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Appendix I: Domestic Abuse Related Sexual Assault



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Within the Department of Defense, the Family Advocacy Program (FAP) is the congressionally mandated program responsible for clinical assessment, supportive services, and treatment in response to domestic abuse and child abuse and neglect in military families. Sexual assault occurring within the context of a marriage or intimate partner relationship (sexual abuse) is a subset of domestic abuse.

Oversight Responsibilities

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness (USD P&R), the DoD FAP has broad responsibility for promoting public awareness and prevention of domestic abuse and child abuse and neglect, providing victims of domestic abuse with the option for making a restricted report, and coordinating comprehensive intervention, assessment, and support to victims.

Definition of Domestic Abuse

Department of Defense Instruction 6400.06 (Domestic Abuse Involving DoD Military and Certain Affiliated Personnel) defines “domestic abuse” as domestic violence, or a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person who is:

- A current or former spouse,
- A person with whom the abuser shares a child in common, or
- A current or former intimate partner with whom the abuser shares or has shared a common domicile.

Sexual assault occurring within the context of the above definition of domestic abuse is referred to FAP for comprehensive

safety planning, victim advocacy and support, and treatment when appropriate.

Preliminary Data

The Department publically releases an annual report of FAP data in June. Data described herein are preliminary, as comprehensive validation and analysis have not yet been conducted. The FY15 FAP data report will be released June 15, 2016.

Data Collection

FAP incident data are tracked by the Military Services and reported to the Department through the FAP Central Registry maintained by Defense Manpower and Data Center. The Family Advocacy Program Central Registry contains information pertaining to incidents that met criteria for abuse. In this context, “met criteria” means that the incident met the threshold set forth by a standardized algorithm that indicates the need for more rigorous treatment, intervention, support, safety planning, and protection.

Victim Characteristics

Preliminary data indicate that in FY15 there were 251 unique victims of sexual abuse who received Family Advocacy Program services. Victims were 95.2% female (239 of 251), and 4.8% male (12 of 251). Of the 251 victims, 140 (56%) were family members, 106 (42%) were military Service members, 4 (1.6%) were non-beneficiaries, and 1 (.04%) was a government civilian.

Offender Characteristics

Of the 251 alleged offenders, 241 (96%) were male and 10 (4%) were female. Military service members represent 75.3% (189 of

251) of alleged offenders, family members represent 19.5% (49 of 251), non-beneficiaries represent 1.6% (4 of 251), and 3.6% (9 of 251) were government civilians, contractors, or retired Service members.

Of the 189 alleged offenders who were military Service members, 184 (97%) were Active Duty, 4 (2%) were National Guard or Reserve, and the status of 1 (<1%) is unknown. Of the military Service members, 177 (94%) were enlisted members, 10 (5%) were officers, and 2 (1%) were warrant officers.

Accountability

The mission and scope of FAP is to provide comprehensive clinical assessment and support services to individuals and families impacted by domestic abuse and child abuse and neglect. The primary focus is to assess the risk and safety of victims, and to provide treatment and rehabilitation for the victim or offender when appropriate. By responsibility set forth in Department of Defense Instruction 6400.01 (Family Advocacy Program), FAP reports all unrestricted reports of domestic abuse to law enforcement within 24 hours. As part of the coordinated community response model employed by DoD, law enforcement (military or civilian depending on jurisdiction) and military criminal investigative personnel have the responsibility for investigating reports of domestic abuse. Investigation, command

action, and legal adjudication are beyond the scope and mission of FAP.

FAP social workers, prevention specialists, victim advocates, and nurses provide critical clinical and support services to families impacted by these often complex incidents, and are bound ethically to promote the well-being of clients and support their self-determination foremost. Responsibility for holding offenders criminally accountable and tracking associated outcomes falls entirely to law enforcement and the legal system.

Way Forward

Synchronized Data Reporting

The reporting cycle for FAP data in FY16 will be changed to match the SAPR reporting cycle. FAP is working closely with SAPRO, and a FAP TAB will be included in the FY16 Annual SAPR Report on Sexual Assault in the Military Services.

Accountability Reporting

The Department is committed to transparency in data, and is identifying the best way forward to report accountability actions for incidents of domestic abuse related sexual assaults without impacting the mission and scope of FAP.