



DEPARTMENT OF THE NAVY
UNITED STATES NAVAL ACADEMY
121 BLAKE ROAD
ANNAPOLIS, MARYLAND 21402-1300

USNAINST 1752.2A
28/SARC

13 FEB 2008

USNA INSTRUCTION 1752.2A

Subj: SEXUAL ASSAULT VICTIM INTERVENTION (SAVI) PROGRAM

- Ref: (a) USNAINST 5354.5B
(b) SECNAVINST 1752.4A
(c) OPNAVINST 1752.1B
(d) Uniform Code of Military Justice
(e) SECNAVINST 5211.5E
(f) SECNAVINST 5720.42F
(g) Victims' Rights and Restitution Act of 1990 (P.L. 101-647) (NOTAL)
(h) OPNAVINST 5800.7
(i) 10 U.S.C. § 6962
(j) MILPERSMAN Article 1910-010 (Definitions and Guidance Concerning Separation of Enlisted Personnel)
(k) SECNAVINST 1920.6C

- Encl: (1) Organizational Diagram of USNA Sexual Harassment, Misconduct and Assault Prevention and Response Coordination Team
(2) Faculty Liaison Program Organization and Instruction
(3) Victim's Rights
(4) Sexual Assault Intervention Protocols
(5) SAVI Advocate Volunteer Service Agreement
(6) Sexual Assault and Awareness Training Program

1. Purpose. To provide guidance and designate responsibility for implementation of the Sexual Assault Victim Intervention Program for all United States Naval Academy (USNA) active duty and civilian members of the staff and faculty. This program is established in accordance with policy promulgated in reference (a).

2. Cancellation. USNAINST 1752.2. This instruction is a complete revision. Since changes are extensive, no markings appear in the margins. Therefore, it should be read in its entirety.

3. Applicability. The provisions of this instruction apply without regard to race, ethnicity, national origin, sex, or religion within constraints of the law to all military personnel and assigned civilian faculty and staff personnel within the purview of the Superintendent of the U.S. Naval Academy.

a. The following persons are eligible for victim advocacy services when subjected to sexual assault:

(1) Active duty members of the Army, Navy, Air Force, Marine Corps and Coast Guard (hereafter referred to as "Military Services") and their legal family members.

(2) Members of the National Guard and Reserve who are sexually assaulted when performing active service and inactive duty training.

(3) Civilian faculty and staff assigned to USNA.

(4) Any person who is a victim of sexual assault and is eligible for treatment in military treatment facilities.

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(5) All victims of sexual assault, regardless of affiliation, which occur on USNA property, are eligible for available services on a humanitarian basis (e.g., evidence collection, triage, emergency medical treatment, and referral to available civilian community services).

4. Background. This instruction is promulgated to ensure compliance with references (a) through (c) as they apply to the military and civilian faculty and staff of USNA.

5. Discussion

a. The leadership at USNA is committed to providing the safest possible learning and working environment for Midshipmen and all military and civilian faculty and staff by maintaining a professional command climate that promotes dignity and respect.

b. In addition to the harmful and often tragic impact sexual assault has on the victim, this crime undermines good order and discipline and impedes the realization of the Naval Academy's mission. The Department of the Navy's policy regarding sexual assault is clear -- comprehensive assistance to victims, prompt and thorough investigation and assessment, and mandatory action against offenders.

c. Incidents of sexual assault, including rape, are violent acts causing psychological and often physical trauma. Directly following an incident of sexual assault, a victim may feel powerless to exert control over his or her situation and may experience shock, anxiety, lack of trust in others and sometimes will deny that the rape or sexual assault even occurred. The Naval Academy must have a robust reporting infrastructure in place prior to an assault in order to adequately provide for the immediate needs of sexual assault victims.

d. Victims of sexual assault often feel further victimized by the criminal justice system or administrative conduct system when questioned about their own conduct or inaction during an assault. This fear is often cited as an obstacle to reporting sexual assault. To address this obstacle, in cases where the victim's behavior may be considered an offense under the Uniform Code of Military Justice (UCMJ), reference (d), or COMDTMIDNINST 1610.2 (series), Administrative Conduct System (e.g., fraternization, underage drinking, drunk and disorderly conduct), it is important to take into consideration the circumstances surrounding the assault and their impact on the victim before taking any appropriate administrative or disciplinary action against the victim. Absent overriding consideration, action to address collateral misconduct shall be deferred until final disposition of the sexual assault case.

e. The first priority in responding to incidences of sexual assault is immediate medical and psychological treatment for the victim. In addition, sexual assault is also a criminal act that must be addressed through legal processes. After first caring for the victim, every effort should be made to ensure protection of evidence and maintenance of the chain of custody of such evidence.

f. A faculty member may be approached by a Midshipman wishing to disclose sexual harassment or assault. Without the proper training or sources of information regarding such issues a faculty member will be left unprepared. The Faculty Liaison Program (FLP) will provide the necessary resources via the Faculty/Staff SAVI Liaison (FSL) as outlined in enclosure (2).

g. Alcohol abuse is a strong factor in many sexual assault cases. Promoting and supporting the responsible use of alcohol will assist greatly in reducing sexual assault.

h. Sensitive, discreet, and fair treatment of victims is essential to any sexual assault and prevention plan and provides the bedrock principle underlying all of the procedures in this instruction.

6. Procedures

a. Personnel involved in an incident or allegation of sexual assault shall ensure that immediate action is taken to protect victims from further injury by an alleged offender.

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b. All sexual assault cases involving Midshipmen shall be reported to the Brigade SAVI Liaison (BSL). For cases that do not involve Midshipmen, sexual assaults shall be reported to the Faculty/Staff SAVI Liaison (FSL). If the BSL or FSL cannot be reached, immediately contact the Sexual Assault Response Coordinator (SARC) or the duty Victim Advocate (VA).

c. All personnel must take care to avoid the phenomenon of "re-victimization," whereby a victim feels antagonized by the medical, administrative, and legal processes that follow a sexual assault. All personnel bear responsibility to develop a command climate in which victims receive sensitive care and support.

d. Victims shall be advised of their rights as set forth in enclosure (2) of reference (b) and are made aware of and encouraged to exercise their options during each phase of the medical, investigative and legal processes.

e. Victims shall have access to appropriate assistance, including medical care, counseling, victim advocacy and legal assistance.

7. USNA SAVI Coordination Committee (SAVI CCM). To facilitate execution and oversight of program requirements, the SARC and Deputy Commandant shall co-chair a USNA SAVI Coordination Committee (SAVI CCM). Committee members shall include the Deputy SARC, Brigade SAVI Liaison, the Faculty/Staff SAVI Coordinator, Naval Health Clinic Annapolis (NHCLA) SAVI POC, Sexual Assault Prevention & Intervention Specialist, Commandant's Legal Advisor, Brigade Equal Opportunity Advisor (EOA), Program Legal Representative, DoD Police Chief and representatives from the Brigade of Midshipmen, Naval Academy Athletic Association, Chaplain's Office, Faculty, Midshipman Development Center, Character Development and Naval Criminal Investigative Service (NCIS). If not already represented by other members on the committee, a Company Officer and a Senior Enlisted Leader shall also attend. The Naval Support Activity (NSA) Point of Contact (POC), and NSA/NHCLA SARC are also invited to attend to assist in coordination efforts between commands. The committee will assist the SARC in the development of awareness, prevention and advocacy programs and will meet at least quarterly to review such programs.

8. Victim Advocacy

a. The purpose of victim advocacy is to provide the victims of sexual assault with an advocate who can provide information, emotional support, and direction during the various medical, legal, and investigation processes with a goal of minimizing re-victimization.

b. An internal Victim Advocate program shall be maintained and supervised by the SARC using reference (c). The SARC shall ensure the applicable actions listed in enclosure (4), *Commander's Checklist*, to reference (b) are accomplished. Additionally, at a minimum, the following core elements shall be present in the Victim Advocate program:

(1) An adequate number of trained Victim Advocates at USNA and NAPS shall be available to provide emotional support and assistance to eligible victims during initial assessment, medical, administrative, legal and investigative procedures and to provide information and referral regarding further assistance and services.

(2) Key personnel shall be trained to provide victims with sensitive and discreet care. The Brigade Medical Officer, Legal Advisor, FSL, BSL, USNA Chaplains assigned to minister to the Brigade of Midshipmen, all Bancroft Hall Command Duty Officers, Company Officers and Senior Enlisted Leaders shall follow the model sexual assault intervention protocols contained in enclosure (4) of this instruction, relating to their respective positions.

(3) Assigned Victim Advocates shall inform victims that information they provide concerning the sexual assault is required to be reported to Department of the Navy officials, and for cases involving midshipmen, will be reported within the Commandant's Staff chain of command. Release to

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non-governmental authorities will be controlled by federal laws and Navy regulations governing the release of information (i.e., Privacy Act, Freedom of Information Act). Advocates shall ensure victims are aware of their options concerning their involvement with investigative/legal personnel. Victims shall be informed these options include:

- (a) The option to discuss and provide information to others, including investigative/legal personnel.
- (b) The option to have a friend, counselor or advocate accompany them to interview sessions.
- (c) The option to provide a written statement.
- (d) The option to refuse to discuss the event with anyone. The victim should be informed that should he/she wish to decline to be interviewed by law enforcement officials, it is likely a limited criminal investigation will be conducted and valuable evidence may be lost which could negatively impact the possibility of holding the offender(s) accountable.

(4) Victim privacy shall be protected to the maximum extent possible. Victim records shall be maintained in accordance with references (e) and (f). All members of USNA that are involved with sexual assault victims should ensure case-related information is shared only for official purposes with those who have a need to know.

c. In addition to an internal Victim Advocate program, the BSL shall establish and supervise Midshipmen SAVI Guidance, Understanding, Information, Direction Education (GUIDEs). SAVI GUIDEs are empowered to receive restricted reports of sexual assault, but shall keep the BSL informed of all reports. SAVI GUIDEs shall not be assigned as Victim Advocates. In addition, SAVI GUIDEs will be trained to discuss the SAVI program with midshipmen who desire information prior to deciding whether or not to report an incident of sexual assault. The Midshipmen SAVI GUIDE Program is governed by COMDTMIDNINST 1752.1(series).

9. Victim Counseling. During regular business hours, the Midshipmen Development Center (MDC) shall provide victims with psychological and supportive counseling. The Sexual Assault Prevention and Intervention Specialist, a licensed clinical social worker, is housed in MDC and is a specialist in mental health counseling for sexual assault victims. After business hours, the on-duty Medical Officer shall ensure victims are offered mental health services on a crisis intervention basis. If a victim desires, the SAVI Program will facilitate counseling with a specialist not affiliated with the military.

10. Data Collection and Reporting

a. Incidents of sexual assault will be immediately reported to the Superintendent, U.S. Naval Academy, by the SARC, the Executive Assistant, or the Commandant of Midshipmen. Incidents will also be reported to the Chief of Naval Operations (N1) via the Superintendent, using OPREP-3 NAVY BLUE or UNITSITREP, per the Sexual Assault Incident Data Collection Report format contained in reference (b).

b. An initial written report shall be forwarded to the Superintendent, U.S. Naval Academy, within 24 hours of the commencement of an investigation on allegations of sexual assault. Update reports shall be forwarded monthly until final resolution.

c. To the extent possible, internal data collection should avoid use of individual identifiers in order to maintain victim and alleged offender privacy.

11. Responsibilities

a. SARC. The SARC is responsible to the Superintendent for oversight of the USNA and NAPS staff and faculty SAVI programs contained within and governed by this instruction. The SARC is the

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Program Manager and is responsible for supervising overall program implementation and training for all Naval Academy, NAPS and associated personnel.

b. Deputy SARC. The Deputy SARC shall serve as the SAVI program Training Coordinator and shall be responsible for developing and implementing a comprehensive SAVI training plan for USNA. Specific duties include but are not limited to:

- (1) Conducting annual SAVI training for the staff and faculty of USNA.
- (2) Locating and scheduling external sexual assault training professionals to address the Brigade of Midshipmen.
- (3) Coordinating and tracking initial and refresher Victim Advocate training for both Brigade and Staff/Faculty Victim Advocates.
- (4) Serving as SARC in his/her absence.

c. Sexual Assault Prevention & Intervention Specialist (SAPIS). The SAPIS, as subject matter expert on sexual assault, shall provide clinical services to sexual assault victims and clinical training and consultation to the SAVI program. Specific duties of the SAPIS include but are not limited to:

- (1) Providing psychotherapy in the Midshipmen Development Center to sexual assault victims.
- (2) Providing clinical training to SAVI GUIDEs and ongoing clinical training and consultation to SAVI GUIDEs and Victim Advocates to enhance the quality of care.
- (3) Providing clinical consultation to the Sexual Assault Response Team (SART) regarding specific sexual assault cases.
- (4) Providing clinical perspective in programmatic planning.

d. Brigade SAVI Liaison (BSL). The BSL shall manage the Brigade SAVI program to include the Brigade Victim Advocate, SAVI GUIDE and SHAPE Peer Educator programs. The BSL shall have attended training on the SAVI Program as required by reference (c). Specific duties of the BSL include but are not limited to:

- (1) Recruiting, co-training and supervising the Victim Advocates assigned to the Brigade, SAVI GUIDEs, and SHAPE Peer Educators.
- (2) Serving as the POC for the Brigade in reporting sexual assault cases.
- (3) Providing long-term support for midshipmen victims of sexual assault (e.g., continuing dialogue with assigned Victim Advocate and SAVI GUIDEs).
- (4) Attending Sexual Assault Response Team (SART) and SAVI Coordination Committee meetings.
- (5) Developing and supporting Brigade prevention efforts to include Commandant's guidance, Sexual Assault Awareness Month, in company training, and Brigade wide awareness efforts.
- (6) Reviewing refresher training for Victim Advocates.
- (7) Establishing and maintaining the Brigade Victim Advocate SAVI watchbill.
- (8) Continuing dialogue and daily interaction with the SARC to support overall Sexual Harassment, Misconduct and Assault program objectives.

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e. Faculty/Staff SAVI Liaison (FSL). The FSL shall manage the Faculty Liaison Program (FLP) for all Naval Academy staff and faculty personnel. The FSL shall have attended training on the SAVI program as required by reference (c). Specific duties of the FSL include but are not limited to:

- (1) Recruiting and training volunteers from each Academic Division for the FLP.
- (2) Serving as the POC for staff and faculty members that have questions about the SAVI program.
- (3) Referring non-midshipman victims of sexual assault to a trained Victim Advocate.
- (4) Attending SART and SAVI Coordination Committee meetings.
- (5) Managing and coordinating faculty and staff Victim Advocates to include an advocate watchbill and continuing review of refresher training.

f. NAPS SAVI Liaison (NSL). The NSL shall manage all components of the NAPS SAVI program. The NSL shall have attended training on the SAVI program as required by reference (c). Specific duties of the NSL include but are not limited to:

- (1) Ensuring annual SAVI training for the NAPS Battalion.
- (2) Coordinating with the Deputy SARC to serve as Victim Advocate Coordinator, managing the NAPS internal Victim Advocate program in accordance with paragraph 8 of this instruction.
- (3) Serving as Data Collection Coordinator (DCC) for NAPS, ensuring data collection and reporting complies with the requirements of paragraph 10 of this instruction.

g. Faculty Liaisons. Faculty Liaisons will serve as representatives for their divisions. They will be provided with training on the SAVI program and will serve as POC for information on the SAVI program. Liaisons are not trained victim advocates. If a sexual assault is reported to a Faculty Liaison, the Liaison is not a restricted reporting resource and is required to report the assault to the FSL, BSL or NSC as appropriate.

h. SAVI Advocates. All SAVI advocates shall have received 30 hours of SAVI program training prior to their appointments as Victim Advocates. Victim Advocates must receive 10 hours of annual refresher training. Specific duties of a Victim Advocate include, but are not limited to:

- (1) Informing assigned victims of reporting requirements and of victims' options concerning involvement with investigative and legal personnel as discussed in paragraph 8 of this instruction.
- (2) Being available to provide support and assistance during initial assessment, medical, administrative, legal and investigative procedures.
- (3) Being willing to sign a volunteer service agreement, enclosure (5), and agree to uphold victim privacy at all times.

i. SAVI Guidance, Understanding, Information, Direction, Education (GUIDE). SAVI GUIDEs shall have received 20 hours of initial training which is based on the SAVI Victim Advocate training but is tailored to the GUIDE role. They also receive 10 hours of refresher training annually. Specific duties include, but are not limited to:

- (1) Providing victims with information about reporting options and the system.
- (2) Providing short-term support but not accompaniment to victims.
- (3) Serving as a restricted reporting resource.

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- (4) Informing the BSL of sexual assault reports.
- (5) Providing training in Company, Squad, Team, or Extracurricular Activity as required or requested.

j. Superintendent's Staff Judge Advocate. Specific duties include, but are not limited to:

- (1) As appropriate, prepare and serve Military Protective Orders to alleged assailants.
- (2) Ensure victims are aware of his/her rights under references (g) and (h).
- (3) Serve as victim's legal point of contact for the processing of the case until the investigation is concluded and the case is referred to the Superintendent for appropriate action.
- (4) Serve as the Superintendent's representative and point of contact for Naval Criminal Investigative Service agents; and federal, state and local law enforcement agencies, during sexual assault investigations.
- (5) Advise the SARC on legal matters.

k. Commandant's Legal Advisor. For cases where the victim is a midshipman, specific duties include, but are not limited to:

- (1) As appropriate, prepare and serve Military Protective Order to alleged assailant.
- (2) Ensure victim is aware of his/her rights under references (g) and (h).
- (3) Serve as victim's legal point of contact for the processing of the case until the investigation is concluded and appropriate action is taken by the Commandant of Midshipmen or the case is referred to the Superintendent for appropriate action.
- (4) Serve as the Commandant of Midshipmen's representative and point of contact for Naval Criminal Investigative Service agents; federal, state and local law enforcement agencies; and Staff Judge Advocate, U.S. Naval Academy, during sexual assault investigations.
- (5) Advise the Brigade SAVI Liaison on legal matters and provide a continuous review of the program from a legal perspective.

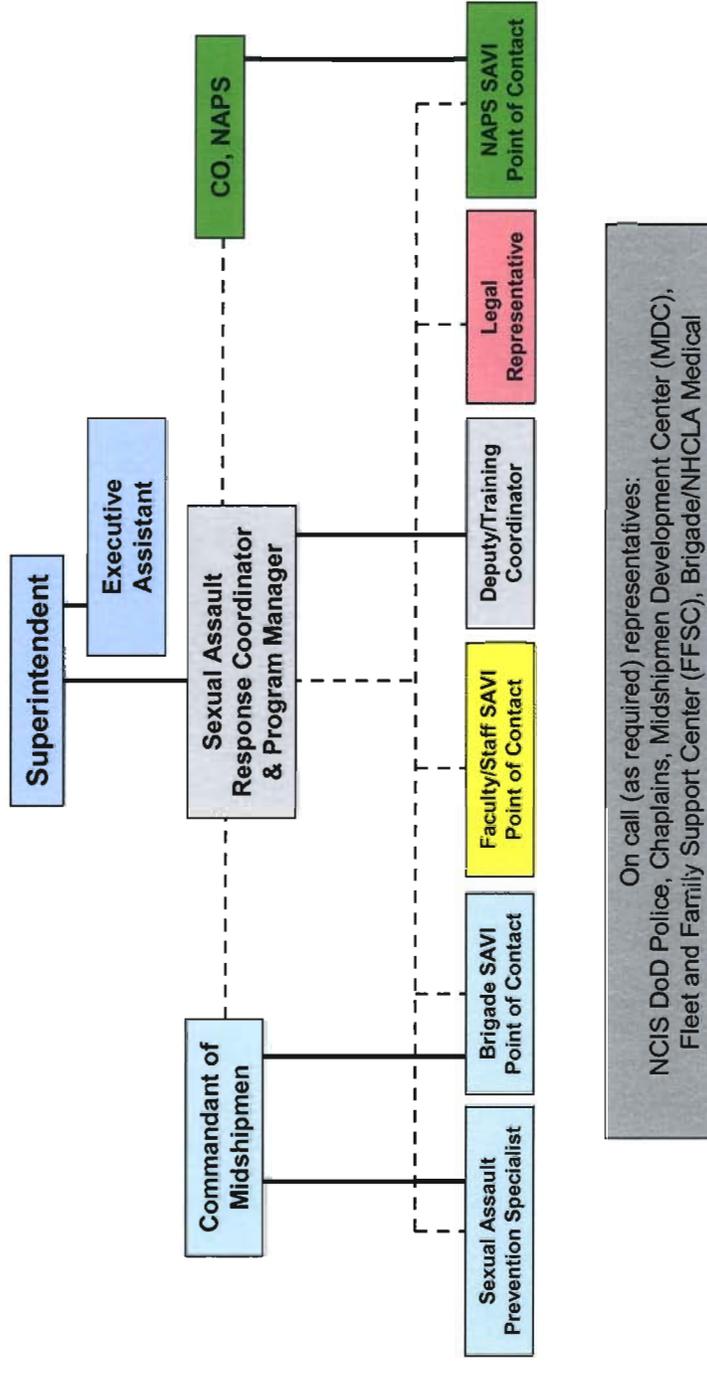
12. Review Responsibility. This instruction shall be reviewed at least every two years.

/s/
J. L. FOWLER

Distribution:
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USNA Sexual Assault Response Team



— Direct Report
- - - Additional Duty or Coordination Relationship

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FACULTY LIAISON PROGRAM

1. Purpose. To issue policy, provide guidance, and designate responsibility for the Faculty Liaison Program (FLP), a subsidiary program to the Sexual Assault Victim Intervention (SAVI) Program. FLP is designed to furnish additional aide for the Brigade of Midshipmen and support associated staff and faculty.

2. Applicability. This enclosure applies to all midshipmen and USNA faculty/staff within the SAVI Program and all faculty members who volunteer to participate in the FLP.

3. Discussion

a. The faculty plays a huge role in the daily lives of the Brigade of Midshipmen, not only as professors, but also as mentors and role models.

b. Through the course of the student-teacher relationships the faculty has gained the trust of the midshipmen. As a result, a faculty member may be approached by a midshipman wishing to disclose sexual harassment, misconduct, or assault. Without the proper training or sources of information regarding such issues, a faculty member may be ill-prepared to respond appropriately.

c. The FLP provides the necessary resources via the Brigade SAVI Liaison (BSL) and Faculty SAVI Liaison (FSL), to ensure that faculty members are equipped to respond appropriately when called upon.

d. Additionally, if a faculty or staff member should become a victim, the FLP provides a local information resource, the Faculty Liaison, who can help ensure the individual is quickly connected to SAVI program personnel (i.e. FSL, BSL, Victim Advocate, or the SARC).

e. Faculty Liaisons are empowered to receive initial contact from victims and provide referrals, but Faculty Liaisons are not trained to serve as Victim Advocates; however, their support will help ensure that SAVI resources are provided when needed.

4. Action. The Faculty Liaison Program (FLP) will be maintained and supervised by the FSL. Each Academic Division will supply a volunteer for the FLP. The Liaisons will be provided with basic training on the SAVI Program and will serve as the Point of Contact (POC) for SAVI information and questions within their Division. Liaisons will not be assigned as Victim Advocates.

5. Procedures. All faculty members acting as liaisons will fully support the Brigade SAVI Program by ensuring:

a. Victims are protected from further injury.

b. Sexual assaults are reported to the BSL, FSL or SARC, as appropriate, who will in turn notify the appropriate personnel within the chain of command. The Faculty Liaisons are **not** allowed to receive restricted reports and shall offer no confidentiality. Instead, all reports will be forwarded to the BSL, FSL or SARC immediately.

c. Victims receive sensitive care and support and are not re-victimized as a result of reporting the incident.

d. Incidents of sexual assault are reduced through an active program of education and the creation and maintenance of a safe and professional climate.

6. Program Elements. The Faculty Liaison Program is comprised of the following essential elements:

a. Information for victims. Specifically, the Faculty Liaison will assist a victim in contacting the BSL or FSL, as appropriate, and provide basic information on the SAVI system.

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b. Education regarding victim advocacy:

(1) Formal SAVI Advocate training will be made available to any interested faculty via the Fleet Family Support Center (FFSC).

(2) Faculty members interested in formal SAVI Advocate training should notify their division's SAVI Faculty Liaison who in turn notifies the FSL or SARC.

c. Awareness. The Faculty Liaison will ensure that posters and appropriate publications regarding SAVI issues are made visible and available in faculty working areas.

7. Training

a. Faculty Liaisons shall participate in annual staff/faculty sexual harassment and assault prevention training and shall coordinate training venues and schedules for their department/division.

b. Faculty Liaisons shall receive specialized training on the SAVI program. This training will specifically address the role of the Faculty Liaison, victim psychology and initial response.

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VICTIMS' RIGHTS

1. In 1990, the Office of the Attorney General of the United States declared that while "millions of Americans are victimized by crime every year, recognition of crime victims' rights is a recent phenomenon. Until recently, the protection of offenders' rights took precedence over those of the innocent victims of crime."
2. With increased focus on those whose lives are harmed by crime, state and Federal legislation has been enacted to protect and maintain the rights of crime victims. Landmark in this legislation was the Victims' Rights and Restitution Act of 1990 which sets forth the "Rights of Crime Victims."
3. Reference (i) implemented the Navy's Victim and Witness Assistance Program and established a Crime Victims' Bill of Rights for victims of crime committed under the Navy's jurisdiction.
4. To ensure the fair and sensitive handling of all sexual assault cases, personnel at every level of victim assistance working with sexual assault victims shall, where possible, ensure the following rights are maintained:
 - a. The right to be treated with fairness and with respect for the victim's dignity and privacy;
 - b. The right to be reasonably protected from the accused offender;
 - c. The right to be notified of court proceedings;
 - d. 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;
 - e. The right to confer with trial counsel and the staff judge advocate to the convening authority in the case;
 - f. The right to receive available restitution; and
 - g. The right to information about the conviction, sentencing, imprisonment, and release of the accused.
5. Reference (h) requires a copy of these rights be provided to all victims reporting sexual assault.
6. It should be emphasized and explained to victims that federal departments are required to "make their best efforts" to afford victims these rights. Resource limitations, operational commitments or jurisdictional limitations may preclude a naval command from being able to provide these rights fully. The above list does not create a cause of action or defense in favor of any person arising out of failure to accord a victim the rights enumerated. Adherence to these guidelines will be per the legitimate needs of the United States Navy, the maintenance of good order and discipline, and military exigencies.

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SEXUAL ASSAULT INTERVENTION PROTOCOLS

1. Background. Research has shown that an unintentional consequence of victim interviewing and treatment by Health Care Providers (HCP) and investigative officials can be the re-victimization of sexual assault victims. Victims are sometimes unnecessarily required to repeatedly answer intimate questions, explain (if not defend) their actions and motives, and undergo intrusive medical examinations. Consequently, it is imperative that procedures be established and continuously reviewed to ensure competent, sensitive handling of sexual assault victims.
2. Purpose. This enclosure provides guidelines for initial intervention and response to reported incidents of sexual assault. These guidelines have been modified for application to the Brigade of Midshipmen and the NAPS Battalion but have applicability for all personnel at USNA and NAPS. The SARC will use these protocols and the Commander's Checklist for Prevention and Response of reference (c) in the execution of the SAVI program.
3. Sample Protocols. These sample protocols have been prepared for the purpose of providing guidance to departments which serve as initial points of contact (POCs) for victims of sexual assault, including Midshipmen and members of the faculty and staff. For non-midshipmen cases, the BSL shall be replaced with the FSL. These points of contact generally include, but are not limited to:
 - a. Officer of the Watch (OOW)/Naval Academy Duty Officer (NADO).
 - b. SAVI Advocate.
 - c. SAVI GUIDE (Guidance, Understanding, Information, Direction and Education).
 - d. Brigade Medical Clinic.
 - e. Staff Judge Advocate.
 - f. Chaplain Corps.
 - g. Midshipmen Development Center.
4. Support Services. Although the organizations listed below are not under direct report to the Naval Academy, their roles and response are crucial to the overall success of the USNA SAVI Program. Thus, they are key members of the Sexual Assault Response Team. Their actions are also outlined in this protocol.
 - a. Base Security.
 - b. Naval Criminal Investigative Service.
 - c. Fleet and Family Support Center.
5. Collaboration and Coordination. Naval Academy personnel responding to a sexual assault report have both a specialized role and a collaborative one. A coordinated team approach in responding to sexual assault reports is key to sensitive, comprehensive handling of these cases. Therefore, USNA first responders are directed to collaborate with appropriate points of contact from paragraph 4 above and with community sexual assault response personnel to ensure complete and timely response across the spectrum of possibilities.
6. Victim Care. All initial POCs for victims, listed in paragraphs 3 and 4 above, must treat a victim in a manner which observes victim sensitivity. The following are important considerations:
 - a. Victim Response. Each sexual assault victim will react differently depending upon personality and the history of prior trauma and psychological issues. It is not uncommon in sexual assault cases for a victim to recant the initial allegation because of the trauma of sexual assault. Victims often are embarrassed, fear reprisal by the offender(s), their superiors and/or peers, fear adverse effects on career advancement, fear not being believed, and desire to avoid multiple retellings of the incident, all of which constitute re-victimization. It is important to note that a recantation does not necessarily mean that the victim lied or that a sexual assault did not occur. There are multiple reasons why sexual assault victims recant, depending upon the circumstances of the case.

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b. Cultural Considerations. A victim may be from a culture that does not recognize that sexual assault is a crime. Victims that are sexually assaulted by members of their own gender may be reluctant to discuss the crime or admit that a sexual assault occurred due to embarrassment or concern with being labeled as homosexual.

c. Personal Bias. If a person has biases regarding sexual assault, these preconceived beliefs must not be projected onto the victim. Personnel who have been personally affected by sexual assault, or unduly biased by their involvement in other cases, may need to defer participation to a colleague. The actions of the first responder often set the tone for the later emotional recovery of the victim and for a successful resolution of the case. Sensitivity training for personnel shall be provided annually, since it can alleviate some of the attitudinal problems in this area.

d. Professional Conduct. Respondents must handle cases in a professional manner at all times. While the victim is considered the "crime scene," the victim is a person, and is to be treated with sensitivity and respect at all times. Many people are uncomfortable dealing with sex-related crimes. Personnel should learn to identify their indicators of discomfort and adhere to the following when handling such cases:

- (1) Do not joke about the case to the victim or colleagues.
- (2) Do not be accusatory in your questions.
- (3) Do not make a value judgment about the victim or the victim's behavior at the time of the incident. Avoid a "he/she deserved it" mentality.
- (4) Do not make promises to the victim in an effort to make him/her feel better or gain his/her confidence.
- (5) Do not discuss the case outside official channels.
- (6) Do not say anything while on the scene that you would not want the victim to hear.
- (7) Do not show partiality to victims due to their rank or position.
- (8) Do not discourage a victim from filing a report.
- (9) Explain procedures to the victim. Be aware that victims can be intimidated or upset by police cars, uniforms, radio communication devices, etc.

7. The Bancroft Hall Officer of the Watch (OOW) or Naval Academy Duty Officer (NADO) shall:

- a. Report sexual assault incidents to the BSL or the on-call SAVI Advocate. If these personnel are not available, contact the SARC or Deputy SARC (DSARC).
- b. Obtain name, telephone number, and location of the victim.
- c. Reassure the victim that reporting the incident was the right thing to do.
- d. Advise the victim not to destroy possible evidence by bathing, douching, changing clothes, eating, drinking, or cleaning up in any way.
- e. Explain the availability of victim advocacy services, if the victim is eligible, and notify the SARC, DSARC, BSL or on-call SAVI Advocate if the victim desires an advocate.
- f. Offer to notify the Duty Chaplain if the victim desires pastoral counseling/assistance and is eligible.
- g. Ensure that the SARC, DSARC or BSL is notified of the sexual assault report immediately.

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8. The SAVI Advocate shall:

- a. Respond to calls from the victim, Base Security, Brigade Medical Clinic, or other official sources.
- b. Ensure the SARC, DSARC or BSL has been notified.
- c. Provide immediate support and assistance to the victim as needed/requested. The Advocate is NOT to function in the role of professional counselor or investigator.
- d. Provide the victim with information on victims' rights and the availability of counseling, shelter, legal, and medical services.
- e. Provide assistance to the victim by offering to and/or helping to secure basic needs (e.g., provide clothing to wear from the hospital, arrange transportation, contact a family member/friend, etc., if requested by the victim).
- f. Offer to contact the Duty Chaplain or mental health counselor if the victim desires.
- g. Review the Victim Preference form (DD 2910) with the victim, explain Restricted and Unrestricted Reporting options, and have the victim initial and sign the appropriate sections of the form. Return the signed DD 2910 to the SARC as soon as feasible.
- h. Provide the victim with options concerning his/her involvement with investigative/legal personnel. Possible involvement options include:
 - (1) The victim may agree to be interviewed without assistance.
 - (2) The victim may agree to be interviewed with a SAVI Advocate present during NCIS interview(s).
 - (3) The victim may refuse to be interviewed. A SAVI Advocate may report to NCIS in lieu of the victim, providing a written summary of information to the investigative agent.
 - (4) The victim may decline to be interviewed personally by law enforcement officials (e.g., NCIS special agents or civilian police). In this case, it is likely that a limited criminal investigation will be initiated or conducted and valuable evidence may be lost, negatively impacting the possibility of holding the offender(s) accountable.
- i. Make follow-up telephone contact(s) with the victim within 48 hours to provide emotional support and information and to determine if additional services are requested. In addition to making follow-up telephone contact(s), the SAVI Advocate should encourage follow-on counseling. The Advocate should assist the victim in following through with the scheduling of subsequent counseling appointments.
- j. Offer to accompany the victim to interviews with investigative/legal staff in order to provide emotional support.

8. SAVI GUIDE shall:

Note: Midshipmen victims who do not report, or hesitate in reporting, incidents of sexual assault are less likely to receive important medical and counseling services. SAVI GUIDES are available to provide assistance to victim in understanding the reporting process and facilitating communications with Brigade SAVI Liaison (USNA) or Battalion SAVI Point of Contact (NAPS). If these personnel are not available, contact the SARC or the Duty Victim Advocate.

- a. Respond to calls from a victim, fellow midshipmen or midshipmen candidates.

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b. Listen and support the victim to the maxim extent possible but should be careful not to gather too much detail, increasing the potential to be called as a witness in an investigation or legal action.

c. Ensure the Brigade SAVI Liaison (USNA), Battalion SAVI Point of Contact (NAPS), or the duty Victim Advocate has been notified.

d. Provide immediate support and assistance to the victim as needed/requested. The SAVI GUIDE is NOT to function as a Victim Advocate, professional counselor or investigator.

e. Provide assistance by immediately contacting Brigade SAVI Liaison (USNA) or Battalion SAVI Liaison (NAPS) to ensure the victim's needs for medical care, counseling or legal services are addressed. If the Brigade SAVI Liaison (USNA) or Battalion SAVI Liaison (NAPS) is not available, contact the SARC or the Duty Victim Advocate immediately.

f. Offer to contact the Duty Chaplain or mental health counselor if the victim desires.

g. Maintain confidentiality to ensure that the victim is afforded the available reporting option(s). If appropriate, introduce the victim to reporting options and victim's rights, but allow the BSL (USNA), Battalion SAVI POC (NAPS) or the duty Victim Advocate, or MDC therapist (USNA only) to assist the victim in completing the DD Form 2910 (Victim Preference Form).

h. Maintain contact with the victim as coordinated and discussed with the victim, BSL (USNA), Battalion SAVI POC (NAPS) or the Victim Advocate to provide emotional support, information and to determine if additional services are needed. In addition to making follow-up contact, the SAVI GUIDE should encourage follow-on mental health counseling.

10. Brigade Medical Clinic shall:

a. Place the victim in a private room, separate from the waiting/processing area, until medical care is provided.

b. Notify the SARC, DSARC, BSL or OOW (as appropriate) that a sexual assault has occurred. Provide the name, telephone number, and location of the victim.

c. Provide emergent care only and delay a Sexual Assault Forensic Examination (SAFE) until a military victim can be transported to the National Naval Medical Center (NNMC) Bethesda. Civilian personnel will normally be transported to Anne Arundel Medical Center (AAMC) or Baltimore-Washington Medical Center (BWMC) for a SAFE. Neither Brigade Medical nor NHCLA are staffed or outfitted to conduct a SAFE.

d. Explain the availability of victim advocacy services and notify the on-call SAVI Advocate.

e. Call the SAVI Advocate on duty to arrange transportation to NNMC if a SAFE is required.

NOTE: Victim's written consent is necessary for all medical procedures.

f. Immediately provide the SARC, DSARC or BSL with case statistical data for completion of the initial and follow-on Data Collection Reports.

NOTE: Sensitivity to the victim's emotional state is critical. DO NOT involve anyone unnecessarily.

11. Judge Advocates shall:

a. Explain the availability of victim advocacy services, if the victim is eligible, and notify the SARC, DSARC, BSL or on-call SAVI Advocate if the victim desires one.

b. Ensure that the victim is aware of his/her options concerning their participation in the investigation and prosecution. Possible involvement options include:

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- (1) The victim may agree to be interviewed without assistance.
 - (2) The victim may agree to be interviewed with a SAVI Advocate present during NCIS interview(s).
 - (3) The victim may refuse to be interviewed. A SAVI Advocate may report to NCIS in lieu of the victim, providing a written summary of information to the investigative agent.
 - (4) The victim may decline to be interviewed personally by law enforcement officials (e.g., NCIS special agents or civilian police). In this case, it is likely that a limited criminal investigation will be initiated or conducted and valuable evidence may be lost, negatively impacting the possibility of holding the offender(s) accountable.
 - c. Ensure that NCIS has been notified that a sexual assault occurred. If the victim chooses to report to civilian law enforcement officials, legal personnel or NCIS can make the initial contact on behalf of the victim.
 - d. Encourage the victim to seek medical and counseling services
 - e. Ensure that the victim is informed of his/her rights as identified in references (h) and (i), and as delineated in enclosure (3).
 - f. Advise the victim that should he/she decide to participate in an investigation his/her testimony/participation may be required in proceedings other than a courts martial/civil trial.
 - g. Consider a Military Protective Order (MPO) when the alleged offender(s) is an active duty service member in order to prevent contact between the victim and the alleged offender(s).
 - h. If the victim does testify, be available to provide consultation/referral to the victim and/or the Advocate in areas such as courtroom procedures.
 - i. Conduct any investigative interviews in a manner that recognizes victim sensitivity as outlined in paragraph 6 above.
 - j. Ensure during legal contacts with the victim, the alleged offender(s) and victim are not placed in situations in which they may make contact with each other. Avoid situations such as scheduling pre-trial appointments for the victim and alleged offender(s) at the same time or one immediately following the other, placing the offender(s) and victim in the same court waiting rooms, etc.
 - k. Honor the victim's wishes if he/she desires to be interviewed in the presence of a friend or Advocate.
 - l. Keep the victim informed as to the status of the case and other pertinent details.
 - m. Immediately provide the SARC, DSARC or BSL with case statistical data for completion of the initial and follow-on Data Collection Reports.
12. Chaplain Corps Personnel shall:
- a. Ensure the victim is reasonably protected from the accused offender(s) by contacting base security, if warranted.
 - b. Provide emotional, psychological, and spiritual support to the victim and family, as requested.

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c. Encourage the victim to seek appropriate assistance/counseling. If the victim concurs, encourage the victim to seek counseling from the Midshipmen Development Center or another qualified organization which specializes in assisting victims of sexual assault. Remain as involved as the victim desires.

d. Strongly encourage the victim to seek medical attention regardless of whether the victim requires emergency or non-emergency care.

e. Explain the availability of victim advocacy services and notify the on-call SAVI Advocate if the victim desires.

f. As appropriate, encourage the victim to report the incident to the SARC, DSARC, BSL or to his/her chain of command.

g. If the victim desires to report the incident, immediately provide the SARC, DSARC or BSL with case statistical data for completion of the initial and follow-on Data Collection Reports.

13. Midshipmen Development Center therapists shall:

a. Maintain therapist-patient confidentiality. In a practical sense, this means keeping the fact that a victim accesses MDC counseling confidential if the victim so desires.

b. Offer a release of information to provide limited information to SAVI personnel that may or may not be signed by the victim.

c. Clearly explain therapist confidentiality in the context of a SAVI case and explain the restricted reporting option.

d. Offer to assist victim in completing the Victim Reporting Preference Form (Form 2910) if desired by the victim. The form shall only be completed with the therapist's assistance if the victim signs a release to share it with the SARC. If the victim chooses not to complete the form with the therapist but wants to make a restricted or unrestricted report, then the therapist shall refer him/her to the BSL or SARC to complete the form.

e. Give the Form 2910 to the SARC for storage as soon as possible.

f. The Sexual Assault Prevention and Intervention Specialist (SAPIS) shall coordinate all therapy case management in liaison with SART. If another therapist provides counseling to a sexual assault victim, that therapist shall inform the SAPIS and provide the SAPIS with regular input regarding progress.

14. Base Security will:

a. Respond to all sexual assault calls occurring under their jurisdiction.

b. Notify the NADO, SARC, DSARC, Brigade SAVI Liaison (BSL) or the Officer of the Watch (OOW), as appropriate, that a sexual assault has occurred. Provide the name, telephone number, and location of the victim.

c. Ensure that the victim has some form of clothing and is not left naked or exposed. Provide some means of cover, such as a blanket, large towel, etc.

d. Ensure that the victim receives immediate medical care for any injuries that warrant such care.

e. Do not ask detailed questions and/or pressure the victim for responses. If first to arrive at the crime scene, collect only the necessary information (e.g., victim's identity, location and time of incident, name and/or description of offender(s)), taking precautions to secure the crime scene.

f. Apprehend alleged offender(s), as appropriate.

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- g. Provide support and reassurance to the victim. It is important that security make the victim feel safe, secure, and in control again.
- h. Advise the victim not to destroy possible evidence by bathing, douching, changing clothes, eating, drinking, or cleaning up in any way.
- i. Explain to the victim normal law enforcement procedures which he/she can expect to occur in the next 24 hours. Ensure he/she is aware of and can anticipate future actions/processes.
- j. If the victim is emotionally upset or distraught, attempt to calm the victim until further assistance (e.g., SAVI Advocate, Duty Chaplain, Counselor) can be arranged. Be aware that victims may be intimidated or upset by police cars, uniforms, radio communication devices, and extraneous police officers not directly involved in the case.
- k. In cooperation with NCIS and local law enforcement agencies, advise/assist the victim on safety precautions in the event that the alleged offender(s) poses a continuing threat.
- l. Immediately provide the SARC, DSARC or BSL with case statistical data for completion of the initial and follow-on Data Collection Reports.

15. NCIS will:

- a. Receive reports of sexual assault incidents. If the victim chooses to report to civilian law enforcement officials, NCIS personnel can make the initial contact on behalf of the victim.
- b. Explain the availability of victim advocacy services and contact either a Staff Judge Advocate (SJA), the SARC, DSARC, BSL or Officer of the Watch regarding the incident.
- c. Provide the victim with options concerning his/her involvement with investigative/legal personnel. Possible options include:
 - (1) The victim may agree to be interviewed without assistance.
 - (2) The victim may agree to be interviewed with a SAVI Advocate present during NCIS interview(s).
 - (3) The victim may refuse to be interviewed. A SAVI Advocate may report to NCIS in lieu of the victim, providing a written summary of information to the investigative agent.
 - (4) The victim may decline to be interviewed personally by law enforcement officials (e.g., NCIS special agents or civilian police). In this case, it is likely that a limited criminal investigation will be initiated or conducted and valuable evidence may be lost, negatively impacting the possibility of holding the offender(s) accountable.
- d. Advise/Assist the victim on safety precautions in the event that the alleged offender(s) poses a continuing threat.
- e. Conduct the investigative interview in a manner which recognizes victim sensitivity as outlined in paragraph 6 of this enclosure.
- f. Honor the victim's wishes if he/she desires to be interviewed in the presence of a friend or Advocate.
- g. Notify the Victim Witness Assistance Coordinator (Staff SJA) to keep the victim informed concerning the NCIS role in the case, status of the investigation, and other pertinent details to the extent that it will not interfere with the investigation.

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h. Conduct a thorough investigation of the crime in compliance with Victim's Rights and the NCIS Manual For Investigations.

i. Immediately provide the SARC, DSARC or BSL with case statistical data for completion of the initial and follow-on Data Collection Reports.

16. Fleet and Family Service Centers (FFSCs) will:

a. Assume case management and response for sexual assault cases that meet Family Advocacy Program (FAP) guidelines of OPNAVINST 1754.2(series). Cases normally managed under FAP include but are not limited to:

(1) Cases of sexual assault involving 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.

(2) Cases of sexual assault involving victims under the age of 18.

(3) Cases of sexual assault involving an Active Duty dependent (eligible for treatment at a military treatment facility) and a civilian (i.e. boyfriend, girlfriend, extra-familial relationship, ...)

17. Company Officers, Senior Enlisted Leaders, Faculty/Staff shall:

a. Inform the SARC, FSL or BSL of a sexual assault report.

b. Recognize some victims may receive a negative response from other midshipmen following the report of a sexual assault and more education may be needed to ensure retaliation and inappropriate behavior are not an issue. In such situations, consult with the SARC in order to develop and implement a plan to address undesired responses.

c. Ensure that Military Protective Orders (MPOs) are strictly adhered to for the victim's safety. MPOs are issued when the alleged offender(s) is an active duty service member and directs the accused to remain clear of the victim as directed in the order.

d. Be aware that if the alleged offender(s) and victim are in the same company, typically, one is reassigned to another company in order to prevent contact with one another. Staff/Faculty issues will be similarly resolved.

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SAVI ADVOCATE - VOLUNTEER SERVICE AGREEMENT

VICTIM ASSISTANCE PROGRAM VOLUNTEER SERVICE AGREEMENT BETWEEN THE UNITED STATES NAVAL ACADEMY'S SEXUAL ASSAULT VICTIM INTERVENTION (SAVI) PROGRAM AND

(NAME OF VOLUNTEER)

Statement of Understanding. This is an agreement for the provision of volunteer services under Title 10 U.S.C. Section 1588. In support of the Department of the Navy's Sexual Assault Victim Intervention (SAVI) Program as it applies to the Brigade of Midshipmen and the Staff or Faculty, volunteer services as noted below will be provided.

The following conditions apply for SAVI Advocates:

1. Voluntary service is for the purpose of making available a Victim Advocate to provide effective and appropriate assistance to victims of sexual assault. Such voluntary service does NOT include the provision of counseling services to victims of sexual assault.
2. Volunteer service will be performed while assigned to the United States Naval Academy and may be terminated at any time at the discretion of the Superintendent, SARC, Faculty/Staff Liaison (FSL), Brigade SAVI Liaison (BSL), or your chain of command.
3. Your specific duties as a SAVI Advocate include, but are not limited to, the following:
 - a. If a victim voluntarily contacts you, advise him/her that, as a SAVI Advocate under restricted reporting, you are able to maintain confidentiality (military service members only). Additionally, unrestricted reporting requires you to report the incident to the chain of command and to Navy law enforcement officials.
 - b. Respond to calls from the victim, base security department, Medical Treatment Facility, Main Office, or other official sources.
 - c. Provide emotional support and assistance to the victim as needed/requested. As an Advocate, you will not function in the role of counselor or investigator.
 - d. Inform the victim of their options regarding professional counseling, such as the Midshipmen Development Center (MDC), NHCLA Mental Health, Chaplain Center, and community services (i.e. YWCA). Offer to contact MDC, NHCLA Mental Health, the Duty Chaplain, or a community service provider and schedule appointments, if the victim so desires.
 - e. Provide the victim with information on his/her rights and the availability of legal and medical services.
 - f. Provide assistance to the victim by offering to and/or helping to secure basic needs (e.g., provide clothing to wear from the hospital, arrange transportation, contact a family member/friend, etc., if requested by victim).
 - g. Provide the victim with options concerning his/her involvement with investigative/legal personnel.
 - h. Make follow-up telephone contact(s) with the victim within 48 hours to provide emotional support and information. Determine if professional counseling services are requested.
 - i. Offer to accompany the victim to all interviews with investigative/legal staff in order to provide emotional support during legal proceedings.

Enclosure (5)

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j. Ensure the victim's privacy is always upheld. Information regarding the victim and/or the events surrounding the sexual assault shall only be disclosed on an official, need-to-know basis.

4. Voluntary service is expected to involve at least two hours per month and last the duration of duty while you are assigned to the Naval Academy or at the request for termination of volunteer service.

5. Volunteer service requires at least 30 hours of training prior to your participation as a victim advocate, and 10 hours of "refresher" training per year.

6. Volunteer service requires certification by the USNA Sexual Assault Response Coordinator (SARC), which must be completed prior to your participation as a SAVI Advocate.

(SAVI Program Coordinator)

Date: _____

(SAVI Advocate)

Date: _____

(SARC)

Date: _____

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SEXUAL ASSAULT AND AWARENESS TRAINING PROGRAM

1. Purpose. To provide General Military Training (GMT) for all military and civilian personnel including faculty and staff at USNA with regard to sexual harassment, misconduct and assault awareness, prevention and response training, with emphasis on treating others with dignity and respect, definitions, types of reports, victim care, legal action, and interactive scenarios.

2. Scope. Comprehensive training, meeting the requirements of references (a) through (c), will be conducted for all personnel to include USNA military and civilian faculty and staff. This training is required annually, but may be conducted more often if appropriate. The Sexual Assault Response Coordinator (SARC) is responsible for the coordination and execution of training.

3. Discussion

a. The SARC will ensure all elements of references (a) through (c) are included in training briefs to all personnel. As required by reference (a), annual training will be conducted for all military personnel assigned to USNA. In addition, civilian staff and faculty will also receive annual SAVI training.

b. The SARC will present initial training at the USNA Staff and Faculty Orientations that are held twice a year for new check-ins. The goal of this training is to inform the new individuals about the USNA SAVI program and their active role in ensuring program success.

c. The SARC will locate and schedule external training professionals for exposure and additional educational opportunities for all USNA faculty and staff as appropriate.

d. All SAVI training opportunities provided to the Brigade will be made available if space permits to the Faculty and Staff.

e. Periodic training and faculty/staff qualifications will be fully documented by the SARC.