

DEPARTMENT OF THE NAVY  
Office of the Secretary  
1000 Navy Pentagon  
Washington DC 20350-1000

SECNAVIST 1752.4  
Pers-661F  
2 July 1996

SECNAV INSTRUCTION 1752.4

From: Secretary of the Navy  
To: All Ships and Stations

Subj: SEXUAL ASSAULT PREVENTION  
AND RESPONSE

- Ref: (a) 42 U.S. Code 10605-10607  
 (b) DOD Instruction 1030.2 of  
 23 Dec 94 (NOTAL)  
 (c) SECNAVINST 5800.11A  
 (d) Manual for Courts-Martial, United  
 States, 1995  
 (e) NAVMEDCOMINST 6310.3  
 (Management of Alleged or Suspected  
 Sexual Assault and Rape Cases)  
 (NOTAL)

- Encl: (1) Crime Victim's Bill of Rights  
 (2) Sexual Assault Incident Data  
 Collection Report Explanation  
 (3) Sexual Assault Data for USN/USMC

1. Purpose. To issue policy and provide guidance for the establishment of a sexual assault prevention/victim assistance program within the Department of the Navy (DON), including development and maintenance of a DON sexual assault reporting system and database for data on all such offenses against persons who are over 18 years of age and not married to their alleged perpetrators.

2. Background

a. Reference (a) established the crime victim's bill of rights, enclosure (1), and directed that agencies engaged in the detection, investigation, or prosecution of crime identify victims of crime and inform them of the following: availability of emergency medical and social services; any available restitution or other relief; public and private programs available to provide counseling, treatment, and other support to the victim; and assistance in contacting persons responsible for

providing those services and relief. References (b) and (c) implement reference (a) in the Department of Defense (DoD) and DON and provide further guidance for assisting victims and witnesses of crime.

b. This instruction addresses the specific needs of victims of sexual assaults and related issues by defining sexual assault; establishing procedures to protect the victim's privacy; establishing a mandatory, standardized sexual assault victim assistance program; developing a database to track certain sexual assault trends; and implementing a sexual assault prevention program for service members.

3. Policy

a. Sexual assault is a criminal act that is absolutely incompatible with the DON's core values, high standards of professionalism, and personal discipline. Commanders shall take appropriate action under U.S. laws and regulations in all cases of sexual assault. The term "sexual assault," for the purpose of this instruction, includes rape, indecent assault, forcible sodomy, assault with intent to commit rape, and assault with intent to commit sodomy as defined in reference (d).

b. It is the DON goal to eliminate sexual assault incidents that impact DON personnel and family members, or that are perpetrated by DON personnel. To reach this goal, the DON will establish a standardized and effective sexual assault prevention and victim assistance program at the command level; will meet mandated reporting requirements without unduly compromising victim confidentiality or safety, or generating fear of reprisal; and will provide education to Navy and Marine Corps members and their families on socially responsible standards of behavior and factors that contribute to victimization.

c. Sexual assaults against children and those that occur within a marital relationship shall be



\* 0 5 7 9 L D 0 0 5 9 9 1 0 \*

reported under the DON's Family Advocacy Program.

d. This instruction is not intended to, and does not, create any entitlement, cause of action, or defense in favor of any person arising out of a failure to accord to a victim the assistance outlined in this instruction. *No limitations are hereby placed on the lawful prerogatives of the DON or its officials.*

#### 4. Action

##### a. Chief of Naval Operations/Commandant of the Marine Corps shall:

(1) Establish an Integrated Database (IDB) to capture and track reported incidents of sexual assault against persons who are over the age of 18 who are not married to their alleged perpetrators, and to track subsequent investigative and/or legal actions as defined in enclosure (2). This database will provide policy makers, developers of training, and other key leadership personnel with reliable statistical information to quantify and categorize incidents, as well as to analyze the effectiveness of policies, training, and the command climate with relation to the identification and prevention of sexual assaults.

(2) Establish policy and procedures by which the sexual assault incident information contained in appendix A to enclosure (2) will be collected, reported, and entered into the DON IDB.

R) (3) Provide an annual report to SECNAV by 31 January for the preceding fiscal year, using the format in enclosure (3).

(4) Develop and conduct a sexual assault awareness and prevention program at both junior and senior levels, and at key career progression points (officer and enlisted) for all service members. Training will be commensurate with a member's seniority and level of command responsibility/supervision.

(5) Establish a sexual assault victim assistance program that maximizes coordination of local resources, provides victim advocates, and minimizes re-victimization.

(6) Ensure installation commanders provide the safest possible environment for all service members, with particular emphasis on proper street lighting, enhanced barracks safety and base security, and the responsible use of alcohol on board Navy and Marine Corps installations. This environment also requires diligent efforts by commanders to provide protection for victims from alleged perpetrators and a command climate that encourages the reporting of sexual assaults without fear of reprisal.

(7) Maximize cooperation between law enforcement and victim advocate personnel.

b. Director, Naval Criminal Investigative Service (NCIS) and Director, Marine Corps Criminal Investigation Division (CID) have key roles in management of sexual assault cases and shall:

(1) Provide technical guidance and training for military security forces and DON civilian law enforcement personnel involved in prevention of, and response to, sexual assault. In order to keep re-victimization to a minimum, appropriate training in understanding sexual assault victims' needs and concerns shall be an essential component of this guidance and training.

(2) Provide training in the sensitive handling of sexual assault victims in both the Special Agent Basic Training course and in-service criminal investigative courses. Include in the Special Agent Basic Training course a review of Federal statutes and Navy and Marine Corps policies regarding the handling of sexual assault victims. Ensure all criminal investigators are included in the in-service training.

(3) Ensure that Naval Criminal Investigative Service Resident Agencies (NCISRAs) and Marine Corps Criminal Investigation Division Offices (CIDs) provide necessary information to the appropriate command data collection coordinator to allow accurate completion of sexual

assault incident reports. Information should be provided to the extent that it will not compromise the investigation.

(4) Ensure that NCISRAs and Marine Corps CIDs have special investigators available 24 hours a day to respond immediately to reported incidents of sexual assault.

c. **The Judge Advocate General of the Navy shall:** Provide advice, instruction, guidance, and assistance regarding the legal aspects of the Sexual Assault Prevention and Response Program.

d. **Chief, Bureau of Medicine and Surgery shall:**

(1) Provide technical guidance and training for appropriate medical personnel to address the medical, medico-legal, and psychological aspects of assisting sexual assault victims, including training in the sensitive handling of sexual assault victims to minimize re-victimization and further trauma to the victim.

(2) Ensure adherence to reference (e), which provides procedures for the sensitive handling, care, evaluation, and medico-legal documentation of the victim of an alleged sexual assault.

#### 5. Form and Reports

a. NAVPERS 1752/1 (1-96), Sexual Assault Incident Data Collection Report, S/N 0106-bF-020-2900, is available August 1996 from the Naval Inventory Control Point using requisitioning procedures contained in CD-ROM NAVSUP PUB 600 (NLL), Navy Stock List of Publications and Forms.

b. Report Control Symbol OPNAV 1752-1, Sexual Assault Incident Data Collection Report, is assigned to NAVPERS 1752/1 and is referred to in paragraph 4a(2), and is approved for 3 years from the date of this instruction.

c. Symbol DD-P&R(A)1952(1752) is assigned to the reporting requirement contained in paragraph 4a(3) and is approved for 3 years from the date of this instruction.

**BERNARD ROSTKER**  
Assistant Secretary of the Navy  
(Manpower and Reserve Affairs)

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## CRIME VICTIM'S BILL OF RIGHTS

A crime victim has the following rights:

1. The right to be treated with fairness and with respect for the victim's dignity and privacy.
2. The right to be reasonably protected from the accused offender.
3. The right to be notified of court proceedings.
4. The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.
5. The right to confer with the attorney for the Government in the case.
6. The right to receive available restitution.
7. The right to be provided information about the conviction, sentencing, imprisonment, and release of the offender.

Enclosure (1)

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SEXUAL ASSAULT INCIDENT DATA COLLECTION REPORT EXPLANATION  
(Coincides with Integrated Database (IDB))

1. Purpose. This reporting system:

a. Establishes a single, comprehensive database in which the prevalence of sexual assault within the Department of the Navy (DON) can be monitored and analyzed. In addition, information on the circumstances accompanying a sexual assault (e.g., involvement of alcohol or drugs, location of assault) will help in the development of appropriate measures to reduce the incidence of this crime.

b. Maintains data for all incidents of sexual assault reported to commands or civilian or military law enforcement, investigative, medical or social service agencies under either of the circumstances defined in paragraph 3a (1) and (2) of this enclosure.

2. Privacy Interests. The privacy interests of all parties shall be protected with particular emphasis on the following areas:

a. Data collection and reporting must protect the victim's identity. Access to the system to report and review information must be controlled at all levels of use to maintain confidentiality of case information.

b. The victim's identity will not be released to the media without the victim's express consent.

c. This system must use a means of identifying and tracking individual incidents and subsequent investigative and legal actions that does not rely on victim identity. Points of contact may include the Naval Criminal Investigative Service (NCIS), Marine Corps Criminal Investigative Division (CID), Family Service Centers (FSC), law enforcement agencies, medical treatment facilities, staff judge advocates, and Naval Legal Service Offices (NLSOs). The data collection coordinator shall obtain required data from these agencies rather than from the victim or alleged offender. The purpose of collecting data is for program management and statistical data analysis. Victim and perpetrator identifying data will not be included in the database (e.g., name, SSN).

d. Data collection and incident investigation shall be pursued with sensitivity to avoid re-victimization.

Enclosure (2)

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3. Reporting Requirement

a. An initial report must be submitted if an incident of sexual assault is reported to a military authority or support service (e.g., duty officer, legal officer, security, medical, or FSC) and meets either of the following criteria:

(1) If the sexual assault occurs in areas under DON control or jurisdiction, regardless of the victim's or the alleged perpetrator's duty status, military affiliation, or nationality.

(2) If the victim is a family member, or if the victim or the alleged perpetrator is an active-duty Navy or Marine Corps service member or Reservist on active duty, or is an active-duty member of another Service assigned to a Navy or Marine Corps command at the time of the incident, regardless of the location of the incident.

[Note: Victims who are under the age of 18 and victims of marital sexual assault will not be reported through the IDB but must be reported through the Family Advocacy Program (FAP).]

b. Sexual Assault Incident Reports should be completed within 10 days of initial notification to any Navy or Marine Corps support service or command. Submission of the initial report should not be delayed to obtain more information.

c. Continuation (status) reports will be used to provide new or revised information and must be submitted to Service headquarters at least quarterly until final resolution of a case, or a determination that the installation commander is unable to monitor the progress of a case (e.g., the incident falls under the jurisdiction of civilian authorities). Final resolution refers to completion of investigative, disciplinary/criminal, and/or administrative actions (e.g., defendant found guilty/not guilty, case determined to be unsubstantiated or false, alleged perpetrator administratively separated).

4. Reporting Responsibility

a. A data collection coordinator will be responsible for obtaining data elements through a coordinated effort with all agencies involved in the reporting, investigation, or prosecution of sexual assault.

b. Specific instructions for completing the report on NAVPERS 1752/1 (appendix A to this enclosure) are provided on pages 9-13 of NAVPERS 1752/1.

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It is recommended that a coordinating committee be used as the principal means of obtaining necessary information for the report.

c. The data collection coordinator should monitor the progress and outcome of all DON-related sexual assault incidents. A concerted effort is required in cases where an assault occurs outside the investigative and legal jurisdiction of the military, such as when the alleged perpetrator is not an active-duty service member or Reservist on active duty, or when the incident does not occur on military property. In cases where an assault is being investigated and prosecuted by civilian authorities with little or no military involvement, local military officials (e.g., NCIS and CID agents, military police, staff judge advocates) should contact their civilian counterparts and arrange for sharing of information. Overseas locations should establish guidelines for interaction with host nation authorities under applicable Status of Forces Agreements (SOFA). The data collection coordinator should note in the comment section of this report when a case falls under the jurisdiction of the civilian judicial or law enforcement system and information is not readily obtainable.

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SEXUAL ASSAULT INCIDENT DATA COLLECTION REPORT

Instructions for completing this form are found on pages 9-13.

A. GENERAL INFORMATION

1. Date reported: \_\_\_\_\_
2. Type of report: \_\_\_ Initial \_\_\_ Continuation (status)
3. Name of person and command submitting report: \_\_\_\_\_

Command/FSC affiliation:  USN  USMC

4. Incident Report Number: a. \_\_\_\_\_ b. \_\_\_\_\_ c. \_\_\_\_\_
- UIC/MCC: \_\_\_\_\_
- NCIS/CID Case Control Number: \_\_\_\_\_

NOTE: An incident will always retain the same incident report number regardless of whether reporting responsibility is transferred to another installation.

B. VICTIM INFORMATION

- |   |  |  |
|---|--|--|
| 5. (a) Affiliation:   | (b) Status:                            | (c) Paygrade:  |
| <input type="checkbox"/> USN                                | <input type="checkbox"/> Active Duty   | <input type="checkbox"/> E1 <input type="checkbox"/> W-1 |
| <input type="checkbox"/> USMC                               | <input type="checkbox"/> Reservist on  | <input type="checkbox"/> E2 <input type="checkbox"/> W-2 |
| <input type="checkbox"/> USAF                               | <input type="checkbox"/> Active Duty   | <input type="checkbox"/> E3 <input type="checkbox"/> W-3 |
| <input type="checkbox"/> USA                                | <input type="checkbox"/> Retired       | <input type="checkbox"/> E4 <input type="checkbox"/> W-4 |
| <input type="checkbox"/> USCG                               | <input type="checkbox"/> Family member | <input type="checkbox"/> E5 <input type="checkbox"/> O-1 |
| <input type="checkbox"/> Unknown                            | <input type="checkbox"/> N/A           | <input type="checkbox"/> E6 <input type="checkbox"/> O-2 |
| <input type="checkbox"/> DoD Employed Civilian              |  | <input type="checkbox"/> E7 <input type="checkbox"/> O-3 |
| <input type="checkbox"/> Civilian (no military affiliation) |  | <input type="checkbox"/> E8 <input type="checkbox"/> O-4 |
|   |  | <input type="checkbox"/> E9 <input type="checkbox"/> O-5 |
|   |  | <input type="checkbox"/> O-6                             |
|   |  | <input type="checkbox"/> O-7                             |
|   |  | <input type="checkbox"/> & above                         |

6. Age: \_\_\_\_\_

7. Gender: M/F

8. Race:
- |                                   |   |
|-----------------------------------|---|
| <input type="checkbox"/> White    | <input type="checkbox"/> American Indian/Alaskan Native |
| <input type="checkbox"/> Black    | <input type="checkbox"/> Asian/Pacific Islander         |
| <input type="checkbox"/> Hispanic | <input type="checkbox"/> Other: _____                   |
|                                   | <input type="checkbox"/> Unreported                     |

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9. (a) Initial contact/entry into system:

- Medical Treatment Facility  FSC
- Base/Command Security/MPs  Chaplain
- Duty Office/Quarterdeck  Other: \_\_\_\_\_

(b) Date of initial contact: \_\_\_\_\_

10. Did the victim receive initial medical examination? Y/N

11. Was the victim referred for additional medical care following initial physical examination/evidence collection? Y/N  
 If yes, was medical care rendered at civilian or military medical treatment facility? CIV/MIL

12. Was victim referred for counseling? Y/N  
 If yes, was counseling rendered at a civilian or military facility? CIV/MIL

13. Use of Alcohol? Yes/No/Unknown      Drugs? Yes/No/Unknown

C. OFFENDER INFORMATION (If known) (If more than one, use OFFENDER INFORMATION/INVESTIGATION/RESOLUTION Continuation Sheets)

14. Offender is known/unknown

(a) Number of offenders: \_\_\_\_\_ (b) Offender Number: \_\_\_\_\_

15. (a) Affiliation:	(b) Status:	(c) Paygrade:
<input type="checkbox"/> USN	<input type="checkbox"/> Active Duty	<input type="checkbox"/> E1 <input type="checkbox"/> W-1
<input type="checkbox"/> USMC	<input type="checkbox"/> Reservist on	<input type="checkbox"/> E2 <input type="checkbox"/> W-2
<input type="checkbox"/> USAR	<input type="checkbox"/> Active Duty	<input type="checkbox"/> E3 <input type="checkbox"/> W-3
<input type="checkbox"/> USA	<input type="checkbox"/> Retired	<input type="checkbox"/> E4 <input type="checkbox"/> W-4
<input type="checkbox"/> USCG	<input type="checkbox"/> Family member	<input type="checkbox"/> E5 <input type="checkbox"/> O-1
<input type="checkbox"/> Unknown	<input type="checkbox"/> N/A	<input type="checkbox"/> E6 <input type="checkbox"/> O-2
<input type="checkbox"/> DoD Employed Civilian		<input type="checkbox"/> E7 <input type="checkbox"/> O-3
<input type="checkbox"/> Civilian (no military affiliation)		<input type="checkbox"/> E8 <input type="checkbox"/> O-4
		<input type="checkbox"/> E9 <input type="checkbox"/> O-5
		<input type="checkbox"/> O-6
		<input type="checkbox"/> O-7
		<input type="checkbox"/> & above

16. Age: \_\_\_\_\_

17. Gender: M/F

18. Race:

- White  American Indian/Alaskan Native
- Black  Asian/Pacific Islander
- Hispanic  Other: \_\_\_\_\_
- Unreported



26. Victim's willingness to assist with investigation/prosecution. (Mark as many statements as appropriate.)

- Will (or did) submit to medical examination/evidence collection
- Statement given to law enforcement
- Willing to assist with prosecution
- Willing to testify against offender
- Unwilling to provide evidence to law enforcement

Optional Screen: Unwillingness reasons:

- Fear of reprisal by offender
- Fear of reprisal by superiors and/or peers
- Fear of adverse effect on career advancement
- Fear of not being believed by others
- Did not want others to know of assault
- Embarrassment
- Desire to avoid retelling, defending victim's actions
- Unknown
- Other, specify: \_\_\_\_\_

F. INVESTIGATION/RESOLUTION (If more than one, use OFFENDER INFORMATION/INVESTIGATION/RESOLUTION Continuation Sheets)

27. Lead criminal investigative agency

- NCIS
- U.S. civilian law enforcement
- Foreign civilian law enforcement
- Command Security/Military Police
- Other: \_\_\_\_\_

28. Criminal investigation:

- (a) Was investigation initiated? Yes/No
- (b) Status: In progress Completed
- (c) Results:
  - Complaint Resolved
  - Complaint Unfounded
  - Complaint Unresolved
  - False Report

29. Offender disposition:

- (a) Administrative
  - Nonjudicial Punishment (NJP)
  - Administrative Separation Processing Initiated/Completed
  - No Action Taken
  - Other: \_\_\_\_\_
  - Separation In Lieu Of Trial

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- (b) Judicial
- Summary Court-Martial
- Special Court-Martial
- General Court-Martial
- Civilian Trial

30. Results of court-martial/civilian trial:

- Guilty
- Not Guilty/Acquitted
- Mistrial
- Case Dismissed

Retry Mistrial No/Unknown/Yes

31. Charges convicted of:

- Rape
- Indecent Assault
- Forcible Sodomy
- Forcible Sodomy (same gender)
- Other: (e.g., Assault With Intent To Commit Rape and Assault With Intent To Commit Sodomy)

32. If offender was found guilty, results:

(a) Military

- Discharged
- Confinement/Imprisonment
- Forfeiture/Fine
- Reduction in pay grade/Loss of lineal number
- Other: \_\_\_\_\_

(b) Civilian courts

- Confinement
- Fine
- Counseling
- Other: \_\_\_\_\_

33. Did convening authority approve the results of the court-martial? Yes/No

Specify approved results \_\_\_\_\_

G. COMMENTS:

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OFFENDER INFORMATION/INVESTIGATION/RESOLUTION Continuation Sheet

27. Lead criminal investigative agency  
 NCIS  
 U.S. civilian law enforcement  
 Foreign civilian law enforcement  
 Command Security/Military Police  
 Other: \_\_\_\_\_
28. Criminal investigation:  
 (a) Was investigation initiated? Yes/No  
 (b) Status: In progress Completed  
 (c) Results:  
 Complaint Resolved  
 Complaint Unfounded  
 Complaint Unresolved  
 False Report
29. Offender disposition:  
 (a) Administrative  
 Nonjudicial Punishment (NJP)  
 Administrative Separation  
 No action taken  
 Other \_\_\_\_\_  
 Separation In Lieu Of Trial  
 (b) Judicial  
 Summary Court-Martial  
 Special Court-Martial  
 General Court-Martial  
 Civilian Trial
30. Results of court-martial/civilian trial:  
 Guilty  
 Not Guilty/Acquitted  
 Mistrial  
 Case Dismissed  
 Retry Mistrial No/Unknown/Yes
31. Charges convicted of:  
 Rape  Forcible Sodomy  
 Indecent Assault  Forcible Sodomy (same gender)  
 Other: (e.g., Assault With Intent To Commit Rape and Assault With Intent To Commit Sodomy)

OFFENDER INFORMATION/INVESTIGATION/RESOLUTION Continuation Sheet

32. If offender was found guilty, results:

(a) Military

- Discharged
- Confinement/Imprisonment
- Forfeiture/Fine
- Reduction in pay grade/Loss of lineal number
- Other: \_\_\_\_\_

(b) Civilian courts

- Confinement
- Fine
- Counseling
- Other: \_\_\_\_\_

33. Did convening authority approve the results of the court-martial? Yes/No

Specify approved results \_\_\_\_\_

SAMPLE

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**INSTRUCTIONS FOR COMPLETING THE  
SEXUAL ASSAULT INCIDENT DATA COLLECTION REPORT**

- | <u>Question</u> | <u>Comments</u>   |
|-----------------|---|
| 1               | Enter today's date.   |
| 2               | If this is a new incident which has <u>not</u> been previously reported, mark "initial." If a report was previously submitted on this particular incident, mark "continuation" in this space on this report.  |
| 3               | Enter the name of the person who is completing the form and the command to which that person is assigned. <u>DO NOT</u> enter the name of the victim or offender. Indicate whether the command/FSC submitting the report is Navy or Marine Corps.   |
| 4               | Incident report numbers are locally generated and consist of: <ol style="list-style-type: none"> <li>a. UIC (Navy) or MCC (Marine Corps) of the installation where report is generated.</li> <li>b. The last two digits of the <u>fiscal year</u> in which the assault occurred.</li> <li>c. The sequential number which corresponds to the number of rapes that have been reported by the reporting person's command in that <u>fiscal year</u>.<br/><br/>(For example, if an installation (with UIC/MCC 12345) is submitting a report on an assault which occurred in December 1993 and it is the second assault for that <u>fiscal year</u>, the incident report number would be: 12345-94-002.) If this is a continuation (status) report, use the incident report number that was originally assigned to the incident. (The Navy and USMC should determine reporting procedures for afloat commands.)</li> <li>d. Enter the victim's (or victim's sponsor's) UIC/MCC.</li> <li>e. Enter the NCIS/CID case control number.</li> </ol> |

**NOTE:** If this is a continuation report, respond only to questions not previously answered. If previously reported information has changed or subsequently been found to be incorrect, indicate in the "comments" section that answers represent new or corrected data.

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- 5a If military, select one category to indicate affiliation. "DoD employed civilian" includes permanent and temporary employees, as well as vendors contracted by DoD/DON.
- 5b If military, select status. If family member, select an affiliation category to show affiliation with military.
- 5c If military, select paygrade.
- 6 Age at the time of assault.
- 7 Circle M (male) or F (female).
- 8 Select only one category. If other, specify.
- 9a Indicate which office/department first became aware of and responded to the incident. If other, specify.
- 9b Indicate date when initial contact was made.
- 10 Indicate if victim received a medical examination following the incident.
- 11 Indicate whether the victim required medical treatment beyond an initial physical examination/evidence collection (e.g., for injuries). If yes, specify military or civilian treatment facility.
- 12 Counseling may include clinical psychologist, social worker, victim advocate, FSC counselor, chaplain, or community crisis center. If yes, specify military or civilian.
- 13 Any amount of alcohol or drug consumption prior to (within approximately 24 hours of) the incident constitutes "use," backed up by victim's account or blood test.
- 14 Indicate offender "known/unknown."
- 14a List number of offenders involved in the assault. If more than one offender was involved, questions 14-19 should be answered separately for each offender on OFFENDER INFORMATION/INVESTIGATION/RESOLUTION continuation sheets.
- 14b List offender as 1 of 1, 1 of 2, 2 of 2, etc., as appropriate.

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- 15-18 Refer to explanations provided for questions 5-9.
- 19 Indicate offender's relationship to the victim. (If they were living together, check "other" and fill in blank).

Note: The USMC Sexual Assault and Rape Program covers all victims of sexual assault regardless of age and reports data under their Family Advocacy Program (FAP), therefore, the last option, "Family Member," would include spouse.

The Navy's Sexual Assault Victim Intervention Program (SAVI) reports data for sexual assault victims who are 18 years or older except for victims of marital rape (legal spouse is perpetrator). Victims who are under 18 years old and victims of marital rape are reported through FAP.

- 20 Any amount of alcohol or drug consumption prior to (within approximately 24 hours of) the incident constitutes "use." (See #13.)
- 21 Describe the crime with which the perpetrator is charged.
- 22 Indicate if victim wishes to be notified of offender's release. Notification is a function of the correctional facility.
- 23 Give the date that the assault actually occurred.
- 24 If assault occurred in more than one location, check all that apply (e.g., on-base, U.S.; off-base, U.S.).
- 25 Indicate if a victim advocate assisted the victim through any of the processes, which ones, and if not, why. A victim advocate can be either a military or civilian trained volunteer or employee.
- 26 Indicate the victim's willingness to assist in the investigation and prosecution of the offender. Select all statement(s) which apply.

The second part of question 26 is an Optional screen that is pulled up if the victim wishes not to assist in the investigation and states why he/she is unwilling to assist. If "Unwilling to provide evidence" was selected in question 26 and a reason

given, the second part of question 26 must be answered. Select as many statements as appropriate. If further explanation is required, use comment section.

27 Indicate which agency has the lead in conducting the criminal investigation. If "other," specify.

28 If investigation was opened, indicate the status/results of the criminal investigation, as determined/reported by NCIS or other lead investigating agency. Do not make your own status determination. Generally, the response choices have the following meanings:

Complaint Resolved (Same as Resolved/Substantiated): Sufficient evidence, etc.

Complaint Unfounded (Same as unfounded/Unsubstantiated): It is proven that the allegation is false.

Complaint Unresolved (Same as Unresolved): Suspect identified but there is lack of evidence to go forward with formal charges or suspect is not identified (e.g. case of stranger sexual assault) in this situation the case investigation is left open.

False report: Victim admits false report, etc.

29 Select only one. Disposition refers only to charges of sexual assault or any lesser included offenses substituted for those charges. Other offenses with which the offender may be charged (e.g., breaking and entering in conjunction with an assault) should not be addressed. If in question 28, an incident was resolved, question 29 must be answered. If more than one offender is being investigated/prosecuted, questions 29-32 should be answered separately for each offender on OFFENDER INFORMATION/INVESTIGATION/RESOLUTION continuation sheets.

30 Results of courts martial/civilian trial refer only to charges of sexual assault or any lesser included offenses substituted for those charges. Other offenses of which the offender may be found guilty

(e.g., breaking and entering in conjunction with an assault) should not be addressed. Note in the comment section if and why information regarding the verdict cannot be obtained.

- 31 Indicate those charges for which a conviction resulted.
- 32 Select appropriate response(s). If other (e.g., probation), specify.
- 33 Refers only to military trials.
- Comments Use this section to clarify any previous answer and to provide additional information if desired.

If final disposition of an incident has been determined or installation commander determines that further information is unobtainable because the case is under civilian jurisdiction and this report represents the last report, state in the comments section, "Final report this incident."

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SEXUAL ASSAULT DATA FOR (USN/USMC)

NOTE: The following data reflect incidents reported in accordance with enclosure (2) of this instruction:

FY___ REPORT	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
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TOTAL SEXUAL ASSAULT INCIDENTS REPORTED:  
(Initial Report)

TOTAL TYPES OF SEXUAL ASSAULTS REPORTED:  
(will not equal total incidents reported)

Rape  
Forcible Sodomy  
Forcible Sodomy (same gender)  
Indecent Assault  
Assault with Intent to Commit Rape  
Assault with Intent to Commit Sodomy

## INVESTIGATION RESULTS:

Complaint Resolved  
Complaint Unfounded  
Complaint Unresolved  
False report  
No Investigation Initiated

## DISPOSITION:

## (ADMINISTRATIVE)

NJP  
Administrative Separation  
No action taken  
Separation in lieu of trial  
Other

## (JUDICIAL)

Summary Court-Martial  
Special Court-Martial  
General Court-Martial  
Civilian Trial

## RESULTS OF COURT-MARTIAL/CIVILIAN TRIAL:

Guilty  
Not Guilty/Acquitted  
Mistrial  
Case dismissed