Annual Report on Sexual Harassment and Violence at the Military Service Academies, Academic Program Year 2020-2021

As of 16 Feb 22

DoD Sexual Assault Prevention and Response Office (SAPRO)
Overview

• History and Assessment Process
• Sexual Assault Reporting
• Compliance
• Prevention
  ➢ Academy Climate and Networking Study
  ➢ Progress Assessment
• Victim Assistance
• Actions to Address Findings
• Way Forward
History and Assessment Process

- The Department **made progress** in reducing sexual assault between 2012 and 2014 at the academies, however sexual assault **prevalence increased** between 2014 and 2018
  - **Current prevalence remains unassessed** due to pandemic response closing Academies in Spring 2020 and cancelling the planned survey
  - National and collegiate sexual assault trends during the same period indicate a shared challenge
- **Coronavirus pandemic measures** continued to impact academy operations in 2020-21:
  - The Military Service Academies (MSA) used quarantine periods for new and returning students
  - Cadets and midshipmen remained on campus, practiced social distancing, and attended virtual and live classes
  - Voluntary* vaccination policies and indoor mask-wearing used to further reduce spread of the virus
- In February 2021, **Secretary of Defense directed immediate actions and a commission** to independently review and recommend improvements to Department sexual assault policy and programs
- **MSA Assessment** – **yearly variations** required by law:
  - Academic Program Years (APYs) beginning in even years: “Assessment Year” – including on-site assessment of policy and program compliance, reporting data, and MSA focus group data (**this year’s report**)
  - APYs beginning in odd years: “Survey Year” – to assess prevalence and compliance via MSA self-reports (**next year’s report** will include findings from the **Service Academy Gender Relations Survey**)

*Now mandatory per DoD policy
Sexual Assault Reporting

Reports from cadet/midshipmen victims for incidents that occurred during military service increased at all three Academies in APY 20-21 compared to the previous APY.

% Estimated percentage of cadets and midshipmen indicating past-year unwanted sexual contact accounted for in Unrestricted and Restricted Reports

- Cadets and midshipmen in Unrestricted and Restricted Reports of sexual assault for events occurring during military service

131 Cadets/Midshipmen who reported a sexual assault that occurred during military service

14 Cadets/Midshipmen who reported a sexual assault that occurred prior to military service

16 Prep school students, active duty Service members, and civilians who alleged sexual assault perpetrated by a Cadet/Midshipman

161 Total Reports of sexual assault received by DoD in APY 20-21

Reports by Cadets/Midshipmen for Incidents that Occurred During Military Service, by Academy

<table>
<thead>
<tr>
<th>Academy</th>
<th>APY 19-20 Reports*</th>
<th>APY 20-21 Reports*</th>
</tr>
</thead>
<tbody>
<tr>
<td>USMA</td>
<td>23</td>
<td>46 (+23)</td>
</tr>
<tr>
<td>USNA</td>
<td>27</td>
<td>33 (+6)</td>
</tr>
<tr>
<td>USAFA</td>
<td>38</td>
<td>52 (+14)</td>
</tr>
</tbody>
</table>

Total: 88 131 (+43)

*Denotes reports by cadets and midshipmen for incidents occurring during military Service. Academies received a total of 149 reports in APY 19-20 and 161 reports in APY 20-21. Accounting details can be found in Appendix B, Statistical Data, of the APY 20-21 Report available on sapr.mil.
SAPR Program Compliance Assessment

DoD Special Interest Items:
- Victim Reporting Preference Form Accountability
- Case Management Group Process
- "Expedited" Transfer Process
- CATCH A Serial Offender Participation
- "Safe To Report" Program
- Survivor Summit Feedback

USMA:
Self Report: 100% Compliant
Service Compliance Rate: 87%
(SecDef Directed Inspection)
Discrepancies Reported: 0
DoD Special Interest Item
Discrepancies: 0

USNA:
Self Report: 100% Compliant
Service Compliance Rate: 99%
(SecDef Directed Inspection)
Discrepancies Reported: 0
DoD Special Interest Item
Discrepancies: 0

USAFA:
Self Report: 100% Compliant
Service Compliance Rate: 97%
(SecDef Directed Inspection)
Discrepancies Reported: 0
DoD Special Interest Item
Discrepancies: 0

Compliance with existing sexual assault and sexual harassment policy is an indicator of an organization’s readiness to implement new, more complex policy.
2021 Academy Climate and Networking Study

• The 2021 Academy Climate and Networking Study (ACNS) goals:
  ➢ Identify characteristics of influential students to consider how they might accelerate change in problematic norms
  ➢ Examine how academy social norms influence behavior of cadets and midshipmen
  ➢ Obtain feedback on programs and messaging that resonate with cadets and midshipmen

• Study employed combination of brief survey and virtual focus groups

• Cadet and midshipman peer influencers:
  ➢ 17% of students are influencers as nominated by their peers
  ➢ Network maps indicate that influencers are highly integrated with one another and well connected to the Academy
  ➢ Influencers tend to be male, first-class or upperclassmen
  ➢ However, students nominated female students at a higher rate (37%) than the overall population of female students (27%)
  ➢ Qualities of influential cadets and midshipmen: perceived work ethic, interpersonal skills, competence at academy life, and empathic
2021 Academy Climate and Networking Study

- Social Norms – Define **expectations for behavior** in a given setting
- Research finds that **correcting misperceptions can produce change** within a peer group
- Results below indicate:
  - Some helpful norms accepted by cadets and midshipmen and receive moderate support
  - Other norms acknowledged but poorly supported

<table>
<thead>
<tr>
<th>Norm</th>
<th>Expectations for Others</th>
<th>Self Behavior</th>
<th>Academy Peers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confronting sexist behavior</td>
<td>90%</td>
<td>65%</td>
<td>58%</td>
</tr>
<tr>
<td>Discourage abusive language on social media</td>
<td>88%</td>
<td>64%</td>
<td>65%</td>
</tr>
<tr>
<td>Discourage humiliating others – insults, sarcasm</td>
<td>82%</td>
<td>62%</td>
<td>58%</td>
</tr>
<tr>
<td>Encourage healthy drinking behavior</td>
<td>62%</td>
<td>50%</td>
<td>43%</td>
</tr>
<tr>
<td>Hold others accountable to academy rules</td>
<td>60%</td>
<td>38%</td>
<td>45%</td>
</tr>
<tr>
<td>Discourage gossip</td>
<td>51%</td>
<td>32%</td>
<td>33%</td>
</tr>
</tbody>
</table>

Interventions should **focus on skill-building** to improve behavior aligned with lesser “acknowledged” norms, as peer behavior and self behavior are mostly in alignment.
Programs and training identified as high priorities for an Academy should be resourced to include qualities that resonate with cadets and midshipmen.
Prevention Assessment

The Academies’ significant investment and progress in expanding prevention capabilities is at risk without greater institutionalization, integration, and evaluation.
Victim Assistance Special Interest Items

- **Victim Reporting Preference Form Accountability:** No discrepancies noted
- **Case Management Group (CMG):** No significant discrepancies noted. MSAs to develop Operating Instructions to standardize the local CMG process
- **“Expedited” Transfers:** MSAs successfully transferred 3 cadets and midshipmen who reported a sexual assault to a different Academy
- **Catch a Serial Offender Program (CATCH)**
  - The MSAs continued publicizing the CATCH Program: 43 CATCH entries originated from the Academies – accounting for about 10% of all DoD entries in APY 20-21
  - USNA Best Practice: Computer and private space in SARC Office for midshipman entries
- **“Safe To Report”** – policy allows command to decline taking disciplinary action on issues of minor collateral misconduct; DoD directed all Military Departments to issue NDAA-required policy
  - USAFA tracked 22 cadets citing Safe To Report as influencing their decision to report
  - USMA and USNA have collateral misconduct polices; no policy requirement yet to track related data
- **Survivor Summit Feedback:**
  - Request for continued class schedule deconfliction, even after protective order expiration and case closure
  - SARCs and SAPR VAs to answer general questions about investigations, justice process, and accountability measures

The Academies’ victim assistance initiatives in APY 20-21 met requirements in DoD and Military Service policy
Impact of the IRC on Academy Activities

- On February 26, 2021, the Secretary of Defense directed the IRC to conduct an impartial assessment of the Department’s efforts to address sexual assault
  - IRC provided 82 recommendations to improve DoD’s approach to accountability, prevention, climate and culture, and victim care and support
  - On September 22, 2021, the Secretary approved a roadmap to implement all recommendations
- A few of the key changes to policy, programs, and personnel that will likely impact the Academies are identified by the IRC Lines of Effort (LOE) below:
  - **LOE 1 – Accountability: Significant change in military justice process.** Prosecution decisions for sexual assault and other named offenses will shift from Academy Superintendents to the Special Trial Counsel
  - **LOE 2 – Prevention: Academies ahead of most installations.** Ongoing Academy prevention investments in personnel, leadership development, planning, prevention interventions, and resourcing give them a “jump start” on IRC recommendations
  - **LOE 3 – Climate and Culture: Academies need some catch up.** Unit reporting for cadet and midshipman units needs to align with new climate survey structure to better identify risk and protective factors; cadet and midshipman unit leaders and peer leaders need greater training and experience to address risk factors early
  - **LOE 4 – Victim Care and Support: Academies ahead of most installations.** Academy full-time SARCs and SAPR VAs operate in a structure that allows them to provide the unfettered support to victims and advice to command
Way Forward

The Department identifies the following items for MSA action:

- **Efforts to reduce and stop sexual assault**
  - Identify and empower senior-level prevention decision-makers
  - Codify prevention plans into academy policy
  - Evaluate and identify impacts of prevention plan and component activities
  - Review prevention activities to:
    - Identify opportunities to build skills to address problematic social norms,
    - Include influential cadets and midshipmen as potential messengers, and
    - Resource and structure priority programs to include messaging approaches that resonate

- **Sexual assault and sexual harassment reporting**
  - Provide resources for victims to make entries into the CATCH Program
  - Track sexual assault reports associated with Safe to Report policy

- **Victim assistance initiatives**
  - Develop Localized CMG Operating Instructions
  - Assist DoD in completing the academy Expedited Transfer Policy
  - Identify areas that SARC and SAPR VAs can educate victims about the military justice process
  - Deconflict class schedules for requesting victims beyond case closure and protective order expiration
Questions and Discussion
Back Up
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</tr>
<tr>
<td>2021 ACNS Additional Slides</td>
<td>29</td>
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</tbody>
</table>
Additional Report Information
Military Department Sexual Assault and Sexual Harassment Compliance Self Inspections

• On February 26 2021, Secretary of Defense Austin directed that the Secretaries of the Military Departments assess compliance with sexual assault and sexual harassment policies and integrated violence prevention efforts

• The MSAs reported compliance to their respective Military Departments and identified the improvement areas below:
  
  ➢ **USMA**: develop specialized training for supervisors to equip them with the skillset required to handle retaliation, ostracism, and maltreatment allegations – current annual trainings on these topics for supervisors are not sufficient
  
  ➢ **USNA**: identify investigating options for soliciting feedback on the effectiveness of response services while maintaining required confidentiality requirements, and continue to work on increasing reporting of SH complaints
  
  ➢ **USAFA**: utilize training opportunities related to sexual harassment to address climate survey responses which suggest that sexually harassing behaviors or inappropriate jokes and comments are a concern within the cadet community
    
    - Evaluate education and prevention initiatives – currently working with the Centers for Disease Control and Prevention’s Violence Prevention Technical Assistance Center to build assessments for measuring risk and protective factors into existing violence prevention framework
Sexual Harassment Compliance and Reporting

- The Department reviewed the MSAs’ sexual harassment programs and found that all were in compliance with DoD and Service-level sexual harassment policy.
  - DoD assessed compliance by interviewing Academy personnel on sexual harassment reporting and response, training, and prevention, and reviewing policy documents, informational posters, and organization charts.
- In APY 20-21, sexual harassment complaints increased to 30 total complaints, up 18 complaints in APY 19-20. The breakdown of complaints by Academy are below:
  - **USMA**: 15 complaints
  - **USNA**: 3 complaints
  - **USAFA**: 12 complaints
In APY 20-21, the MSAs provided self-assessment prevention findings using the Prevention Evaluation Framework.

The Department observed growth in the MSAs’ efforts to implement comprehensive approaches to sexual assault prevention, provide onboarding training to staff and peer leaders, and use integrating functions to better coordinate institutional prevention efforts.
APY 20-21 Sexual Assault Prevalence and Reporting Data
Sexual Assault Prevalence

Prevalence of Unwanted Sexual Contact in the Past Year at the Military Service Academies, 2008-2018

- MSA Women: 8.9%, 12.9%, 12.4%, 8.2%, 12.2%, 15.8%
- MSA Men: 1.4%, 1.9%, 2.0%, 1.1%, 1.7%, 2.4%

Prevalence of Sexual Assault Since Entering a Higher Education Institution* (Civilian Comparison Data)

- MSA Women: 23.6%, 16.8%, 5.6%
- MSA Men: 2.1%, 3.3%, 5.8%
- College Women: 28.5%, 21.6%, 7.1%
- College Men: -

*Note: The 2018 Service Academy Gender Relations Survey and the American Association of Universities 2019 Campus Climate Survey used different methodologies. However, both surveys used a proxy metric for sexual assault that measured penetration and/or sexual contact that were physically forced or when the respondent did not or could not consent. Both surveys also measured the experience of sexual assault over the course of one’s four-year academic career, which is shown here. Comparisons are not scientific.

Sexual assault prevalence at the Academies is comparable to rates observed in civilian colleges. However, DoD holds itself, and the Academies, to a higher standard of behavior.
Categorizing Total Reports Into Reports Involving Actively-Enrolled Students and All Other Reports

- At the request of the MSAs, the Department has broken down the total number of reports received by the Academies into two overarching categories to reflect the MSAs’ current conditions.
- The Department presents reports involving actively-enrolled students: reports from current students for incidents that occurred during military Service, active duty Service member victims reporting an incident that occurred within the last four years, and civilian victims.
- The Department also tracks and provides appropriate services to all other reports: reports of prior to Service incidents, reports from active duty Service members for incidents that occurred greater than four years ago, and prep school students.

<table>
<thead>
<tr>
<th>Category</th>
<th>Unrestricted Reports</th>
<th>Restricted Reports</th>
<th>Total Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Academy-Related Reports</td>
<td>81</td>
<td>80</td>
<td>161</td>
</tr>
<tr>
<td>Reports involving actively-enrolled cadets/midshipmen at the time of incident and/or report</td>
<td>71</td>
<td>68</td>
<td>139</td>
</tr>
<tr>
<td>- Cadets/midshipmen victims reporting an incident that occurred during military Service</td>
<td>64</td>
<td>67</td>
<td>131</td>
</tr>
<tr>
<td>- Active duty Service Member victims reporting an incident that occurred within the last four years</td>
<td>3</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>- Civilian victims</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>All other reports</td>
<td>10</td>
<td>12</td>
<td>22</td>
</tr>
<tr>
<td>- Cadets/midshipmen reporting an incident that occurred prior to military service</td>
<td>6</td>
<td>8</td>
<td>14</td>
</tr>
<tr>
<td>- Active duty Service members reporting an incident that occurred more than four years ago</td>
<td>1</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>- Prep school students</td>
<td>3</td>
<td>1</td>
<td>4</td>
</tr>
</tbody>
</table>
MSAs: Disciplinary Action Summary
Case Outcomes Reported in APY 20-21

160 Cases receiving or awaiting disposition in APY 20-21

- 81 Case dispositions yet to be determined (reported out in future APYs)
- 77 Case dispositions reported in APY 20-21

- 18 Cases with a civilian, foreign national, unknown, deceased or deserted subjects or
  civilian/foreign authority exercised jurisdiction over Service member subjects

59 Cases that could be considered for possible action by DoD commanders

44 Evidence supported commander action (75% of 59)

31 Cases with action on sexual assault offenses
  - 11 Court-martial charge preferred (35% of 31)
  - 1 Nonjudicial punishment (3% of 31)
  - 19 Adverse administrative actions or discharges (61% of 31)

13 Cases where evidence supported action on non-sexual assault offense

14 Command action precluded/respected victims’ desired non-participation (24% of 59)

1 Case unfounded by command/legal review (2% of 59)
MSAs: Court-Martial Charges Preferred Summary

31 Cases with action on sexual assault offenses
  11 Court-martial charges preferred
    1 Nonjudicial punishment
    19 Adverse administrative actions or discharges

11 Court-martial charges preferred
  3 Case disposition not completed in APY 20-21 (will be reported out future years)
  8 Case dispositions completed in APY 20-21
    3 Resignation in lieu of court-martial
    3 Court-martial charges dismissed
  2 Proceeded to trial
    2 Convicted of any charge at trial
  0 Acquitted of all charges
### MSAs: Nonjudicial Punishments and Adverse Administrative Actions Summary

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases with action on sexual assault offenses</td>
<td>31</td>
<td></td>
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<tr>
<td>Court-martial charges preferred</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>Nonjudicial punishment</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Adverse administrative actions or discharges</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Pending nonjudicial punishments</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Completed nonjudicial punishment</td>
<td>1</td>
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<tr>
<td>Other adverse administrative actions</td>
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<td>Pending administrative actions</td>
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<td>Completed administrative actions</td>
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<td>Administrative discharges</td>
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<td>Pending adverse administrative discharge</td>
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<td>Completed adverse administrative discharges</td>
<td>3</td>
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# USMA: Court-Martial Preferral Outcomes

<table>
<thead>
<tr>
<th>Number</th>
<th>Most Serious Sexual Assault Offense Charged</th>
<th>Court Outcome</th>
<th>Most Serious Offense Convicted</th>
<th>Disciplinary Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sexual Assault (Art. 120)</td>
<td>Discharge of resignation in lieu of courts-martial</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>Abusive Sexual Contact (Art. 120)</td>
<td>Charges dismissed subsequent to recommendation by Art. 32 hearing officer</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>3</td>
<td>Sexual Assault (Art. 120)</td>
<td>Discharge of resignation in lieu of courts-martial</td>
<td>N/A</td>
<td>N/A</td>
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<td>4</td>
<td>Sexual Assault (Art. 120)</td>
<td>Discharge of resignation in lieu of courts-martial</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Number</td>
<td>Most Serious Sexual Assault Offense Charged</td>
<td>Court Outcome</td>
<td>Most Serious Offense Convicted</td>
<td>Disciplinary Outcome</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------</td>
<td>---------------</td>
<td>--------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>1</td>
<td>Attempts to Commit Offenses (Art. 80)</td>
<td>Convicted</td>
<td>Obstructing justice (Art. 134-35)</td>
<td>Sentenced to 25 years confinement and a dismissal</td>
</tr>
<tr>
<td>2</td>
<td>Sexual Assault (Art. 120)</td>
<td>Convicted</td>
<td>Sexual Assault (Art. 120)</td>
<td>Sentenced to 25 years confinement and a dismissal</td>
</tr>
<tr>
<td>3</td>
<td>Sexual Assault (Art. 120)</td>
<td>Charges dismissed for any other reason prior to courts-martial</td>
<td></td>
<td></td>
</tr>
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</table>
# USAFA: Court-Martial Preferral Outcomes

<table>
<thead>
<tr>
<th>Number</th>
<th>Most Serious Sexual Assault Offense Charged</th>
<th>Court Outcome</th>
<th>Most Serious Offense Convicted</th>
<th>Disciplinary Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sexual Assault (Art. 120)</td>
<td>Charges dismissed subsequent to recommendation by Art. 32 hearing officer</td>
<td>Not recommended to continue as a cadet and subsequently discharged from AF</td>
<td></td>
</tr>
</tbody>
</table>
2021 ACNS Additional Slides
Methodology: Mixed-Methods

Online Survey

- Administration
  - Census of all cadets/midshipmen at USMA, USNA, and USAFA
  - Online survey administration
  - Voluntary and confidential
  - Fielded: February 22 – March 15, 2021^  
    - Response Rate: 23%
- Content
  - Prevention-oriented social norms at the Academies
  - Nominate 5 influential Academy peers who…
    - They look up to
    - They respect
    - They think is a good leader in sports, clubs, extracurricular
    - They would want to command the military unit they commission into
    - Has a presence on social media that they like, follow, or enjoy
  - Nominate 5 Academy peers they have felt particularly close to/spent significant time with over past six months
  - Relationship(s) between the respondent and the individuals they identified

Virtual Focus Groups

- Administration
  - Recruited cadets/midshipmen identified as influential or part of a social network on the survey (top 25 percent of nominated individuals were prioritized [those nominated the most])*
  - Conducted 6 groups per MSA virtually using MS Teams, Google Meet, or Zoom
  - Fielded: March 25 – April 16, 2021
    - 128 participants (83 men & 45 women)
- Content
  - Characteristics of influential students
  - Flow of information through informal channels
  - Prevention-oriented social norms at the Academies

^ USNA fielded from March 1 – March 22
* Individuals will not be identified by name
Key Terms

- **Influencers**: Cadets and midshipmen that received a high number of nominations by other cadets and midshipmen.
- **Central influencers**: Cadets and midshipmen who are centrally connected in the MSA based on peer and influencer connections, as well as their position relative to other cadets and midshipmen in the Academies.
- **Influencer categories**: Admired, respected, a general leader, a military leader, or on social media.
- **Social norms**: The actual, expected, and incongruent behaviors of cadets and midshipmen.
- **Peer networks**: The peer group of a cadet or midshipman that details the connections these peers share.
- **Social network structures**: The features of the number and type of connections that cadets and midshipmen have in the Academies.
- **Prevention-oriented behaviors**: Behaviors identified as risk and protective factors for sexual assault.
- **Reference groups**: Characteristics of cadets and midshipmen that are used for comparisons (e.g., class year, gender, prior service).