult with servicing legal office;
- (4) Ensure compliance with SAPR program reporting requirements;
- (5) Attend Sexual Assault Case Management Group (SACMG) as prescribed in reference (e).

(e) The SAPR VA will assist the victim from initial report of the incident to final resolution of the case (unless the victim chooses to end support services).

(f) All unrestricted reports of alleged sexual assault will be reported IAW this paragraph regardless of any military affiliation.

CHAPTER 2  
RESPONSIBILITIES

1. Chief of Staff (COS), N02. Under the authority, direction and control of Commander, Military Sealift Command (COMSC), COS shall:

- a. Provide oversight, staff, support and ensure funding for MSC SAPR Program;
- b. Ensure the MSC SAPR Program Manager (PM) has direct, unimpeded access to COMSC for SAPR related matters;
- c. Assist in incorporating the Civilian Employee Assistance Program (CEAP) as an available resource in the SAPR program. The CEAP can provide limited services to include legal, counseling, and support referrals;
- d. Ensure implementation of SAPR policies and procedures throughout the command;
- e. Comply with the notification requirement to COMSC of “any known” allegations of sexual assaults involving MSC personnel, whether personnel are the alleged offender or victim;
- f. Attend the Case Management Group (CMG), in accordance with OPNAVINST 1752.1C (in the absence of COMSC) at the hosting military installation when a case involving MSC personnel is being reviewed. Attendance may be in person, video teleconference (VTC) or telephone as needed. Coordination of attendance will occur between the military SARC and MSC SAPR PM;

2. Area Commanders (ACs) and Ship Masters. ACs and Masters have the responsibility of reporting all sexual assault incidents within their unit/ship to NCIS for criminal investigation. Area Commanders and Ship Masters shall:

- a. Immediately ensure the physical safety of the victim, and in consultation with victim provide a safe environment after the incident is reported;
- b. Not take any formal or informal investigative action, to include a preliminary inquiry or interviews of alleged victims, offenders, or witnesses regarding the assault;
- c. Comply with the notification requirement to COMSC of “any known” allegations of sexual assaults involving MSC personnel, whether personnel are the alleged perpetrator or victim, and comply with requirements in accordance with reference (e) and Navy OPREP reporting procedures;

1) Area Commanders are responsible for ensuring all incidents of sexual assault are reported (i.e., voice reports, Navy Blue message, First Flag Report (FFR)) in their AOR, regardless of where the victim is permanently assigned;

2) Afloat sexual assault incidents reports will be reported by the Ship's Master;

d. Ensure victims within their Area of Responsibility (AOR) or ship are treated for injuries, if desired, and transported to an appropriate Military Treatment Facility (MTF)/provide medical evacuation (MEDEVAC) from ship to a DoD asset with a medical officer, for a Sexual Assault Forensic Exam (SAFE), when applicable. In OCONUS situations with no DoD medical officer available, consult with NCIS to locate nearest medical asset and;

**As soon as operationally capable:**

1) Ships captains must immediately notify NCIS/law enforcement. For cases involving MSC civilians, contact MSC Office of Counsel for assessment of whether allegation is properly reported via SAPR procedures. This applies to unrestricted cases only;

2) Within 60 minutes of initial receipt of SAPR report: Conduct voice report to MSC Battle Watch;

3) Within 24 hours of initial receipt of SAPR report: Submit personnel incident reports (i.e. OPREP-3 NAVY BLUE, OPREP-3 NAVY UNIT SITREP);

4) Within 24 hours of initial receipt of SAPR report: Notify SAPR PM or nearest installation SARC.

5) Verify installation SARC receives the report. If unable to verify the SARC has been notified, notify the SAPR PM at [msc\\_sapr.fct@navy.mil](mailto:msc_sapr.fct@navy.mil) or 757-341-6559.

**For cases involving military personnel,**

6) Submit a Sexual Assault Incident Response Oversight (SAIRO) 8-Day Report provided in Enclosure (7), within 8 days of receipt of initial report;

7) Submit the First Flag Report (FFR) to COMSC within 30 days of initial receipt of report. Area Commander or MPSRON Commander is responsible for making the report. The report should be made in person, via telephone or VTC.

**Final Disposition:**

8) Upon completion of all investigation and legal proceedings:

(a) Send final SITREP;

(b) Send Sexual Assault Disposition Report (SADR), NAVPERS 1752/1;

(c) Submit Sex Offense Accountability Record (SOAR) within 5 business days from adjudication of court martial or NJP;



e. Protect victims from re-victimization by limiting the knowledge of the case to individuals on a “need to know”, by utilizing MSC Forms 1752/4, 1752/5 and 1752/6 (applicable for civilian cases only);

f. Protect victims from retaliation;

g. Consult with the SAPR PM to establish and publish local SAPR Response procedures to implement this instruction.

h. Adhere to standards issued for command assessment of organizational SAPR climate, including periodic follow-up assessments as required, and;

i. Track and monitor SAPR training compliance.

3. MSC Directors. MSC Directors shall:

a. Ensure implementation of SAPR policies and procedures throughout the command;

b. Comply with the notification requirement to COMSC of “any known” allegations of sexual assaults involving MSC personnel (including the alleged perpetrator and/or victim);

c. Adhere to standards issued for command assessment of organizational SAPR climate, including periodic follow-up assessments as required;

d. Track and monitor civilian training compliance.

4. MSC SAPR Program Manager (PM). The SAPR PM shall:

a. Have direct unimpeded access to COMSC regarding SAPR related matters;

b. Serve as MSC’s single point of contact for integrating and coordinating the MSC SAPR program world-wide;

c. Supervise and provide guidance for all MSC VAs (this includes volunteer victim advocates);

d. Have and maintain the Defense Sexual Assault Victim Advocacy Credentialing Program (D-SAACP) credentials;

e. Provide program policy, guidance, and procedures IAW all DoD SAPR policy;

f. Ensure all reports of sexual assault are tracked and comply with the 24-hour notification requirements. Information regarding Unrestricted Reports should only be released to personnel with an official “need to know”;

g. Track and monitor civilian training compliance through Total Workforce Management System (TWMS) and maintain liaisons with each directorate;

- h. Ensure sexual assault awareness, prevention, training, and victim advocacy is available and provided to all personnel throughout the MSC;
- i. Evaluate the effectiveness of MSC's SAPR program and victim advocacy services and report findings to COS;
- j. Coordinate with MSC Public Affairs Office (PAO) in developing a communication plan to inform and educate the MSC workforce about SAPR policies;
- k. Ensure DoD Commander's Critical Information Requirement (CCIR) is complete and reported to the Chief of Naval Operations (CNO's) office.

5. MSC General Counsel (GC). GC shall:

- a. Provide legal advice and assistance on policies and guidance associated with the SAPR program;
- b. Assess all sexual harassment cases to ensure that they do not meet the threshold of sexual assault. Refer sexual assault cases to the SAPR PM.

6. MSC Office of the Chaplain. The Chaplain shall:

- a. When requested, provide pastoral care and/or referrals to victims of sexual assault and alleged offenders;
- b. Assist in educating MSC personnel on sexual assault reporting options, where applicable, and refer individuals to the SAPR PM, installation SARC, or a SAPR VA;
- c. Participate in the installation SACMG meeting;
- d. Ensure training emphasized that communication between a victim and chaplain either directly, through an RP, or through other administrative support personnel assigned to the chaplain remains confidential. Only the victim is authorized to release the chaplain from confidentiality pursuant to SECNAVINST 1730.9.

7. MSC Equal Employment Opportunity Office (EEO). EEO shall:

- a. Assist in educating MSC personnel on the differences between sexual assault and harassment as well as the importance of seeking guidance from MSC SAPR PM, SARC, or VA prior to seeking guidance from EEO to ensure that victim reporting options are protected. Ensure that individuals are afforded their SAPR related options prior to disclosure of any incident;
- b. Immediately contact SARC, SAPR VA or SAPR PM, if a complaint of sexual harassments meets the criteria for sexual assault;

c. Refer all sexual harassment cases to legal for review to verify that cases do not meet the threshold of sexual assault;

8. MSC Force Surgeon. The Force Surgeon shall:

a. Ensure MSC medical providers maintain medical credentialing/privileging currency as required by SMS 2.4.000-ALL.

b. Ensure MSC medical providers adhere to medical policies and protocols contained within reference (f) for medical response to sexual assault. Medical providers providing medical care to sexual assault victims must be trained to recognize pre-existing trauma (prior to present sexual assault incident) and the concept of trauma-informed care.

c. Ensure that MSC medical providers initiate emergency care and treatment of sexual assault victims and notify the SARC, DRC, SAPR VA and MSC SAPR PM upon receipt of a report of sexual assault, regardless if the victim elects restricted and unrestricted reporting.

d. Ensure MSC medical personnel understand restricted reporting.

9. MSC Medical Services Officers (MSOs). MSO's shall:

a. Ensure medical care provided to sexual assault victims is gender-responsive, culturally sensitive, and recovery-oriented;

b. Ensure sexual assault victims are given priority and treated as emergency cases, regardless of whether physical injuries are evident. Priority treatment as emergency cases includes activities relating to healthcare, coding, and medical transfer or evacuation, and complete physical assessment, examination, and treatment or injuries, including immediate emergency interventions;

c. Ensure victims of sexual assault receive timely access or referral to comprehensive medical and psychological treatment, including emergency care treatment and services.

d. Afloat sexual assault incidents will be reported to the Ship's Master;

10. MSC Military SAPR Point of Contact (POC). The SAPR POC shall:

a. Monitor and analyze sexual assault data and trends, ensure policy and procedural compliance, prepare written reports, and ensure implementation of SAPR mandates as appropriate;

b. Monitor and track implementation of SAPR initiatives and requirements;

c. Maintain a roster of trained VA's and provide updates to SAPR PM;

d. Coordinate and facilitate SAPR training for MSC military personnel in integration/hire or indoctrination;

e. Assist in ensuring all active duty military personnel assigned to MSC receive annual SAPR training as required by DON;

f. Maintain a current list of resources for MSC locations worldwide and be prepared to provide to vessel masters and military detachment Officers in Charge (OICs) upon request;

9. MSC SAPR Victim Advocates (VAs). SAPR VAs shall:

a. Provide support to victims of sexual assault (both military and civilian), to include information on all services available to victims of sexual assault;

b. Provide crisis intervention, referral, and ongoing non-clinical support to victims of sexual assault as requested by the victim;

c. Explain reporting option (restricted reporting is available to military members), explain victim rights, the response process, and expedited transfer and reassignment detail for Civilian Mariners (CIVMARS);

d. Complete and submit the MSC 24-hour notification for all restricted or unrestricted reports to the SAPR PM, as a stand-alone report via an encrypted, unclassified email (enclosure 2). For incidents involving an O-6, commander or equivalent, and above, that warrant higher level command awareness, media attention or congressional involvement, submit DoD Commander's Critical Information Requirement (CCIR) to the SAPR PM. The SAPR PM will brief the COMSC;

e. Accompany and provide advocacy during medical, investigative and legal appointments, should the victim desire;

f. Use available tools, including: DoD SAFE Helpline, on-line support, SAPR contact cards, and regional SAPR information provided by the SAPR PM;

g. Maintain victim confidentiality; victim information shall be shared with individuals on a need to know basis only. Ensure a victim's privacy through limited general access of command sexual assault message traffic, and discourage gossip and/or speculation on the ship or workplace. This step is vital to ensure that the person involved is not re-victimized;

h. Ensure that the victim consents, in writing, to the release of information (outside of need-to-know chain) when necessary (i.e., parents, spouse, supervisor, etc.);

i. Be sensitive to the needs of the victim's family. Only in cases where the victim has suffered life-threatening injuries will the next-of-kin be notified without prior approval of the victim;

j. Complete Commander, Naval Installation Command (CNIC) funded Victim Advocate Basic Training (VABT) and DoD Defense Sexual Assault Advocate Credentialing Program (D-SAAP) requirements prior to providing support to sexual assault victims. At the minimum, SAPR VAs must complete:

(1) Initial 40 hour of DoD-approved SAPR VA training conducted by a Navy SARC and full-time installation SAPR VA;

(2) Approved National Advocate Credentialing Program 16 hour refresher training for each 12-month period following the initial D-SAACP certification. Most training can be done online;

(3) Training on confidentiality requirements and exceptions related to restricted reporting and Military Rule of Evidence 514, training by SAPR PM, if not covered during initial victim advocate training;

k. Follow SAPR guidance and protocols as directed by the SAPR PM;

l. Maintain a current list of SAPR resources, provided by SAPR PM for MSC locations worldwide;

m. Utilize MSC Forms 1752/3, 1752/7 and 1752/8 on all MSC civilian sexual assault incidents.

10. MSC Afloat and Ashore Victim Advocate (VA). In addition to the responsibilities outlined in the VA responsibilities, the Afloat and Ashore Victim Advocate shall:

a. Maintain a roster of trained and certified VAs and provide updates to SAPR PM as necessary;

b. Coordinate and facilitate SAPR training for MSC personnel upon indoctrination, new hire or annual training;

c. Assist in the coordination and facilitation of Sexual Assault Awareness and Prevention Month (SAAPM) events;

d. Notify the nearest SARC of all sexual assault reports involving military personnel who filed DD Form 2910 to ensure entry and case management into the DoD Sexual Assault Incident Reporting Database (DSAID);

e. Attend SACMG meetings;

f. Provide any required metrics or data call information directly to SAPR PM, as requested;

10. MSC Civilian Mariner (CIVMAR) Force Manager. The CIVMAR Force Manager shall:

a. Ensure that CIVMAR victims of sexual assault who request alternate assignment options are aware of the available assignment options following their filing of an unrestricted report. The following guidance should be provided:

1) Upon reporting to the respective (East or West) Customer Service Unit, and after completion of the “check-in” process, you are to notify the Site Director that you are required to contact the Placement Director for the purpose of fulfilling administrative requirements regarding your assignability. The Placement Director will discuss with you options A and B:

\_\_\_\_\_OPTION A. Facilitate training courses as well as the correction of other administrative deficiencies commensurate with rating. Upon completion, and where advocacy counseling is desired, ship assignment aboard USNS COMFORT, USNS MERCY or another ship that may be available within Norfolk, VA, or San Diego, CA.

\_\_\_\_\_OPTION B. Facilitate training courses as well as the correction of other administrative deficiencies commensurate with rating. Upon completion, and where advocacy counselling is not desired, choice of ship assignment in chronological order from most to least urgent overdue relief or position vacancy requirement.

11. MSC Personnel. All MSC personnel shall:

a. Attend annual SAPR training as required by Department of Navy and ensure training hours are accurate in TWMS. On a case-by-case basis, and upon request, sexual assault survivors may be permitted to accomplish mandatory SAPR training in alternate setting through SAPR PM, SARCs, SAPR VAs, or other means as determined by SAPR PM;

NOTE: IAW reference (a) through (d) SAPR training requirements apply to all active duty and reserve members, and civilian employees assigned to MSC. Additionally, contractors may be required to attend per the terms of their contract.

b. All MSC personnel shall report all instances of sexual assault to the SAPR office via the MSC SAPR Helpline (757-803-4530) or secured email address (msc\_sapr.fct@navy.mil).

CHAPTER 3  
NOTIFICATION

Area Commanders have responsibility for ensuring all SAPR incidents in their respective AOR are reported to COMSC. Area commanders must also ensure notification is made to the SAPR PM for every report of sexual assault in order to activate victim support and SAPR services. Area Commanders, Masters, and Victim Advocates will utilize the templates provided in enclosures (1) through (11) to implement the incident notification requirements of this directive.

**MSC AREA COMMANDER/MASTER CHECKLIST FOR UNRESTRICTED REPORTS  
OF SEXUAL ASSAULT**

This tool assists commanders and masters in ensuring the privacy of victim and the rights of both victim and of the accused.

**VICTIM'S COMMANDER or MASTER**

- Ensure the physical safety of the victim; determine if the alleged offender is still nearby and if the victim desires or needs protection;
- Notify Victim Advocate (VA) immediately;

**As soon as operationally capable:**

- Notify NCIS;
- Notify the SAPR PM or nearest installation Sexual Assault Response Coordinator (SARC) is notified;
- Contact servicing legal office for assessment;
- Submit voice report to MSC Battle Watch;

**Cases involving military personnel:**

- Determine if victim needs no contact order Military Protective Order (MPO) or Civilian Protective Order (CPO);
- Determine if pretrial restraints of the accused is appropriate;
- Submit Sexual Assault Incident Report Oversight (SAIRO), 8 day report;
- Conduct First Flag Officer Report (FFR), via in person, VTC or telephonically;
- Attend the monthly Sexual Assault Case Management Group (SACMG) as appropriate;
- Ensure the victim receives monthly reports regarding the status of the sexual assault investigation from the date the investigation was initiated until there is a final disposition of the case;

**After final disposition of cases involving military personnel:**

- Document the case disposition utilizing the Sexual Assault Disposition Report (SADR);
- Provide copy of SADR to FFO in the chain of command so General Courts Martial Convening Authority (GCMCA) of alleged offender can close tracking of the case;
- Submit Sex Offense Accountability Record (SOAR) within 5 business days from adjudication of a court-martial or NJP or at the completion of the NJP appeal process and;
- Issue Final OPREP-3 message.

**ALLEGED OFFENDER'S AREA COMMANDER or MASTER**

- Notify NCIS as soon as possible after receiving a report of a sexual assault incident;
- Consult serving legal office for guidance on appropriate treatment of alleged offender;

Enclosure (1)



- Avoid questioning the alleged offender about the sexual assault allegation, to the extent possible, since doing so may jeopardize the criminal investigation;
- Safeguard the alleged offender's rights and preserve the integrity of a full and complete investigation, to include limitations on any formal or informal investigative interviews or inquiries by personnel other than those by personnel with a legitimate need-to-know
- Strictly limit information pertinent to an investigation to those who have legitimate need-to-know;
- Ensure procedures are in place to inform the alleged offender, as appropriate, about the investigative and legal processes that may be involved;

**BOTH VICTIM AND ALLEGED OFFENDER AREA COMMANDER or MASTER**

- Consult serving legal office for best course of action;
- Discourage members from participating in "gossip" or speculation about the case or investigation;
- Advise those who may have knowledge of events leading up to or surrounding the incident to fully cooperate with any investigation involved;
- Monitor the unit's overall climate to ensure neither the victim or the alleged offender is being ostracized and to prevent organizational splintering.



**MSC 24-HR RESTRICTED OR UNRESTRICTED REPORT NOTIFICATION**  
(VA utilization only)

The SAPR VA will complete and submit the 24-hr Notification for all restricted or unrestricted reports to the SAPR PM as a standalone report via an encrypted, unclassified email. The SAPR PM will brief the COMSC. DO NOT INCLUDE Personal Identifiable Information (PII).

Date of report:

VA name/contact info:

Location of incident:

Commander's Critical Information Requirement (CCIR)/Sexual Assault Incident Response Oversight (SAIRO) 8 day report completed:

1. Assault occurred: Choose one of the below
  - a. Assault occurred within the last 30 days
  - b. Assault occurred more than 30 days ago
  - c. Assault occurred prior to military service
  
2. Time: Choose one below
  - a. Daytime: 0600-1759
  - b. Nighttime: 1800-0559
  - c. Multiple (both day/night due to multiple instances)
  - d. Undetermined
  
3. General location: Choose one below
  - a. On installation (includes MSC owned/operated property)
  - b. Off installation
  - c. Multiple (both day/night due to multiple instances)
  - d. Undetermined
  
4. Victim Status: Choose one below
  - a. Military (Regardless of Component, Service or Status)
  - b. Civilian (Contractor, DoD Civilian, Military dependent 18 years and older)
  - c. Protected due to restricted report
  - d. Undetermined
  
5. Number of Victim (s)
  
6. Alleged Assailant Status: Choose one below
  - a. Military (Regardless of Component, Service or Status)
  - b. Civilian (Contractor, DoD Civilian, Military dependent 18 years and older)
  - c. Protected due to restricted report
  - d. Undetermined
  
7. Number of alleged assailant(s): (Number or Unknown)

Enclosure (3)

8. Nature/Type of sexual assault: Choose one below
  - a. Penetration
  - b. Non-Penetration
  - c. Unknown at this time
  
9. Alcohol involved: Choose one below
  - a. Yes
  - b. No
  - c. Protected due to restricted report
  - d. Unknown
  
10. Drugs involved: Choose one below
  - a. Yes
  - b. No
  - c. Protected due to restricted report
  - d. Unknown

Please note Item 11 is ONLY answered for Unrestricted Reports meet the DoD criteria.

11. DOD CCIR: Does the sexually based, alleged or confirmed, crime meet one of the following criteria (see note):
  - a. Involves an O-6 Commander, or equivalent, and above, SARC/VA or a SAPR staff member, as either a victim or subject? Yes/No
  - b. Incident warrants higher level command awareness? Yes/No
  - c. An overturned conviction of a sexually based crime? Yes/No
  - d. Incident warrants media attention? Yes/No
  - e. Congressional involvement? Yes/No

**NOTE:** If the above answers to the CCIR questions are/or become “Yes” a DoD CCIR must be completed and sent to the MSC SAPR PM referencing the NCIS/MCIO/law enforcement case number.

**RESTRICTED REPORTING INFORMATION SHEET**  
(IAW OPNAVINST 1752.1C)

1. **Restricted Reports.** Restricted reporting allows Service members and military dependents who are over 18 years of age to confidentially disclose the assault to specified individuals (i.e., SARC, deployed resiliency counselor, SAPR VA, unit SAPR VA, victims' legal counselor or healthcare personnel) and receive healthcare treatment and the assignment of a SARC, deployed resiliency counselor, SAPR VA, unit SAPR VA, and victims' legal counsel. A victim may change a restricted report to an unrestricted report.

a. Only the SARC, deployed resiliency counselor, SAPR VA, unit SAPR VA, and healthcare personnel are designated as authorized to accept a restricted report.

(1) Licensed clinicians, who provide clinical services in Fleet and Family Support Services (FFSC), and healthcare personnel in a MTF including administrative staff, are considered healthcare providers and may receive restricted reports.

(2) EMTs are considered healthcare personnel, but not all may be trained to receive restricted reports. In those cases, a SARC, deployed resiliency counselor, SAPR VA, or SAPR VA will assist.

b. The victim's communications with the SARC, deployed resiliency counselor, SAPR VA, and unit SAPR VA are protected by the restricted reporting option and the Military Rule of Evidence (MRE) 514. The DoD Safe Helpline staff, chaplain, victims' legal counsel, or legal assistance attorney cannot accept a restricted report, but may maintain privileged communication.

(1) If a victim indicates that he or she wishes to file a restricted report during otherwise privileged communications with the DoD Safe Helpline staff, a chaplain, or victims' legal counsel, the victim is required to contact a SARC, deployed resiliency counselor, SAPR VA, unit SAPR VA, or healthcare personnel to initiate a restricted report and receive the appropriate care.

c. Jurisdiction bound by state and local laws such as California, territorial or overseas agreements may require certain personnel (usually healthcare personnel) to report the sexual assault to civilian agencies or NCIS when healthcare is provided and a SAFE kit is performed. The SARC, SAPR VA or unit SAPR VA will explain this to victim in these instances.

d. Restricted reporting does not create any actionable rights for the victim or alleged offender or constitute a grant of immunity for any actionable conduct by the alleged offender or the victim.

2. **Exceptions to Restricted Reporting.** The SARC will evaluate the confidential information provided under the restricted report to determine whether an exception applies.

a. The SARC must disclose the otherwise protected confidential information only after consultation with the SJA of the installation CO, supporting judge advocate or other legal

Enclosure (4)

advisor concerned, who must advise the SARC whether an exception to restricted reporting applies. In addition, the SJA, supporting judge advocate, or other legal advisor concerned will analyze the impact of Military Rule of Evidence 514 on the communications.

b. Exceptions to the prohibition against disclosures of restricted reporting authorize a disclosure of a restricted report only if one or more of conditions apply:

(1) Authorized by the victim in writing;

(2) Necessary to prevent or mitigate a serious and imminent threat to the health or safety of the victim or another person. For example, multiple reports involving the same alleged offender (repeat suspect) could meet this criterion;

(3) Required for fitness for duty or disability determinations. This disclosure is limited to only the information necessary to process duty or disability determinations for Service members;

(4) Required for the supervision of coordination of direct victim treatment or services. The SARC, deployed resiliency counselor, SAPR VA, unit SAPR VA, or healthcare personnel can disclose specifically requested information to those individuals with an official need-to-know, or as required by law or regulation.

(a) Healthcare personnel may convey to the victim's unit CO any possible adverse duty impact related to the victim's medical condition and prognosis. However, such circumstances do not otherwise warrant a restricted reporting exception to policy.

(b) If necessary, the competent medical authority will inform the certifying official that the person in question should be temporarily suspended from PRP status outlined in SECNAVINST 5510.30B, without revealing that the person is a victim of sexual assault, thus preserving the restricted report. A sexual assault victim certified under the PRP is:

(c) Eligible for both the restricted and unrestricted reporting options; and  
2. Required to advise the competent medical authority of any factors that could have an adverse impact on their performance, reliability, or safety while performing PRP duties, if electing restricted reporting.

1. Ordered by an appropriate military official (e.g., a military judge or trial counsel in a UCMJ case), Federal or State judge, or as required by a Federal or State statute or applicable U.S. international agreement. The SARC, deployed resiliency counselor, SAPR VA, unit SAPR VA, victims' legal counsel, and healthcare personnel will consult with the installation CO's servicing legal office, in the same manner as other recipients of privileged information, to determine if the exception criteria apply and whether a duty to disclose the otherwise protected information is present. Until those determinations are made, only non-personally identifiable information must be disclosed.

2. The SARC will evaluate the confidential information provided under the

Enclosure (4)

restricted report to determine whether an exception applies.

a. The SARC must disclose the otherwise protected confidential information only after consultation with the SJA of the installation CO, supporting judge advocate or other legal advisor concerned, who must advise the SARC whether an exception to restricted reporting applies. In addition, the SJA, supporting judge advocate, or other legal advisor concerned will analyze the impact of Military Rule of Evidence 514 on the communications.

b. When there is uncertainty or disagreement on whether an exception to restricted reporting applies, the matter must be brought to the attention of the installation CO for decision without identifying the individuals involved (using non-personally identifiable information).

**DEPARTMENT of DEFENSE (DoD) COMMANDER'S CRITICAL INFORMATION  
REQUIREMENT (CCIR) NOTIFICATION**

**ONLY COMPLETE WHEN THE INCIDENT MEETS THE FOLLOWING CRITERIA**

1. Does the sexually based, alleged or confirmed, crime meet one of the following?
  - a. Incidents that involves an O-6, commander or equivalent, and above, SARC/VA or a SAPR staff member, as either a victim or subject? Yes or No
  - b. Incident warrants higher level command awareness? Yes or No
  - c. An overturned conviction of a sexually based crime? Yes or No
  - d. Incident warrants media attention? Yes or No
  - e. Congressional involvement? Yes or No

**SUBMIT TO:** COMSC, COS, GC, SAPR PM, Victim's Commander, Subject's Commander (Only notify subject's commander if law enforcement has authorized the notification to the subject's commander).

From: (Incident reported to: Originating VA, Area Commander, Director)

**INCIDENT TYPE:**

**WHO**

Subject(s):

Name:

Grade:

Gender:

Unit of Assignment:

Position:

Victim (s): (no PII)

Rank:

Gender:

**WHAT**

Alcohol involved: yes/no/unknown

Illegal drugs: yes/no/unknown

**WHEN**

Date of incident:

Time of day:

**WHERE**

Location of incident

**ADDITIONAL INFO**



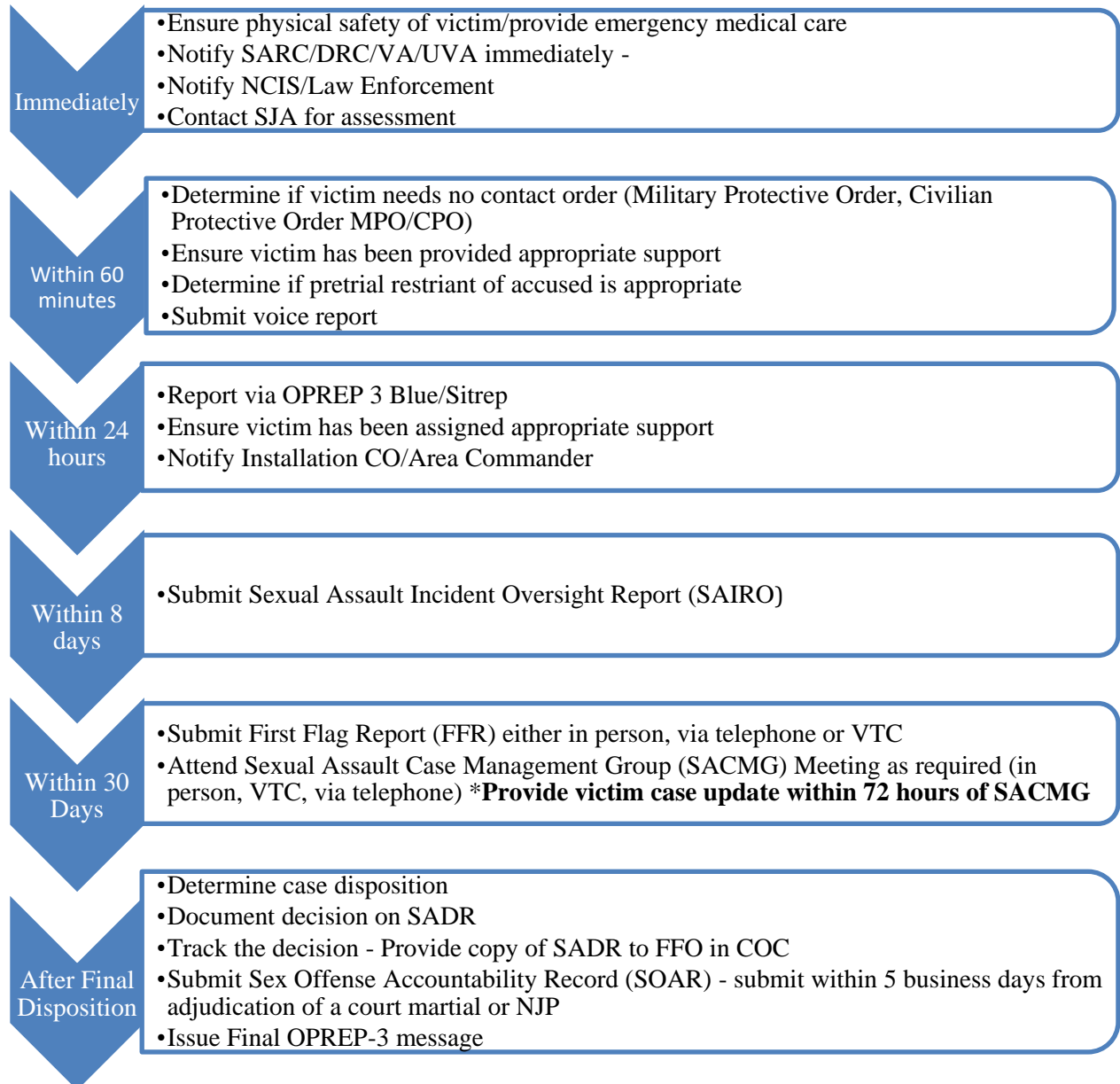
**SAPR “CHEAT SHEET” FOR SHIP MASTERS**

**Victims of sexual assault incidents occurring under DON jurisdiction are eligible, regardless of affiliation, for available advocacy services. See OPNAVINST 1752.1C**

| <b>Victim</b>                                | <b>Alleged Offender</b> | <b>Action/Notification</b><br><i>*Refer to checklist and timeline for additional required actions</i>   | <b>Reporting Responsibility</b><br><b>(i.e., OPREP 3- Navy Blue, First Flag Report)</b> | <b>Confidential Resources</b>  |
|--|-------------------------|---|---|--|
| CIVMAR (CONUS)                               | Military personnel      | <ul style="list-style-type: none"> <li>• Notify COC/Area Commander (where assault occurred)</li> <li>• Voice Report to MSC Battle Watch (when operationally permitted)</li> <li>• SAPR PM or Afloat/Ashore VA</li> <li>• NCIS</li> <li>• GC for legal assessment</li> </ul> | Alleged Offender CO   | <ul style="list-style-type: none"> <li>• MSC SAPR VAs</li> <li>• Civilian Employee Assistance Program (CEAP)</li> <li>• Rape Crisis Center</li> <li>• DoD SAFE Helpline</li> </ul>   |
| CIVMAR (OCONUS)                              | Military personnel      | <ul style="list-style-type: none"> <li>• Notify COC/Area Commander (where assault occurred)</li> <li>• Voice Report to MSC Battle Watch (when operationally permitted)</li> <li>• SAPR PM or Afloat/Ashore VA</li> <li>• NCIS</li> <li>• GC for legal assessment</li> </ul> | Alleged Offender CO   | <ul style="list-style-type: none"> <li>• MSC SAPR VAs</li> <li>• Civilian Employee Assistance Program (CEAP)</li> <li>• Local Rape Crisis Center</li> <li>• DoD SAFE Helpline</li> </ul>   |
| CIVMAR’s Eligible Dependent (CONUS & OCONUS) | Military personnel      | N/A   | Alleged Offender CO   | <ul style="list-style-type: none"> <li>• MSC SAPR VA</li> <li>• SARC</li> <li>• Chaplains</li> <li>• Local Rape Crisis Center</li> <li>• Military Medical</li> <li>• DoD SAFE Helpline</li> </ul>  |
| CIVMAR (CONUS)                               | Civilian                | <ul style="list-style-type: none"> <li>• Notify COC/Area Commander (where assault occurred)</li> <li>• Voice Report to MSC Battle Watch (when operationally permitted)</li> <li>• SAPR PM or Afloat/Ashore VA</li> <li>• NCIS</li> <li>• GC for legal assessment</li> </ul> | Ship’s Master   | <ul style="list-style-type: none"> <li>• MSC SAPR VAs</li> <li>• Civilian Employee Assistance Program (CEAP)</li> <li>• Rape Crisis Center</li> <li>• DoD SAFE Helpline</li> </ul>   |
| CIVMAR (OCONUS)                              | Civilian                | <ul style="list-style-type: none"> <li>• Notify COC/Area Commander (where assault occurred)</li> <li>• Voice Report to MSC Battle Watch (when operationally permitted)</li> <li>• SAPR PM or Afloat/Ashore VA</li> <li>• NCIS</li> <li>• GC for legal assessment</li> </ul> | Ship’s Master   | <ul style="list-style-type: none"> <li>• MSC SAPR VA</li> <li>• SARC</li> <li>• Chaplains</li> <li>• Rape Crisis Center</li> <li>• Military Medical</li> <li>• Deployed Resiliency Counselor (DRC)</li> <li>• DoD SAFE Helpline</li> </ul> |
| U.S. Citizen DoD Contractor (OCONUS only)    | Civilian                | N/A   | N/A   | <ul style="list-style-type: none"> <li>• MSC SAPR VA</li> <li>• SARC</li> </ul>  |
| U.S. Citizen DoD Contractor (OCONUS only)    | Military Personnel      | N/A   | Alleged Offender’s CO   | <ul style="list-style-type: none"> <li>• MSC SAPR VA</li> <li>• SARC</li> <li>• Chaplains</li> <li>• Rape Crisis Center</li> <li>• Military Medical</li> <li>• DoD SAFE Helpline</li> </ul>  |

**SAPR REPORTING TIMELINE**

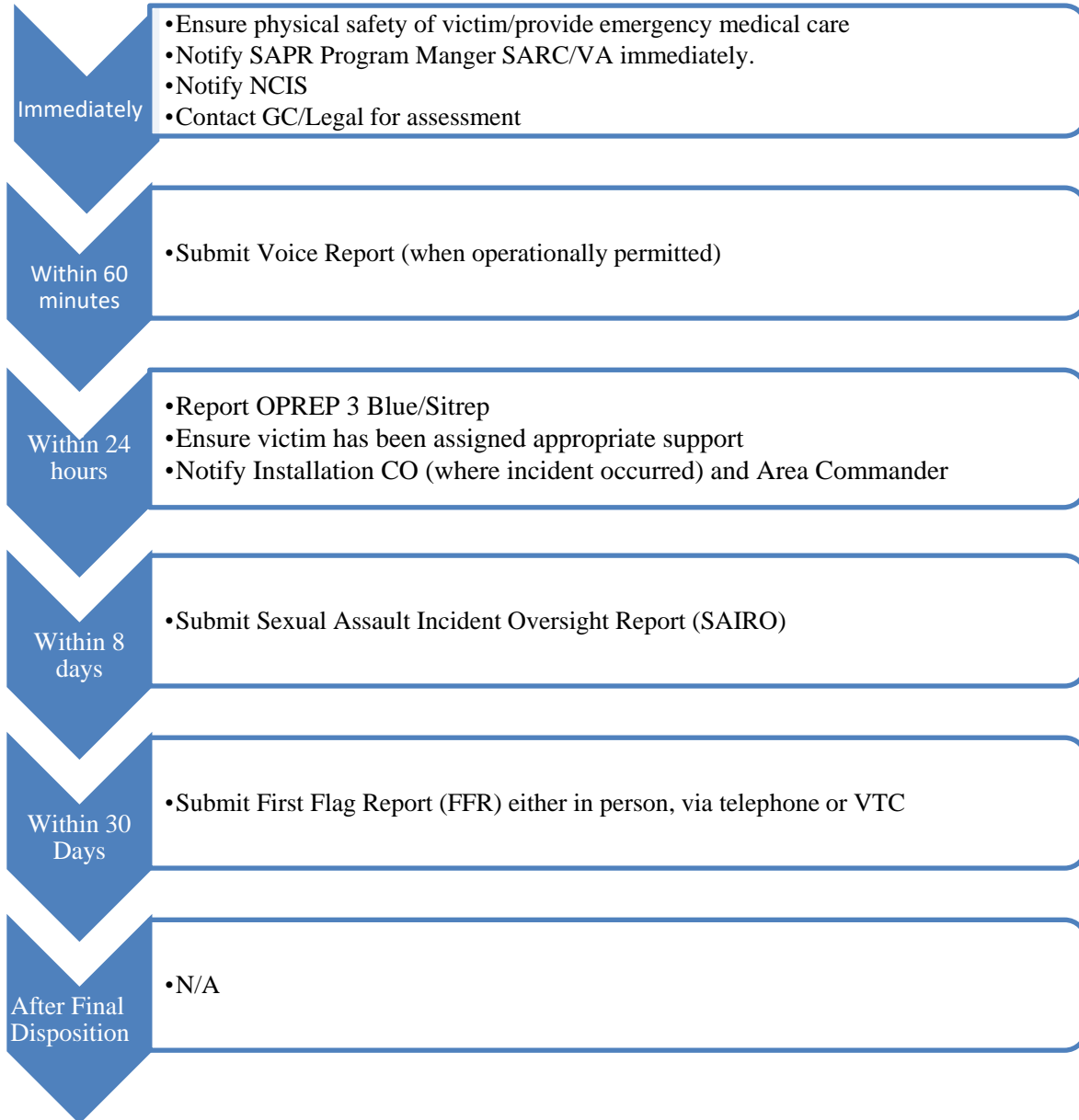
**(MILITARY – UNRESTRICTED REPORT)**



**Note: This reporting process is the baseline for the first 30 days for the commander's response of a reported sexual assault incident for military personnel (Unrestricted Reports Only). It does not apply to victims of sexual assault perpetrated by a spouse or intimate partner, or military dependents under the age of 18 who are sexually assaulted.**

**SAPR REPORTING TIMELINE**

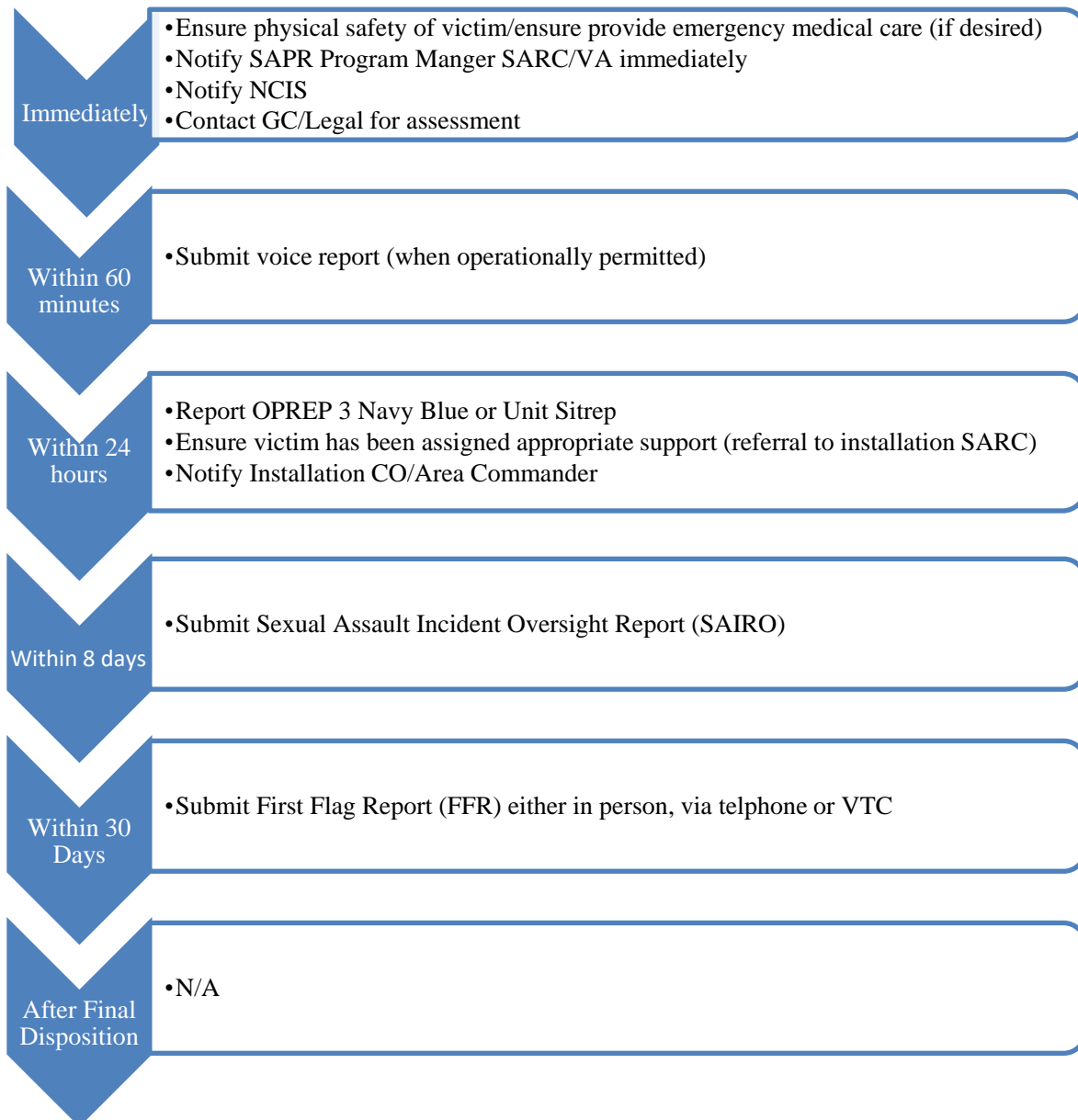
**(OCONUS CIVILIANS – UNRESTRICTED REPORT)**



**Note: This reporting process is the baseline for the first 30 days for the commander’s response of a reported sexual assault incident for OCONUS civilians (Unrestricted Reports Only). It does not apply to victims of sexual assault perpetrated by a spouse or intimate partner, or military dependents under the age of 18 who are sexually assaulted.**

**SAPR REPORTING TIMELINE**

**(CONUS CIVILIANS – UNRESTRICTED REPORT)**



**Note: This reporting process is the baseline for the first 30 days for the commander's response of a reported sexual assault incident for CONUS civilians (Unrestricted Reports Only). It does not apply to victims of sexual assault perpetrated by a spouse or intimate partner, or military dependents under the age of 18 who are sexually assaulted.**

**MSC First Flag Report (FFR) Notification**

|   |  |                    |
|---|--|--------------------|
| <b>MSC SEXUAL ASSAULT FIRST FLAG OFFICER REPORT</b>   |  | COMSCINST 1752.1A  |
| <p><b>PRIVACY ACT STATEMENT:</b><br/>         THE ENCLOSED DOCUMENT(S) MAY CONTAIN PERSONAL OR PRIVILEGED INFORMATION AND SHOULD BE TREATED AS "FOR OFFICIAL USE ONLY". UNAUTHORIZED DISCLOSURE OF THIS INFORMATION MAY RESULT IN CIVIL AND CRIMINAL PENALTIES. IF YOU ARE NOT THE INTENDED RECIPIENT OR BELIEVE THAT YOU HAVE RECEIVED THIS DOCUMENT(S) IN ERROR, DO NOT COPY, DISSEMINATE OR OTHERWISE USE THE INFORMATION AND CONTACT THE OWNER/CREATOR OR YOUR PRIVACY ACT OFFICER REGARDING THE DOCUMENT(S). DISCLOSURE OF THIS INFORMATION IS VOLUNTARY; HOWEVER, FAILURE TO PROVIDE THE REQUESTED INFORMATION MAY IMPEDE, DELAY OR PREVENT FURTHER PROCESSING OF THIS REQUEST.</p>   |  |                    |
| <p><b>INSTRUCTIONS</b><br/>         First Flag Officer (FFO) reports must be in person, via VTC or via phone (no email).</p>  |  |                    |
| <p><b>REQUIRED INFORMATION ON THE INCIDENT:</b></p> <p><b>WHO?</b></p> <ul style="list-style-type: none"> <li>• Victims' name, command (with UIC), gender, age, race, service, and rate or rank:</li> <li>• Offender's name, command (with UIC), gender, age, race, service, and rate or rank:</li> <li>• What was the relationship between the Victim and Offender?</li> </ul> <p><b>WHAT?</b></p> <ul style="list-style-type: none"> <li>• SITREP DTG</li> <li>• Summarize the incident (recommend using summary from the SITREP).</li> </ul> <p><b>SITREP SUMMARY:</b></p> <ul style="list-style-type: none"> <li>• Were alcohol and/or drugs used by the Victim and/or Offender(s)?</li> </ul> <p><b>WHEN?</b></p> <ul style="list-style-type: none"> <li>• What was the date and time of day of the incident?</li> </ul> <p><b>WHERE?</b></p> <ul style="list-style-type: none"> <li>• Location of incident (specify if on board a vessel, on base, in housing, etc)?</li> <li>• What is the current location of the Victim and the Accused?</li> </ul> <p><b>CURRENT STATUS?</b></p> <ul style="list-style-type: none"> <li>• What is the current status of the Victim?</li> <li>• Was a military protective order issued?      When?      When will it expire?</li> <li>• Was the NAVPERS 1752/1 completed and submitted?      When?</li> <li>• Was the VWAP DD2701 completed?      When?</li> <li>• Who is the NCIS Special Agent involved?</li> <li>• Name and command of JAG consulted?</li> </ul>  |  |                    |
| <p><b>QUESTIONS TO CONSIDER FOR THE FIRST FLAG DISCUSSION:</b></p> <ol style="list-style-type: none"> <li>1. <u>Impact</u> on command?</li> <li>2. Any identifiable <u>root causes</u> or <u>key enablers</u>?</li> <li>3. Did the command have <u>adequate resources</u> to address the incident?</li> <li>4. Any <u>after-the-fact history</u> that may have bearing on the incident (even if not known prior to incident)?</li> <li>5. For incidents where the offender is a sailor, how does the command <u>plan to prevent similar assaults</u> in the future?</li> <li>6. For incidents where the victim is a sailor, why is the command <u>conducive to unrestricted reporting</u>?</li> <li>7. In light of any past reports, are any <u>trends</u> emerging within your chain of command?</li> <li>8. Are any particular <u>prevention efforts</u> proving successful?</li> <li>9. Please provide an <u>overall assessment of command climate/performance, other personal behavior leading indicators</u> (e.g., DUIs, drug issues, promotion/advancement, retention, sexual harassment, hazing, etc.). Were there any leading indicators in the metrics, command profile, command climate survey results, or other command performance factors that may have indicated a problem at the command?</li> <li>10. Please provide an <u>overall assessment of non-personal behavior performance indicators</u> (e.g., operational exercises, certifications, inspections, fit/fill Manning, etc.). In other words, do you believe any of your operational or administrative requirements or activities are contributing to negative behavior?</li> <li>11. Please provide any "<u>lessons learned</u>" and anything else the Commanding Officer would like to share on the topic of sexual assault prevention.</li> </ol> |  |                    |
| <p>Name of Commanding Officer</p>   |  | <p>Date</p>        |
| <p>MSC 5354/5 Rev. (8-17)</p>   |  | <p>Page 1 of 1</p> |

## GLOSSARY

### PART I. REFERENCES AND SUPPORTING INFORMATION

Unless otherwise noted, these terms and their definitions are for the purpose of this instruction. Refer to the glossary in references (a) through (f) for terms not defined in this instruction.

**BUMEDINST 6310.11A**, Sexual Assault Prevention and Response Medical-Forensic Program, 02 May 13

**DoD Directive 6495.01**, Sexual Assault Prevention and Response, 23 Jan 12

**DoD Instruction 6495.02**, Sexual Assault Prevention and Response Program Procedures, 28 March 2013, as amended 12 February 2014

**OPNAVINST F3100.6J**, Special Incident Reporting (OPREP-3 PINNACLE, OPREP-3, NAVY BLUE, and NAVY UNIT SITREP) Procedures

**OPNAVINST 1752.1C**, Navy Sexual Assault Prevention and Response (SAPR) Program, 13 Aug 15

**SECNAVINST 1730.9**, Confidential Communications to Chaplains, 07 Feb 08

**SECNAVINST 1752.4B**, Sexual Assault Prevention and Response, 08 Aug 13

### PART II. PRESCRIBED AND ADOPTED FORMS

**DD Form 2910**, Victim Reporting P Statement

**NAVPERS 1752/1**, Sexual Assault Disposition Report (SADR)

**OPNAV FORM 185/2**, Sexual Assault Incident Response Oversight (SAIRO), 8 Day Report

### PART III. ABBREVIATIONS AND ACRONYMS

|       |                                    |
|-------|------------------------------------|
| AOR   | Area of Responsibility             |
| CCIR  | Commander Critical Incident Report |
| CMG   | Case Management Group              |
| CO    | Commanding Officer/Commander       |
| CONUS | Continental United States          |
| CPO   | Civilian Protective Order          |
| DOD   | Department of Defense              |
| DoDI  | Department of Defense Instruction  |

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|         |  |
|---------|--|
| D-SAACP | Defense Sexual Assault Advocate Certification Program  |
| IAW     | In Accordance With                                     |
| MCIO    | Military Criminal Investigative Office                 |
| MPO     | Military Protective Order                              |
| MTF     | Military Treatment Facility                            |
| NCIS    | Naval Criminal Investigative Services                  |
| OCONUS  | Outside of the Continental United States               |
| OPR     | Office of Primary Responsibility                       |
| OPREP   | Operational Report                                     |
| PII     | Personally Identifiable Information                    |
| PM      | Program Manager  |
| SAPR    | Sexual Assault Prevention and Response                 |
| SAAPM   | Sexual Assault Awareness and Prevention Month          |
| SAFE    | Sexual Assault Forensic Exam                           |
| SAIRO   | Sexual Assault Incident Response Oversight Report      |
| SAPR PM | Sexual Assault Prevention and Response Program Manager |
| SAPR VA | Sexual Assault Victim Advocate                         |
| SARC    | Sexual Assault Response Coordinator                    |
| SITREP  | Situational Report                                     |
| SOP     | Standard Operating Procedures                          |
| VA      | Victim Advocate  |
| VLC     | Victim Legal Counsel                                   |
| VVA     | Volunteer Victim Advocate                              |

#### **PART IV. DEFINITIONS**

1. **Certification.** Refers to the process by which the Department credentials SARCs and SAPR VAs, assesses the effectiveness of sexual assault advocacy capabilities using a competencies framework, and evaluates and performs oversight over SARC and SAPR VA training. The certification criterion is established by the Department in consultation with subject matter experts.
2. **Consent.** A freely given agreement to the 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 with the accused in the conduct at issue must not constitute consent. A sleeping, unconscious, or incompetent person cannot consent.
3. **Crisis Intervention.** Emergency non-clinical care aimed at assisting victims in alleviating potential negative consequences by providing safety assessments and connecting victims to needed resources. Either the SARC or SAPR VA will intervene as quickly as possible to assess the victim's safety and determine the needs of victims and connect them to appropriate referrals, as needed.

4. Culturally-Competent Care. Care that provides culturally and linguistically appropriate services.
5. Defense Sexual Assault Incident Database (DSAID). A DoD database that captures and serves as the reporting source for all sexual assault data collected by the Services.
6. DoD Safe Helpline. A crisis support service for victims of sexual assault in the DoD. The DoD Safe Helpline is available 24/7 worldwide with “click, call, or text” user options for anonymous and confidential support. It can be accessed by logging on to [www.safehelpline.org](http://www.safehelpline.org) or by calling 1-877-995-5247, but does not replace local base and installation SARC or SAPR VA contact information.
7. Emergency. A situation that requires immediate intervention to prevent the loss of life, limb, sight, or body tissue to prevent undue suffering. Regardless of appearance, a sexual assault victim needs immediate medical intervention to prevent loss of life or undue suffering resulting from physical injuries, internal or external, sexually transmitted infections, pregnancy, or psychological distress. Sexual assault victims will be given priority as emergency cases regardless of evidence of physical injury.
8. Emergency Care. Emergency medical care includes physical and emergency psychological medical services and a SAFE consistent with reference (a).
9. Final Disposition. Actions taken to resolve the reported incident, document case outcome, and address the misconduct by the alleged perpetrator, as appropriate. It includes, but is not limited to, military justice proceedings, NJP, or administrative actions, including separation actions taken in response to the offense, whichever is the most serious action taken.
10. Gender-Responsive Care. Care that acknowledges and is sensitive to gender differences and gender-specific issues.
11. Healthcare Personnel. Persons assisting or otherwise supporting healthcare personnel in providing healthcare services (e.g., administrative personnel assigned to a military MTF). This includes all healthcare providers.
12. Healthcare Provider. Those individuals who are employed or assigned as healthcare professionals, or are credentialed to provide healthcare services at an MTF, or who provide such care at a deployed location or otherwise in an official capacity. This also 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.
13. Installation. A base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the DoD, including any leased facility. It does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the DoD.



14. Installation Commander. Commander of a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the DoD, including any leased facility. It does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the DoD.
15. Law Enforcement. Includes all DoD law enforcement units, security forces, and MCIOs.
16. Medical Care. Includes physical and psychological medical services.
17. Medical Treatment Facility (MTF). A facility established for the purpose of furnishing medical and dental care to eligible individuals.
18. Military Criminal Investigative Organization (MCIO). The U.S. Army Criminal Investigation Command (CID), Naval Criminal Investigative Services (NCIS), and Air Force Office of Special Investigations (OSI).
19. Non-Personally Identifiable Information. Non-personally identifiable information includes those facts and circumstances surrounding the sexual assault incident or that information about the individual that enables the identity of the individual to remain anonymous. In contrast, personally identifiable information is information belonging to the victim and alleged assailant of a sexual assault that would disclose or have a tendency to disclose the person's identity.
20. Personally Identifiable Information. Includes the person's name, other particularly identifying descriptions (e.g., physical characteristics or identity by position, rank, or organization), or other information about the person or the facts and circumstances involved that could reasonably be understood to identify the person (e.g., a female in a particular squadron or unaccompanied housing when there is only one female assigned).
21. Recovery-Oriented Care. Focus on the victim and on doing what is necessary and appropriate to support victim recovery and also, if a Service member, to support that Service member to be fully mission capable and engaged.
22. Reprisal. Taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, or any other act of retaliation, against a Service member for making, preparing, or receiving a communication.
23. Respond, Response, or Response Capability. All locations, including deployed areas, have a 24/7 sexual assault response capability. The SARC must be notified, respond, or direct a SAPR VA to respond, assign a SAPR VA, and offer the victim healthcare treatment and a SAFE. In geographic locations where there is no SARC onsite, the on-call SAPR VA will respond, offer the victim healthcare treatment and a SAFE, and immediately notify the SARC of the sexual assault. The initial response is generally composed of personnel in the following disciplines or positions: SARCs, SAPR VAs, healthcare personnel, law enforcement, and MCIOs. Other responders are judge advocates, chaplains, and commanders. When victims are geographically detached from a military installation, the SARC or SAPR VA will refer to local civilian providers or the DoD Safe Helpline for resources.

24. Responders. Includes first responders, who are generally composed of personnel in the following disciplines or positions: SARCs, SAPR VAs, healthcare personnel, law enforcement, and MCIOs. Other responders are judge advocates, chaplains, and commanders, but they are usually not first responders.

25. 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), per the U.S. Department of Justice, Office on Violence Against Women, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," 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 per reference (a). The restricted reporting program option applies to Service members and their military dependents 18 years of age and older. For additional persons who may be OPNAVINST 1752.1C 13 Aug 2015.

26. Re-Victimization. A pattern in which the victim of abuse or crime has a statistically higher tendency to be victimized again, either shortly thereafter or much later in adulthood in the case of abuse as a child. This latter pattern is particularly notable in cases of sexual abuse.

27. Service member. An active duty member of a Military Service (in addition to National Guard and Reserve Component) members who are sexually assaulted when performing active service, as defined in section 101(d)(3) of Title 10, U.S.C., and IDT.

28. Sexual Assault. Intentional sexual contact characterized by the use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. As used in this instruction, the term includes a broad category of sexual offenses consisting of the following specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these offenses.

29. Sexual Assault Forensic Examination (SAFE) Kit. The medical and forensic examination kit used to ensure controlled procedures and safekeeping of any bodily specimens in a sexual assault case. The victim's SAFE kit is treated as a confidential communication when conducted as part of a restricted report.

30. Sexual Assault Prevention and Response Victim Advocate (SAPR VA). A person who as a VA, 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.

31. Sexual Assault Response Coordinator (SARC). The single point of contact at an installation or within a geographic area who oversees sexual assault awareness, prevention, and response training; coordinates medical treatment, including emergency care, for victims of sexual assault; and tracks the services provided to a victim of sexual assault from the initial report through final disposition and resolution.

32. Unrestricted Reporting. A process that an individual covered by this policy uses to disclose, without requesting confidentiality or restricted reporting, that he or she is the victim of a sexual assault. Under these circumstances, the victim's report provided to healthcare personnel, the SARC, a SAPR VA, command authorities, or other persons is reported to law enforcement and may be used to initiate the official investigative process.

33. Victim. A person who asserts direct physical, emotional, or pecuniary harm as a result of the commission of a sexual assault. The term encompasses all persons 18 and over eligible to receive treatment in military medical treatment facilities; however, the restricted reporting program option applies to Service members and their military dependents 18 years of age and older.