

**FACT SHEET ON DEPARTMENT OF DEFENSE ANNUAL REPORT ON
SEXUAL ASSAULT IN THE MILITARY FOR FISCAL 2011
APRIL 13, 2012**

The men and women of the U.S. military deserve an environment that is free from the threat of sexual assault. Service members and their families must feel secure enough to report this crime without fear of retribution and commanders must hold offenders appropriately accountable. Under the leadership of the secretary of defense and the chairman of the Joint Chiefs of Staff, the department is actively pursuing additional policy and training changes to help address this challenging issue.

The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 requires the Department of Defense to submit to the Committees on Armed Services an annual report on sexual assaults involving members of the armed forces. The report ensures transparency on sexual assault reports, investigations, and case dispositions of those accused of the crime. It also provides department and Congressional leadership with information to evaluate and help address the problem. The reporting period spans from Oct. 1, 2010 to Sept. 30, 2011.

Reporting Data

The military services received a total of 3,192 reports of sexual assault during fiscal 2011. Of the 3,192 reports of sexual assault, 2,439 were unrestricted reports and 753 were restricted reports. This represents a one percent increase since fiscal 2010, when there were 3,158 reports of sexual assault, consisting of 2,410 unrestricted reports and 748 restricted reports.

The department uses the term “sexual assault” to address a range of crimes including rape, aggravated sexual assault, wrongful sexual contact, non-consensual sodomy, abusive sexual contact, aggravated sexual contact, and indecent assault. The annual report includes case synopses, case dispositions, and punishments imposed in cases involving unrestricted reports.

Unrestricted reports result in notification to the victim’s command, the initiation of a law enforcement investigation, and the provision of care and services to the victim. Restricted reports of sexual assaults are made to specific parties within the department (e.g., a sexual assault response coordinator, victim advocate, or medical personnel) and allow the victim to receive care and services; however, at the victim’s request, these reports are not investigated because of the victim’s desire for confidentiality. A restricted report, however, may later be changed by the victim to an unrestricted report.

Investigation Data

The military criminal investigative organizations (MCIOs) such as Criminal Investigation Division, Air Force Office of Special Investigations, Naval Criminal Investigative

Services, completed a total of 2,449 investigations involving 2,933 individuals in fiscal 2011. Of the 2,933 subjects of investigations, case outcomes were completed and reported on **2,353** subjects during the fiscal year. Case dispositions for the remaining subjects will be reported in forthcoming years.

Based on the completed investigations, the MCIOs provided cases on **1,518** subjects to commanders to review for possible disciplinary action. The remaining 486 subjects were found to be outside of the department's legal authority (e.g., U.S. civilians, foreign nationals, military subjects prosecuted by civilian or foreign authority, or unidentified subjects). During the investigation process, the MCIOs determined that allegations against 349 subjects were unfounded.

Disciplinary Actions

Commanders had sufficient evidence to take disciplinary action against **989** of the 1,518 subjects. Of these, 791 were disciplined for a sexual assault offense: 489 subjects had courts-martial charges preferred against them, 187 subjects received non-judicial punishment, 48 subjects were administratively discharged, and 67 subjects received other adverse administrative actions. In addition, commanders took action against 198 subjects for non-sexual assault offenses discovered during the investigation.

The remaining subjects were involved in cases that could not go forward because the victim declined to participate, there was insufficient evidence to prosecute, the statute of limitations expired, or the cases were determined by the commander to be unfounded.

Non-judicial punishment and administrative action remain important forms of discipline in cases where the available evidence or nature of the offense would not warrant criminal charges in a civilian setting.

DoD Safe Helpline

In April 2011, the department launched the DoD Safe Helpline as a crisis support service for victims of sexual assault. For the first time, the annual report on sexual assault includes usage statistics of this important service. The helpline is available 24 hours a day via web, phone, or text message and is operated by the non-profit Rape, Abuse, and Incest National Network through a contractual agreement with the department. Between its launch in April 2011 through Sept. 2011, the Safe Helpline assisted more than **770** individuals. The helpline can be reached at 877-995-5247 or <http://www.safehelpline.org> .

The complete report is available at <http://www.sapr.mil> .