



DEPARTMENT OF THE NAVY

NAVAL ACADEMY PREPARATORY SCHOOL
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NAPSINST 1752.2F

NAPS

24 Jan 2023

NAVAL ACADEMY PREPARATORY SCHOOL INSTRUCTION 1752.2F

From: Commanding Officer, Naval Academy Preparatory School

Subj: SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM

Ref: (a) DODI 6495.02
(b) OPNAVINST 1752.1C
(c) USNAINST 1752.2H
(d) Uniform Code of Military Justice

Encl: (1) Responsibilities
(2) Sexual Assault Response Protocols

1. Purpose. To provide guidance and designate responsibilities for implementation of the Sexual Assault Prevention and Response (SAPR) Program for all Naval Academy Preparatory School (NAPS) Midshipmen/Cadet Candidates and all active duty and civilian members of the faculty and staff. This program is established in accordance with policy promulgated in references (a) through (d).

2. Cancellation. NAPSINST 1752.2E.

3. Applicability. The provisions of this instruction apply without regard to race, ethnicity, national origin, sex, sexual orientation, or religion within constraints of the law to all military personnel and assigned civilian faculty and staff personnel within the purview of the Commanding Officer. The following persons are eligible for victim advocacy services when subjected to sexual assault (SA):

a. Active duty personnel and their dependents, 18 years and older (dependents under 18 will fall under the Family Advocacy Program (FAP)), who are eligible for treatment in the military healthcare system, and who are victims of SA by someone other than a spouse or intimate partner per reference (a).

b. Any person who is a victim of SA and is eligible for treatment in military treatment facilities.

4. Policy.

a. No form of SA is acceptable at NAPS. Every candidate and member of the faculty and staff share the responsibility to foster a culture of dignity and mutual respect where victims receive compassionate and coordinated support and offenders are held accountable.

b. Combatting SA and supporting SA victims are primary responsibilities at every level of military and civilian leadership. Leaders must take every report of SA seriously, immediately refer unrestricted cases for criminal investigation and all cases for advocacy services, in addition to actively protecting SA victims from retaliation or re-victimization.

c. All SA victims have unfettered options of Restricted Reporting and Unrestricted Reporting. Either form of reporting is acceptable.

d. For any victim that has filed an Unrestricted Report requesting a leave of absence, the Commanding Officer will make a recommendation to the Superintendent in consultation with the Dean of Admissions, to either have that candidate remain in training, defer a year and resume training with the next NAPS class, or consider his or her training complete.

e. Victims that have filed an Unrestricted Report must be advised of their option to request a transfer from the Command (military staff members) or Company (midshipmen candidate) to which they are assigned.

f. Victim support SAPR services and medical care must be victim-centric, gender-responsive, culturally competent, and recovery-oriented.

5. Responsibilities. See enclosure (1).

6. Response Procedures. See enclosure (2).

7. Victim Advocacy and Support.

a. The purpose of victim advocacy is to provide a victim of SA with an advocate who can provide information, emotional support, and help guide the victim through the various medical, legal, and investigative processes with a goal of minimizing re-victimization.

b. The victim advocate program will be maintained and supervised by the Sexual Assault Response Coordinator (SARC). At a minimum, the following core elements shall be present in the program:

(1) A trained SAPR Victim Advocate (VA) will be available to provide emotional support and assistance to eligible victims during initial assessment, medical, administrative, investigative and legal procedures and to provide information and referral regarding further assistance and services. The victim shall decide to what extent the advocate's services are desired within the limits of the program. The SARC and/or VAs shall ensure victims are offered psychological and supportive counseling. Victims may also be referred to counseling not affiliated with the military if they so desire.

(2) Key personnel shall be trained to provide victims with sensitive and discrete care. The Independent Duty Corpsman (IDC), Legal Officer, Unit SAPR VAs (UVAs), Command Duty Officers, Company Officers, and Senior Enlisted Leaders will follow the SA intervention protocols contained in enclosure (2) appropriate to their respective positions.

(3) Victim privacy shall be protected to the maximum extent possible. Any person involved with SA victims shall ensure case-related information is shared only for official purposes with those who have an absolute need to know.

(4) A Victims' Legal Counsel is available to provide legal support and advice to Midshipman/Cadet Candidates or military staff members who report being a victim of an offense. Victims' Legal Counsel report directly to the Office of the Judge Advocates General and are not assigned by NAPS. They are experienced and trained in the practice of military justice, administrative law, legal assistance, and specific rights and privileges afforded to Navy SA victims.

8. Data Collection and Reporting.

a. Incidents of SA will be immediately reported to Commanding Officer, by the SARC. Unrestricted Reports will also be reported to the Chief of Naval Operations (N1), via OPREP-3 NAVY BLUE or UNIT SITREP format.

b. The collection of data will be used for statistical purposes to include: program planning, development of appropriate procedures, precautions to reduce the risk of further incidents of SA and to ensure a standardized victim-sensitive system to prevent and respond to SA. Data is intentionally devoid of individual identifiers to maintain victim and alleged offender confidentiality and privacy.

9. SAPR Training. Prevention of SA will be pursued through awareness and prevention education and by maintaining physical facilities in a manner which reduces potentially hazardous situations. The following training requirements will enhance the quality of the program at NAPS:

a. General overview training of SAPR program to include reporting options, terminology, and prevention awareness for the Battalion will be conducted once over the Indoctrination period and then at least once more during the Academic Year, totaling a minimum of twice annually.

b. Training for staff members will be conducted annually by either the SARC or the NAPS SAPR UVA/VA.

c. Training for non-military members of the command will be conducted once upon check-in.

d. VAs will recertify their training and credentials every three years.

e. Training will include a discussion on factors that are present in many SA cases, namely alcohol, and how that affects ability to consent. The Drug and Alcohol Program Advisor (DAPA), the SARC and the SAPR UVA will harmonize training efforts to ensure SA and alcohol/substance abuse training discusses the role that alcohol plays in SA cases.

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10. Records Management. Records created as a result of this notice, regardless of media or format, must be managed per Secretary of the Navy Manual 5210.1 of September 2019.

11. Review and Effective Date. Per OPNAVINST 5215.17A, the NAPS Executive Officer will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

A handwritten signature in black ink, consisting of a stylized 'J' and 'D' followed by a long horizontal line and a small 'B'.

J. D. BAHR

Releasability and distribution:

This instruction is cleared for public release and is available electronically only via USNA's Intranet Web site, <https://www.usna.edu/AdminSupport/Inst/> and NAPS Intranet Web site, \\ward-rufs-01\NAPS-Working\Application Window Documents\WebPage\instructions.html.

RESPONSIBILITIES

a. Sexual Assault Prevention and Response Unit Victim Advocate (SAPR UVA). The SAPR UVA is responsible to the Commanding Officer for oversight of the NAPS SAPR programs contained within and governed by this instruction. He or she is responsible for supervising overall program implementation and training for NAPS and associated personnel. The UVA shall be designated in writing and be an E-7 or above. Specific duties of UVA include, but are not limited to:

(1) Management and oversight of the NAPS Battalion SAPR program to include Command Victim Advocates.

(2) Recruiting, coordination of training and the supervision of the Command Victim Advocates.

(3) Serving as the UVA for reporting sexual assault (SA) cases.

(4) Coordinate the long-term support for Midshipmen/Cadet Candidate victims of SA (e.g., continuing dialogue with the assigned Victim Advocate (VA)).

(5) Developing and supporting Battalion prevention efforts to include Commanding Officer's guidance, Sexual Assault Awareness Month, in company training, and Battalion-wide awareness efforts.

(6) Coordinating refresher training for VA's.

(7) Continuing dialogue and daily interaction with the Sexual Assault Response Coordinator (SARC) to support overall SAPR program objectives.

b. Victim Advocates. VAs shall be assigned on a volunteer basis and have received 40 hours of SAPR program training prior to appointment. Previous experience with the SAPR program in the Fleet is certainly encouraged but not a pre-requisite for interested volunteers. Specific duties of a VA include, but are not limited to:

(1) Informing assigned victims of reporting requirements and of victims' options concerning involvement with investigative/legal personnel.

(2) Being available to provide emotional support and assistance during initial assessment, medical, administrative, legal and investigative procedures.

(3) Notifying the SAPR UVA should they become aware that a SA has occurred.

c. Chaplains. Chaplains are available to provide SA intervention options to victims they may encounter. Military Chaplains have been granted confidentiality through the policy of privileged communication.

d. Chain of Command. Company Officers and Senior Enlisted Leaders provide mentoring and emotional support for Midshipmen/Cadet Candidates. They are required to receive annual training to prevent re-victimization and to ensure the sensitive, coordinated treatment of victims. They shall inform a VA should they become aware that a SA incident has occurred.

e. Faculty/Staff. Faculty and staff members provide an additional means of advice, information and mentoring. All faculty and staff will be trained in how to avoid re-victimization and shall notify the SVA when they are made aware that an incident has occurred within the Battalion.

f. Commanding Officer's Legal Advisor. For cases where the victim is a candidate, specific duties include, but are not limited to:

(1) As appropriate, prepare and serve a Military Protective Order to the alleged assailant.

(2) Ensure the victim is aware of his/her rights under references (a).

(3) Serve as the victim's legal point of contact for the processing of the case until the investigation is concluded and appropriate action is taken by the Commanding Officer.

(4) Serve as the Commanding Officer's representative and point of contact for Naval Criminal Investigative Service agents; federal, state and local law enforcement agencies; and Staff Judge Advocate, Naval Academy Preparatory School, during sexual assault investigations.

(5) Advise the SAPR UVA on legal matters and provide a continuous review of the program from a legal perspective.

SEXUAL ASSAULT RESPONSE PROTOCOLS

1. Initial Responders and Points of Contact. These sample protocols have been prepared for the purpose of providing guidance to departments which serve as initial points of contact for victims of sexual assault (SA), including Midshipmen/Cadet Candidates and members of the faculty and staff. Points of contact generally include, but are not limited to:

- a. NAPS Command Duty Officer (CDO)
- b. Victim Advocates (VA)
- c. NAPS Medical Staff
- d. Naval Health Clinic New England Medical Personnel
- e. NAPS Command Chaplain

2. Support Services. Although the organizations listed below are not under direct report to the Naval Academy Preparatory School, their roles and response are crucial to the overall success of NAPS's SAPR 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
- a. Fleet and Family Support Center

3. Specific Roles.

a. NAPS Command Duty Officer:

(1) **Immediately** report SA incidents to a SAPR VA. If these personnel are not available, contact the Sexual Assault Response Coordinator (SARC).

(2) Obtain name, telephone number, and location of the victim.

(3) Ensure the victim is in a safe location.

(4) Advise the victim not to destroy possible evidence by bathing, douching, changing clothes, eating, drinking, or cleaning up in any way.

(5) Stay with the victim until a SAPR representative arrives.

b. SAPR VA:

- (1) Respond to calls from the victim, Base Security, medical personnel, or other official sources.
- (2) Ensure the SARC or SAPR UVA has been notified if a case is reported at NAPS.
- (3) Provide immediate support and assistance to the victim as needed/requested. The SAPR VA shall not function in the role of professional counselor or investigator.
- (4) Provide the victim with information on victim's rights, the availability of counseling, shelter, legal, and medical services.
- (5) Provide assistance to the victim by helping to secure basic needs (e.g., provide clothing to wear from the hospital, arrange transportation, contact a family member/friend).
- (6) Offer to contact the Duty Chaplain or mental health counselor.
- (7) 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.
- (8) Provide the victim with options concerning his/her involvement with investigative/legal personnel.
- (9) Offer to accompany the victim to interviews with investigative/legal staff in order to provide emotional support.

c. NAPS Medical Staff:

- (1) Place the victim in a private room, separate from the waiting/processing area, until medical care is provided.
- (2) Notify the SARC, SAPR Liaison (Faculty and Staff incident) or SAPR VA (as appropriate) that a SA has occurred. Provide the name, telephone number, and location of the victim.
- (3) Provide emergent care only and delay a Sexual Assault Forensic Examination (SAFE) until the responding VA can determine to which facility a military victim should be transported. Neither NAPS Medical nor NHCNE are staffed or outfitted to conduct a SAFE.
- (4) Provide the responding VA with case statistical data for completion of the initial and follow-on reporting requirements as requested. NOTE: Sensitivity to the victim's emotional state is critical, do not involve unnecessary individuals.

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d. Company Officers, Senior Enlisted Leaders, Faculty/Staff:

(1) **Immediately** report SA incidents to a SAPR VA. If these personnel are not available, contact the SARC. Do not ask for information, except to ensure his/her safety.

(2) Recognize some victims may receive a negative response from other Midshipmen/Cadet Candidates following the report of a SA and more education may be needed to ensure retaliation and inappropriate behavior is not an issue. In such situations, consult with either the SARC or SAPR UVA in order to develop and implement a plan to address undesired responses.

(3) Ensure that MPOs are strictly adhered to for the victim's safety.

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