UNITED STATES MARINE CORPS
CHEMICAL BIOLOGICAL INCIDENT RESPONSE FORCE
U.S. MARINE CORPS FORCES COMMAND
3399 STRAUSS AVENUE, SUITE 219
INDIAN HEAD, MD 20640-5035

CBIRFO 1752.1A
CO
18 FEB 2016

CHEMICAL BIOLOGICAL INCIDENT RESPONSE FORCE ORDER 1752.1A

From: Commanding Officer
To: All Hands

Subj: STANDING OPERATING PROCEDURES (SOP) FOR THE SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM

Ref: (a) MCO 1752.5B
(b) SECNAVINST 1752.4B
(c) MCO 3504.2A
(d) Commanding Officer's Policy Statement on Sexual Assault
(e) SECNAVINST 5370.7D

Encl: (1) Exceptions to Restricted Reporting
(2) SARC Responsibilities When Responding to a Sexual Assault
(3) Sexual Assault Unrestricted Report Flow Chart
(4) Sexual Assault Restricted Report Flow Chart
(5) UVA Responsibilities When Responding to a Sexual Assault
(6) OPREP-3 SIR Sample Message Sexual Assault
(7) Company Commander Responsibilities When Notified of a Sexual Assault
(8) CBIRF Officer of the Day SAPR Quick Guide

1. Situation. To provide policy and procedural guidance for response to sexual assault incidents within the Chemical Biological Incident Response Force (CBIRF) in accordance with references (a) through (d).

a. Sexual Assault is a criminal act. It is defined by the Department of Defense as intentional sexual contact characterized by the use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent.

b. The term sexual assault 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.

2. Cancellation. CBIRFO 1752.1

3. Purpose. This order provides information, policies, and procedures as it relates to the CBIRF Sexual Assault Prevention and Response program. The order delineates how the command will respond and support personnel involved in sexual assault incidents within (CBIRF).

4. Method

a. Confidentiality. Sexual assault is a crime and any communication regarding the sexual assault can be used in the investigative process. If a

sexual assault has occurred, all communication is considered confidential and can only be discussed on a need to know basis. Under reference (a), confidentiality applies to all covered communications, which are defined as oral, written, and electronic communications of personally identifiable information, made by a victim to a SARC, VA/UVA, chaplain, healthcare provider, or mental health counselor related to their sexual assault. This communication includes the Victim Reporting Preference Statement (VRPS) which outlines a victim's reporting option. The Chaplain Corps operates under the clergy-penitent privilege and all communication with the chaplain is held in strict confidence. All involved parties receiving any type of communication must maintain the integrity of the confidentiality policy (except in those instances described in enclosure (1).

b. Reporting. Victims of sexual assault have two options for reporting a sexual assault, a restricted report or an unrestricted report. Although all victims of sexual assault are encouraged to make complete, unrestricted reports in order to achieve the objectives and goals of reference (b), they will still be provided both reporting options.

(1) Restricted reporting. Restricted reporting is an option that allows sexual assault victims to confidentially disclose the assault to specified individuals (i.e., Sexual Assault Response Coordinator (SARC), SAPR Uniformed Victim Advocate/Victim Advocate (UVA/VA), or healthcare personnel). Victims will be able to receive medical treatment, including emergency care and counseling, and be assigned a SARC and SAPR VA without triggering an investigation. The victim's report provided to healthcare personnel (including the information acquired from a Sexual Assault Forensic Examination (SAFE) Kit), SARCs, or SAPR VAs will not be reported to law enforcement or to the command. Unless a victim consents to release, or an established Exception to restricted reporting applies, all information will remain confidential.

(2) Unrestricted reporting. Unrestricted reporting is an option that allows sexual assault victims to disclose sexual assault incidents without requesting confidentiality. Under these circumstances, an unrestricted report provided to healthcare personnel, the SARC, a SAPR VA, chain of command representatives, or a third party will be reported to law enforcement and may be used to initiate the official investigative process.

c. Resources. The CBIRF CO has appointed a Command SARC and multiple UVAs who will be notified and respond in the event of a sexual assault. If a CBIRF SARC or a UVA is not available, victims may utilize the NSF Indian Head 24/7 Sexual Assault Assistance Line at 540-424-0660 or the Department of Defense Safe Helpline at 1-877-995-5247 to obtain support. Through the NSF Indian Head 24/7 Sexual Assault Assistance Line, the on-call UVA or civilian VA of the Fleet and Family Service Center (FFSC) will be activated to assist military members of CBIRF who are victims of sexual assault. Any case established by the on-call UVA or VA will be provided to the installation SARC. A transfer of the case, also known as a "warm handoff," will be performed with the CBIRF Command SARC if the victim so chooses. Victim Advocates from Family Advocacy at the Fleet and Family Service Center may assist military dependents who are victims of a sexual assault or CBIRF military members who have been sexually assaulted as a result of spousal domestic violence.

d. Tasks

(1) Company Commanders

(a) Establish a command climate of prevention and response that is predicated on mutual respect and trust, that recognizes and embraces diversity, and that values the contributions of every member of the command.

(b) Reassure members of your personal commitment to maintaining a healthy environment that is safe and contributes to their well-being and mission accomplishment.

(c) Reiterate the Commanding Officer's "zero tolerance" policy on sexual assault and the potential consequences for those who violate the law.

(d) Recognize changes in the command climate regarding inappropriate behavior and respond with the appropriate action towards any negative trends that may emerge regarding sexual assault.

(e) Ensure that all Marines and Sailors in your company receive annual training regarding sexual assault facilitated by a Marine Corps assigned UVA/SARC.

(f) If there is an allegation of sexual assault, follow the procedures in enclosure (3) and (7).

(g) Ensure that assigned UVAs are not questioned about cases of sexual assault at any time.

(h) Collaborate with the SARC to generate the info paper required by the Commanding Officer that will be used to generate an 8-Day Brief on a Sexual Assault case.

(2) Executive Officer

(a) If there is an allegation of a sexual assault reported to the Command, draft and ensure submission of an OPREP-3/SIR per the Commanding Officer's guidance, reference (c), and enclosure (6).

(b) Coordinate with the MARFORCOM SJA to determine what information to provide to an alleged offender of a sexual assault if member is in the command. Information should pertain to the investigative and legal processes involved in an unrestricted case of sexual assault.

(3) SARC

(a) Operate under confidentiality in all cases, except in those where a statutory or regulatory exception to confidentiality applies.

(b) Ensure a copy of the Commanding Officer's policy statement on sexual assault (reference (d)) is posted throughout the Command on section read boards.

(c) Ensure a SARC and UVA photograph and contact information is posted in the unit's common areas along with contact information and reporting options. Locations are to include company read boards, section

read boards, and male and female heads of all buildings under CBIRF cognizance.

(d) Ensure that all duty personnel have the UVA's and SARC's point of contact information in the event a victim of a sexual assault needs assistance. All new joins will be provided UVA/SARC contact information at the new join brief and will be given handouts regarding reporting sexual assaults.

(e) Notify the MFC SARC, via phone call or encrypted email, of all sexual assaults within 24 hours of filing a report.

(f) Notify the installation SARC, via phone call or encrypted email, of all sexual assaults within 24 hours of filing a report.

(g) Collaborate weekly with the VA/UVA to maintain current victim care information (i.e. referrals/requests) and case review.

(h) Track/report sexual assault data to the MARFORCOM SARC.

(i) Track the disposition of all military sexual assault cases in DSAID to allow for HQMC generation of monthly, quarterly, and annual reports. Updates are to be performed after each month's Case Management Group meeting.

(j) Provide regular updates to the Commanding Officer on the status of all unrestricted sexual assault cases.

(k) In coordination with S-3, implement a SAPR training plan and ensure all SAPR training requirements are met based on the fiscal year requirement.

(l) Assign Uniformed Victim Advocates (UVA) to cases, supervise the UVAs in the performance of advocacy duties, and ensure UVAs are providing appropriate care and referrals.

(m) Maintain a roster of UVA credentials, training, and transfer date information.

(n) Ensure UVAs complete the VRPS and the Defense Sexual Assault Incident Database (DSAID) Form DD 2965, for all sexual assault cases, and provide it to the SARC within 24 hours of a sexual assault. Ensure all required information to open a case in DSAID is entered within 48 hours and send the original VRPS to the Installation SARC for administrative storage.

(o) Accompany the Commanding Officer during monthly installation case management group meetings.

(p) Notify, in writing, the HQMC SAPR Staff, the MFC SARC, the Installation SARC, and the National Organization for Victim Assistance of any UVA revocation.

(q) Maintain copies of appointment letters for all assigned UVAs and SARCs on file with the S-1 and in the SARC file. Copies of previous appointment letters are to be kept on file for a period of five years.

(r) If there is an allegation of sexual assault or retaliation after an assault, follow procedures set forth in enclosures (2), (3), (4), reference (a), and reference (e). Third party reporting is only mandatory if

a sexual assault is directly witnessed or if the member is in the chain of command.

(4) Uniformed Victim Advocates

(a) In the event of a sexual assault, follow procedures per enclosure (5), UVA training and reference (a).

(b) Ensure all UVA administrative requirements are adhered to in accordance with reference (a), properly complete required fields on the DD Form 2965 to open a sexual assault case, and provide all information to the Command SARC within 24 hours in order to establish a DSAID case.

(c) Conduct SAPR related training for all Marines and Sailors of CBIRF in accordance with reference (a).

(5) Senior Medical Officer

(a) Ensure that all CBIRF Medical personnel are aware of the policies for providing services to victims of a sexual assault.

(b) Be prepared to provide support to the UVAs and/or SARC in case of a sexual assault and facilitate the use of the SAFE kit; the SAFE kit will be used in collaboration with Prince Georges Hospital Center, Cheverly, MD, MedStar St. Mary's Hospital, Leonardtown, MD, or Mary Washington Healthcare, Fredericksburg, VA.

(c) Provide routine care and follow-up for victims who request medical services and referrals related to the sexual assault.

(6) Intelligence (S-2) Officer

(a) If there is an allegation of a sexual assault, the Commanding Officer will not automatically suspend or recommend revocation of a member's security clearance. Unless deemed a threat to national security, victims and alleged offenders will maintain their security clearance classification until review of the investigation and legal proceeding results.

(b) Be prepared to make recommendations to the Commanding Officer for final determination of security clearance status based upon established national security standards, per DOD Regulation 5210.42-R.

(7) PAO

(a) For allegations of sexual assault that will generate media interest, the PAO will notify the MFC PAO and follow all appropriate protocols.

(b) Assist the SARC in maintaining current SAPR general and support information on the command's webpage.

(8) Chaplain

(a) Ensure that all CBIRF Military Religious Service personnel have completed SAPR training in accordance to reference (a).

(b) Be prepared to provide support to victims and alleged offenders within the command if there is an allegation of sexual assault.

5. Administration and Logistics. Recommendations concerning the contents of this order should be submitted to the Commanding Officer via the CBIRF Sexual Assault Response Coordinator.

6. Command and Signal

a. Command. This order is applicable to all civilians and service members assigned to CBIRF.

b. Signal. This order is effected the date signed.

S. E. REDIFER

Exceptions to Restricted Reporting

1. Sexual assault victims shall be informed of this exception to confidentiality as soon as practical after receiving assistance or services under a restricted report. Sometimes circumstances require that a Restricted Report of sexual assault must be disclosed. The following persons or organizations may be told about a sexual assault report for the following reasons:

a. Command officials or law enforcement when the victim provides written authorization.

b. Command officials or law enforcement to prevent or lessen a serious and imminent threat. This may be a threat to the health or safety of you or another person. Multiple reports involving the same alleged suspect may also meet these criteria.

c. Disability Evaluation Boards, Medical Evaluation Boards, and the officials participating in the boards. The report may be disclosed to these parties when it is required for fitness for duty or disability retirement determinations. Disclosure is limited to only that information necessary to make a determination for disability processing.

d. SARC, SAPR VA, or healthcare personnel when required for the direct supervision of victim services.

e. Military or civilian courts when ordered, or if disclosure is required by Federal or state statute.

2. The SARC will evaluate the information provided and determine whether an exception applies. If needed, the SARC shall do so in consultation with the MFC Staff Judge Advocate (using non-identifying personal information). When there is uncertainty or disagreement on whether an exception applies, the matter shall be brought to the attention of the senior commander for decision. Disclosures (made under the authority of the Exceptions to Confidentiality) will be limited to information necessary to satisfy the purpose of the exception. Further disclosure will not be made unless the victim authorizes the disclosure in writing.

SARC responsibilities when Responding to a Sexual Assault

1. Case Management

a. Track support services provided to a sexual assault victim from initial report through disposition and resolution.

b. Ensure monthly updates are provided to victims on any ongoing investigative, medical, legal, or command proceedings regarding their sexual assault.

c. Ensure victim receives a copy of DD Form 2701 (Initial Information for Victims and Witnesses of Crimes) in all sexual assault cases.

2. Restricted Reporting

a. Ensure all victims are informed of any local reporting requirements that would preclude a restricted report and provide all information on exceptions to restricted reporting.

b. As soon as practical after receiving a report of a sexual assault incident (restricted reporting), inform the Commanding Officer by providing the facts that describe the "when and where" of the incident. The identity of the victim and the alleged perpetrator shall not be divulged to include any information that could lead to deduction of the identities of the victim and alleged perpetrator.

c. Establish a Restricted Report Case Number (RRCN) for case tracking within DSAID. The RRCN shall be comprised of the first letter of the victim's last name along with the last four of the social security number (e.g. A1234). In those instances where a SAFE kit is completed, ensure all collected forensic evidence, to include the SAFE kit, is tracked using the property submission protocol: [forensic examination date - service affiliation - NCIS installation code - SARC three letter initials/sequential total of cases submitted for the calendar year)/(RRCN)]. Example: 04Aug05-M-MWPE-SRC-0002(A1234). In those instances where the SARC has only two initials in their name, the letter (N) will be used as the middle initial to indicate no middle name (e.g. RNT). The Health Care Provider (HCP) shall receive the RRCN from the CBIRF SARC. The HCP will also include NCIS's Forensic Evidence Submission Protocol tracking number on the completed Sexual Assault Examination (SAE) kit. The HCP should ensure that no identifying victim information is on the package or kit and then double wrap the kit. The SAFE kit shall be mailed via registered mail to the NCIS Regional Forensic Laboratory 9079 Hampton Blvd Suite 110 Norfolk, VA 23505-1098 within 48 hours of the examination completion. The HCP shall provide the SARC with the SAFE kit postal tracking number along with the date mailed. The SARC shall notify via email to the NCIS Regional Forensic Laboratory of the SAE kit mailing date. The SARC shall document the SAE kit postal tracking number and the date mailed within the RRCN logbook. NCIS regional forensic Laboratory email address is located on the SAPR website. In those instances where MTF personnel cannot take custody of the SAFE kit, the command SARC shall establish protocol to ensure proper mailing of the kit. The Medical Treatment Facility (MTF) laboratory staff will provide the SARC and/or UVA with the mailing tracking number.

d. Document submission of collected forensic evidence in accordance with established protocol per NCIS Memorandum Ser: 23B/5U0147 of 1Sep05, "Sexual Assault Restricted Report Evidence Submission Form/Protocol".

e. Maintain a master log of all assigned RRCNs, Sexual Assault Evidence (SAE) Kit Tracking Identification Number (restricted reporting only), and the Victim Advocacy log for a period of five years from case closure date.

f. Ensure chain of custody information regarding all collected forensic evidence in restricted cases is stored per SECNAV M5210.1, SSIC 5580.5b.

g. Establish an internal monitoring system to track the expiration date for all stored forensic evidence. Transfer these records to the MFC SARC.

h. Beginning thirty days prior to the forensic evidence expiration date the victim shall be notified. If the victim chooses to continue with restricted reporting, inform the victim that the forensic evidence will be destroyed on the expiration date. Transfer these records to the MFC SARC.

3. Case Management Group

a. Accompany the Commanding Officer to the monthly Case Management Group (CMG) for unrestricted cases. Issues will be discussed involving command and environmental safety. CMG meetings will be held by the Installation SARC and will be scheduled for the third Wednesday of every month. The Installation SARC will provide guidance on location.

b. The multi-disciplinary CMG shall be convened to review unrestricted cases, improve reporting, facilitate monthly victim updates, and discuss process improvement to ensure system accountability and victim access to support services. The monthly case management meeting is not confidential. Therefore, the passing of confidential and/or sensitive victim information should be limited to a need-to-know basis. The SARC/Unit SARC shall attend the monthly CMG when they have active cases before the CMG.

c. The CMG will consist of the following military or civilian professionals from either the installation or local community services:

(1) Victim Advocate/Uniform Victim Advocate

(2) NCIS

(3) Law Enforcement- Military Police, CID, and/or civilian police

(4) Health Care Providers

(5) Mental Health/Counseling Service

(6) Chaplains

(7) Command Staff Judge Advocate (Trial and Defense Counsel)

(8) Victim's Commander or representative

4. Reporting Preference Change. If at any time a victim elects to change a restricted report to an unrestricted report, the SARC shall ensure the

victim's command or NCIS is notified so as to initiate a formal investigation.

5. Database Responsibility

a. Ensure timely entry of case data into DSAID within 48 hours of victim interview utilizing the information gathered through the Defense Sexual Assault Incident Database (DSAID) Data Form DD Form 2965.

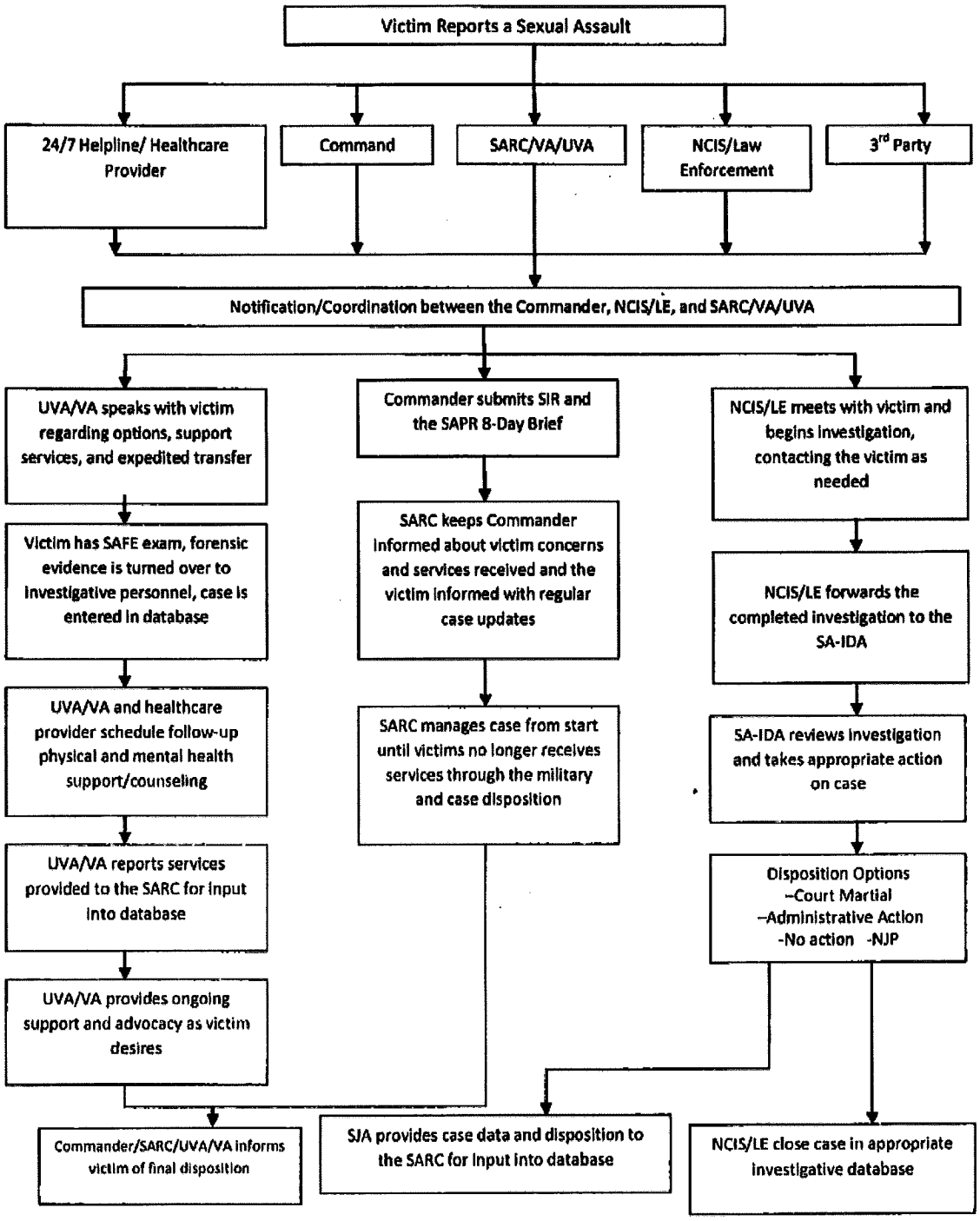
b. Establish protocol with MFC SJA and Quantico legal for receipt of relevant legal data including the Charge Sheet.

6. Retaliation Allegations

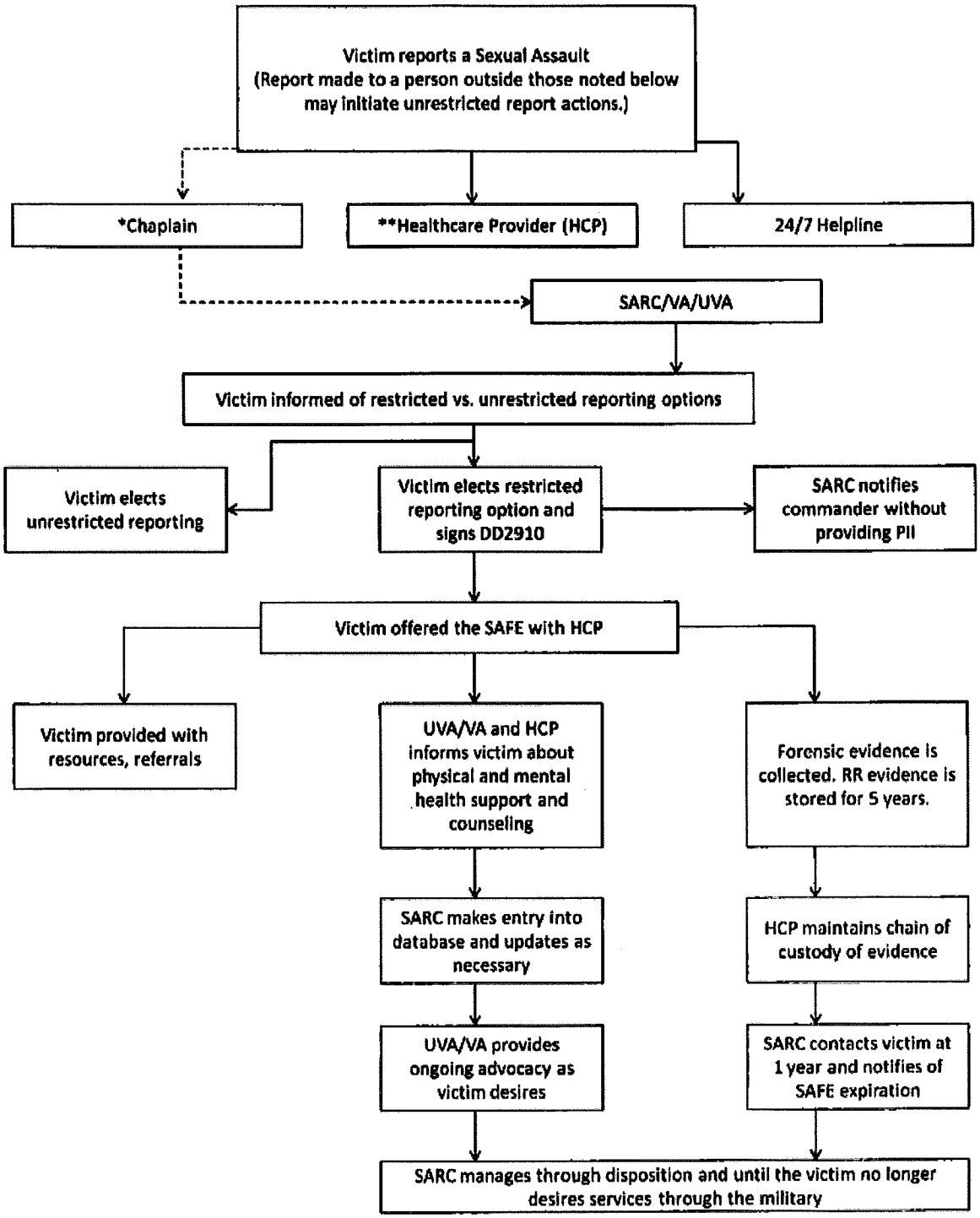
a. In the event of an allegation of retaliation or a report from a UVA of concerns of retaliation, the SARC shall meet with the victim to discuss the allegation and concern.

b. The SARC will immediately notify the CBIRF Commanding Officer for further guidance.

Sexual Assault Unrestricted Report and Response Flowchart



Sexual Assault Restricted Report and Response Flowchart



UVA responsibilities when responding to a Sexual Assault

1. Unrestricted Reporting

a. Ensure the physical safety and emotional security of the victim, determine if the alleged assailant is still nearby, and if the victim desires/needs protection.

b. Determine if the victim desires/needs any emergency medical care. If immediate emergency (life threatening) care is needed, call 911. If the victim needs medical care, call the on call CBIRF medical provider and coordinate to take the victim to Walter Reed National Military Medical Center Emergency Department. Call the SARC immediately to inform her/him of the incident.

c. If the victim is a military dependent or the sexual assault was committed as a result of domestic violence, the SARC will call Family Advocacy so that a Victim Advocate (VA) can be sent to the scene. The UVA will provide support until a VA from Family Services arrives and ensure a proper "warm handoff" is conducted.

d. As soon as the victim's immediate safety is assured and the victim's medical treatment procedures are in motion, explain the VRPS. Ensure that the victim signs the VRPS during the first meeting and that he/she understands all rights as per reference (a). The UVA will inform the Command SARC regarding the case in order to facilitate chain of command notification. To the fullest extent practicable, strictly limit knowledge of the facts or details regarding the incident to only those personnel who have a legitimate need to know.

e. Take action to safeguard the victim from any formal or informal investigative interviews or inquiries, except those conducted by the authorities who have a legitimate need-to-know.

f. Provide support to the victim in accordance with reference (a).

g. Collect only the necessary information as required by DSAID DD Form 2965. Do not ask detailed questions and/or pressure the victim for responses or information about the incident.

h. Advise the victim of the need to preserve evidence (by not bathing, showering, washing garments, etc.) while waiting for the arrival of representatives of the military criminal investigative organization.

i. If needed, assist with or provide immediate transportation for the victim to the hospital or other appropriate medical facility.

j. Ensure the victim understands the availability of victim advocacy and the benefits of accepting advocacy and support.

k. Ask if the victim needs a support person, which can be a personal friend or family member, to immediately join him or her. Be sure to advise the victim this support person could later be called to testify as a witness if the case goes to trial.

l. Ask if the victim would like a Chaplain to be notified and notify accordingly.

m. Ensure the victim understands the availability of other referral organizations staffed with personnel who can explain the medical, investigative, and legal processes and advise the victim of his or her victim support rights.

n. Attend the monthly case management meeting as appropriate.

o. Inform the SARC if the victim desires/needs a "no contact" order or a Military Protective Order, DD Form 2873, to be issued, particularly if the victim and the accused are assigned to the same command, unit, duty location, or living quarters. The SARC will inform the Commanding Officer of the victim's desire for an MPO. To the fullest extent practicable, the Commanding Officer will consider the desires of the victim when making any reassignment determinations. The Commanding Officer will determine the need for temporary reassignment to another unit, duty location, or living quarters on the installation of the victim, or the alleged offender being investigated. The Commanding Officer will collaborate with the commander of the victim or alleged offender if personnel are of different Commands. Collaboration other commanders will continue until there is a final legal disposition of the sexual assault allegation, and/or the victim is no longer in danger.

p. Provide the VRPS to the CBIRF SARC.

q. Ensure the victim receives monthly reports regarding the status of the sexual assault investigation until its final disposition.

r. Listen/engage in quiet support of the victim, as needed. Be available in the weeks and months following the sexual assault, and assure the victim that she/he can rely on the commander's support.

2. Restricted Reporting

a. Ensure the physical safety and emotional security of the victim, determine if the alleged assailant is still nearby and if the victim desires/needs protection.

b. Determine if the victim desires/needs any emergency medical care. If immediate emergency (life threatening) care is needed, call 911. If the victim needs medical care, call the on call CBIRF medical provider and coordinate to take the victim to the nearest facility per enclosure (8), which have SAFE capabilities. The SARC will make coordination with the gaining facility.

c. If the victim is a military dependent or the sexual assault was committed as a result of domestic violence, the SARC will call Family Advocacy so that a Victim Advocate is sent to the scene. The UVA will provide support until a VA from Family Services arrives and a proper "warm handoff" is conducted.

d. As soon as the victim's immediate safety is assured and the victim's medical treatment procedures are in motion, explain the VRPS. Ensure that

the victim signs the VRPS during the first meeting and that he/she understands all rights as per reference (a).

e. Provide support to the victim in accordance to reference (a).

f. Collect only the necessary information as required by DSAID DD Form 2965. Do not ask detailed questions and/or pressure the victim for responses or information about the incident.

g. Advise the victim of the need to preserve evidence (by not bathing, showering, washing garments, etc.) while waiting to go to medical.

h. If needed, assist with or provide immediate transportation for the victim to the hospital or other appropriate medical facility.

i. Ensure the victim understands the availability of victim advocacy and the benefits of accepting advocacy and support.

j. Ask if the victim would like a Chaplain to be notified and notify accordingly.

k. Ensure the victim understands the availability of other referral organizations staffed with personnel who can explain the medical, investigative, and legal processes and advise the victim of his or her victim support rights.

l. Provide the VRPS to the CBIRF SARC.

m. Listen/engage in quiet support of the victim, as needed. Be available in the weeks and months following the sexual assault.

n. Report all allegations of retaliation to the CBIRF SARC and set up a SARC meeting with the victim to discuss concerns.

OPREP-3 SIR SAMPLE MESSAGE-SEXUAL ASSAULT

TO: CMC WASHINGTON DC PPO (UC)
CC: COMMARFORCOM G1 (UC), CG IIMEF (UC), CG II MEF G10 (UC) (SARC), CG II MEF SJA (UC)
NOTE: ADDITIONAL "CC" ADDRESSES WILL BE STRICTLY LIMITED:(1) TO COMMANDING OFFICERS OF UNITS/COMMANDS INVOLVED (I.E, COMMANDS WITH VICTIMS, SUSPECTS, WITNESSES), (2) COMMANDING GENERALS/COMMANDING OFFICERS IN THE VICTIM'S CHAIN OF COMMAND AND APPROPRIATE INSTALLATION/STATION COMMANDERS
SUBJECT: OPREP-3SIR/XXXXXX/XXX
MSGID/GENADMIN/CMC WASHINGTON DC PPO POC//
SUBJ/OPREP-3SIR/M000201/001 //
REF/A/DOC/MCO 3504.2//
REF/B/TEL/HQMC OPS CENTER/XXXXXXZJANXX//
NARR/REF A IS MCO ON OPREP-3SIR: SERIOUS INCIDENT REPORTS. REF B IS VOICE REPORT SUBMITTED TO THE MCOC.//
POC/J. C. MARINE/CAPT/ADJ/2D SUPPLY BN, CLR-26, 2D MLG, II MEF/-/TEL: XXX-XXX-XXXX (AREA CODE AND TELEPHONE)//EMAIL:JAMES.C.MARINE@USMC.MIL//
GENTEXT/REMARKS/1. ON 14 AUG 13 AT APPROXIMATELY 0700 AN INCIDENT OF SEXUAL ASSAULT WAS REPORTED TO HAVE OCCURRED ON BASE IN BARRACKS Q, 2400-0600. ON (DATE), VICTIM NOTIFIED THE UNIT UVA AND PMO WAS CONTACTED **(ENTER THE TITLE OF THE PERSON THE VICTIM NOTIFIED; NO DETAILS ABOUT THE INCIDENT SHALL BE PROVIDED)**.
2. 131245L AUG 12 (131945Z AUG 12) **(DTG OF INCIDENT)**
3. PERSONNEL INVOLVED:
3.A. VICTIM
3.A.1. PFC **(IF PROVIDING THE RANK WILL COMPROMISE THE CONFIDENTIALITY OF THE VICTIM, THE REPORT SHOULD ONLY STATE: OMITTED TO PROTECT CONFIDENTIALITY)**
3.A.2. XXXXXXXX **(DO NOT INCLUDE NAMES IN SEXUAL ASSAULT REPORTS)**
3.A.3. XXXX **(DO NOT INLCUDE SSN IN SEXUAL ASSUALT REPORTS)**
3.A.4. 2D MLG, CLR 27 CAMP LEJEUNE, NC
3.A.5. RACE / GENDER **(IF PROVIDING THE RACE/GENDER WILL COMPROMISE THE CONFIDENTIALITY OF THE VICITM, THE REPORT SHOULD ONLY STATE: OMITTED TO PROTECT CONFIDENTIALITY)**
3.A.6. NAVAL HOSPITAL MCB CLNC
3.B. SUSPECTS **(LIST EACH SUSPECT SEPARATELY)**
3.B.1. CAPT **(IF PROVIDING THE RANK WILL COMPROMISE THE CONFIDENTIALITY OF THE SUBJECT, THE REPORT SHOULD ONLY STATE: OMITTED TO PROTECT CONFIDENTIALITY)**
3.B.2. XXXX **(DO NOT INCLUDE NAME IN SEXUAL ASSAULT REPORTS)**
3.B.3. XXXX **(DO NOT INCLUDE SSN IN SEXUAL ASSUALT REPORTS)**
3.B.4. HQ CO, II MHG, CAMP LEJEUNE, NC
3.B.5. RACE / GENDER **(IF PROVIDING THE RACE/GENDER WILL COMPROMISE THE CONFIDENTIALITY OF THE SUBJECT, THE REPORT SHOULD ONLY STATE: OMITTED TO PROTECT CONFIDENTIALITY)**
3.B.6. BASE PMO

4. NCIS MCB CLNC AND JACKSONVILLE PD. POC SA BLACK, NCIS, 910-725-1234. POC JAX PD DET WHITE 910-555-4567. ***(STATEMENT WRT MILITARY AND/OR CIVILIAN INVESTIGATION WITH POC FOR SAME)***
5. NO MEDIA INTEREST IS ANTICIPATED; HOWEVER, AS A PRECAUTIONARY MEASURE, THE 2D MLG PAO HAS BEEN NOTIFIED.(***STATEMENT AS TO MEDIA INTEREST AND ACTION TAKEN)***
6. THE UNIT INTELLIGENCE OFFICER/SEECURITY MANAGER HAVE BEEN NOTIFIED. (***INITIATION OF INVESTIGATION MAY HAVE IMMEDIATE SECURITY CLEARANCE/ACCESS RAMIFICATIONS FOR SUSPECT.)***

7. THE CO AND LEGAL OFFICER OF CLR 27 HAVE BEEN NOTIFIED OF THE THIS INCIDENT. ALSO, AS REQUIRED, THE 2D MLG SARC HAS BEEN NOTIED OF THIS INCIDENT AND A UVA HAS BEEN ASSIGNED.///

Company Commander Responsibilities When Notified of a Sexual Assault

UNRESTRICED CASES

1. Victim's Company Commander

a. Immediate actions

(1) Ensure the physical safety and emotional security of the victim, determine if the alleged assailant is still nearby and if the victim desires/needs protection.

(2) Ensure a Uniformed Victim Advocate (UVA) or Command SARC is notified immediately. If not already appointed, the SARC will assign a UVA to meet with and provide support to the victim.

(3) Determine if the victim desires/needs any emergency medical care. If so, notify base EMS, the UVA, and on-call health provider to meet the victim at the emergency room where the victim was taken.

(4) Notify the Commanding Officer and Executive Officer as soon as the victim's immediate safety is assured and the victim's medical treatment procedures are in motion. To the fullest extent practicable, strictly limit knowledge of the facts or details regarding the incident to only those personnel who have a legitimate need to know (e.g. Commanding Officer, Executive Officer, Sergeant Major, Company Commander, Company First Sergeant, SARC, law enforcement personnel assigned to the case).

(5) Take action to safeguard the victim from any formal or informal investigative interviews or inquiries, except those conducted by the authorities who have a legitimate need-to-know (NCIS, PMO, Civilian Authorities). There will be no formal or informal command investigations regarding incidents of sexual assaults. Investigations will only be conducted by military or civilian law enforcement.

(6) Collect only the necessary information (e.g. victim's identity, location and time of the incident, name and/or description of offender(s)). Do not ask detailed questions and/or pressure the victim for responses or information about the incident.

(7) In the event that the victim does not need immediate emergency (life threatening) care and is waiting for the UVA and/or law enforcement, advice the victim of the need to preserve evidence (by not bathing, showering, washing garments, etc. while waiting, because evidence could be destroyed.

(8) If the need arises, assist with or provide immediate transportation for the victim to the hospital or other appropriate medical facility.

(9) Ask if the victim needs a support person, which can be a personal friend or family member, to immediately join him or her. Be sure to advise the victim this support person could later be called to testify as a witness if the case goes to trial.

(10) Ask if the victim would like a Chaplain to be notified and notify accordingly.

(11) Determine if the victim desires/needs a "no contact" order or a Military Protective Order, DD Form 2873, to be issued (particularly if the victim and the accused are assigned to the same command, unit, duty location, or living quarters).

b. During the investigation phase

(1) Provide recommendations to the Commanding Officer regarding reassignment and relocation of members. The Commanding Officer will determine the need for temporary reassignment to another unit, duty location, or living quarters for the victim or the alleged offender.

(2) When applicable, Company Commanders will consult with the Commanding Officer prior to taking any administrative or disciplinary action affecting the victim. The Executive Officer will consult with SJA and MCIO in order to properly advise the Commanding Officer regarding any legal proceedings affecting the victim.

(3) Throughout the investigation, consult with the SARC so that, to the fullest extent practicable, accommodation can be made for the victim's desires regarding safety, health, and security, as long as neither a critical mission nor a full and complete investigation is compromised.

(4) Discourage members from participating in "barracks gossip" or grapevine speculation about the case or investigation, reminding all to wait in reaching conclusions until all the facts are known and final disposition of the allegations has occurred.

(5) Advise those who may have knowledge of the events leading up to or surrounding the incident to fully cooperate with any investigation involved.

(6) Remind members that discussion of a possible sexual assault incident might compromise an ensuing investigation.

(7) Emphasize that the alleged offender is presumed innocent until proven guilty.

(8) Consider some form of unit refresher training or have an outside expert address the unit regarding preventive measures, emotional and psychological trauma, effects on the unit, and appropriate measures to respond. Training can be coordinated through the SARC, UVA, FAP, or chaplain office.

(9) Continuously monitor the unit's overall climate and curtail any alienation of the victim or alleged offender. To the fullest extent, prevent organizational splintering.

2. Alleged Offender's Company Commander

a. Notify the Commanding Officer and Executive Officer after receiving a report of a sexual assault incident.

b. Avoid questioning the alleged offender, to the extent possible, since doing so may jeopardize the criminal investigation.

c. Any contact with a service member suspected of an offense under MCO P5800.16A W/CH 1-7 may involve rules and procedures that ensure due process of law and are unique to the military criminal justice system. Therefore, before questioning or discussing the case with the alleged offender, commanders and other command representatives will first contact the chain of command for guidance.

d. If questioning does occur, advise the service member suspected of committing a UCMJ offense of his or her rights under Article 31.

e. 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 by those personnel with a legitimate need-to-know.

f. Strictly limit information pertinent to an investigation to those who have a legitimate need-to-know (e.g. Commanding Officer, Executive Officer, Sergeant Major, Company Commander, Company First Sergeant, SARC, NCIS, and/or Civilian Law Enforcement.

g. Contact Family Advocacy for information regarding local resources to inform the alleged offender about available counseling support. As appropriate, refer the alleged offender to available counseling groups and other services.

h. With the recommendation of SARC, VA, legal, and/or investigative team, determine the need for a "no contact" order, or recommendation to the Commanding Officer for the issuance of a Military Protective Order, DD Form 2873.

i. Monitor the well-being of the alleged offender, particularly for any indications of suicide ideation and ensure appropriate intervention occurs if indicated.

j. Discourage members from participating in "barracks gossip" or grapevine speculation about the case or investigation, reminding all to wait in reaching conclusions until all the facts are known and final disposition of the allegations has occurred.

k. Advise those who may have knowledge of the events leading up to or surrounding the incident to fully cooperate with any investigation involved.

l. Remind members that discussion of a possible sexual assault incident might compromise an ensuing investigation.

m. Emphasize that the alleged offender is presumed innocent until proven guilty.

n. Consider some form of unit refresher training or have an outside expert address the unit regarding preventive measures, emotional and psychological trauma, effects on the unit, and appropriate measures to respond. Training can be coordinated through the SARC, UVA, FAP, or Chaplain's office.

p. Continuously monitor the unit's overall climate and curtail any alienation of the victim or alleged offender. To the fullest extent, prevent organizational splintering.

RESTRICTED CASES

1. Victim's Company Commander. Company Commanders will not have knowledge of restricted cases. The Commanding Officer will be informed by the SARC within 24 hours that a sexual assault has occurred, but will only be given information as specified in reference (a).

2. Alleged Offender's Company Commander. Company Commanders will not have knowledge of restricted cases. The Commanding Officer will be informed by the SARC within 24 hours that a sexual assault has occurred, but will only be given information as specified in reference (a).

CBIRF OFFICER OF THE DAY

SEXUAL ASSAULT PREVENTION AND RESPONSE QUICK GUIDE

1. Sexual assaults require attention to detail and strict adherence to victim's rights. While standing duty, it is imperative to afford confirmed and non-confirmed victims every opportunity to have all rights reserved to them.

2. This guide serves as a reference to support CBIRF personnel who may have been sexually assaulted, or members' dependents that are sexually assaulted while their spouse is assigned to CBIRF.

3. Procedures when notified of a sexual assault

(a) Ensure the physical safety and emotional security of the victim, determine if the alleged assailant is still nearby, and ask the victim if if immediate protection is desired/needed. Do not ask details regarding the event and solicit support from the Command SARC or a UVA.

(b) If a member reports that they have been sexually assaulted, follow protocol to notify the Commanding Officer and the Command Sexual Assault Response Coordinator.

1. Commanding Officer
   PHONE: 240-993-9586 (BB)
   301-744-1050 (Office)

2. Sexual Assault Response Coordinator (SARC)
   PHONE: 301-728-9619 (BB)
   301-744-1004 (Office)

(c) If a member requests to speak with a SARC or UVA, provide the contact information to the member to contact the respective personnel. Please do not call the Commanding Officer to report a sexual assault in this case.

1. Sexual Assault Response Coordinator (SARC)
   PHONE: 301-728-9619 (BB)
   301-744-1004 (Office)

(d) If there is evidence of any form of violence or questions regarding safety of the victim, allow the victim to remain onsite and offer a safe haven until the SARC has been notified. If there are any life-threatening injuries, call 911 or 301-744-4333 to facilitate the steps of hospital transport for examination, as the member may require a Sexual Assault Forensic Examination (SAFE).

4. Hospitals/Clinics for Sexual Assault Forensic Examinations (SAFE)

a. Prince George's Hospital Center

ADDRESS: 3001 Hospital Drive, Hyattsville, MD 20785
PHONE: 301-618-3154

b. Mary Washington Hospital

ADDRESS: 1001 Sam Perry Blvd, Fredericksburg, VA 22401
PHONE: 540-741-1111

d. MedStar St. Mary's Hospital

ADDRESS: 25500 Point Lookout Road, Leonardtown, MD 20650
PHONE: 301-475-6110

5. For any questions not covered, please contact the SARC at the numbers listed above for questions.