

SEXUAL ASSAULT RESPONSE

RESOURCE GUIDE 2022

SEXUAL ASSAULT PREVENTION & RESPONSE STAFF

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| SAPR Program Manager Office: Bancroft Hall Ext: 410-293-1502 | Lead Sexual Assault Response Coordinator (SARC) Office: Dahlgren Hall Ext: 410-293-7738 |
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| SAPR Deputy Program Manager Office: Bancroft Hall Ext: 410-293-4772 | Sexual Assault Response Coordinator (SARC) Office: Dahlgren Hall Ext: 410-293-7737 |
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| Director of Prevention Education Office: Bancroft Hall Ext: 410-293-4771 | Victim Advocate (VA) Office: Dahlgren Hall Ext: 410-293-7736 |
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| Training Specialist Office: Bancroft Hall Ext: 410-293-2560 | Vacant Victim Advocate Office: Dahlgren Hall Ext: 410-293-7735 |
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Other Support Staff

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| VLC - Vacant Office: Dahlgren Hall, Second floor Ext: 410-293-1561 vlc@usna.edu | Fort Meade NAVY SARC (Duty) 301-677-9038 (Duty Cell) 410-227-6235 |
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| NSA Annapolis SARC (Duty) 443-871-367 (Office) 410-293-2602 | Fort Meade NAVY VA (Duty) 301-677-9040 (VA Duty Cell) 410-858-0257 |
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Sexual Harassment Response

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| Brigade Command Managed Equal Opportunity (CMEO) Office: Bancroft Hall Extension: 410-293-8411 | Command Climate Specialist (CCS) Office: Larson Hall Extension: 410-293-1530 |
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| Military Faculty/Staff CMEO Office: Extension: 410-293-7701 | Equal Employment Opportunity Deputy (Civilians) Office: Halligan Hall Extension: 410-293-3558 |
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| Medical Assistance | |
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| <p>BRIGADE MEDICAL Servicing: Midshipmen Address: 6th Wing, Bancroft Hall</p> | <p>ANNE ARUNDEL MEDICAL CENTER Address: 2001 Medical Pkwy, Annapolis, MD 21401 Extension: (front desk) 410-293-1758/1760; Hours: Monday-Friday, 0630-1800</p> |
| <p>NAVAL HEALTH CLINIC Annapolis Servicing: Active Duty, family members and Retirees Address: 695 Kincaid Road, Annapolis, MD Phone: 410-293-2273 (CARE) Phone (After Hours): 410-293-2273, Option 1. SAPR VA On-call: 301-646-8464 Hours: Monday - Friday 0730-1600 www.med.navy.mil/sites/annapolis Phone: (443) 481-1000</p> | <p>MERCY MEDICAL CENTER Address: 345 St. Paul Place, Baltimore, MD 21202 Phone: (410) 332-9000 HOWARD COUNTY GENERAL HOSPITAL Address: 5755 Cedar Lane, Columbia, MD 21045 Phone: 410-740-7777</p> |
| Counseling Resources | |
| <p>MIDSHIPMEN DEVELOPMENT CENTER Office: 8th Wing Mezzanine on the seaward side next to Optometry Extension: 410-293-4897 Services: Crisis/suicide help, counseling, nutrition, alcohol abuse, life skills, eating disorders Hours: M-F, 0730-1600</p> | <p>FLEET AND FAMILY READINESS Naval Support Activity Annapolis Office: 168 Bennion Road, Annapolis, MD 24102 Extension: 410-293-2641 Services: Counseling assistance, military support, life enrichment, child and youth</p> |
| <p>* SURVIVING SEXUAL TRAUMA SUPPORT GROUPS at the MIDSHIPMAN DEVELOPMENT CENTER As the main provider of mental health services on the yard, the Midshipmen Development Center is committed to providing responsive therapeutic resources to people who have experienced sexual trauma. If you are a survivor of sexual abuse or sexual assault, you are invited to join one of two support groups (separate male and female groups) at the Midshipmen Development Center (MDC). To schedule a meeting to discuss the group, you can go directly to the MDC or email them at mdc@usna.edu.</p> | <p>MENTAL HEALTH Office: Walter Reed Bethesda National Military Medical Center Phone: 301-295-4000 Address: 8901 Wisconsin Avenue, Bethesda, MD 20889 Services: Adult in/outpatient, psychological assessments, substance abuse rehab program</p> <p>CHAPLAIN CENTER 410-293-1100</p> |
| Law Enforcement | |
| <p>USNA Base Security Extension: 410-293-3333</p> | <p>NCIS Office: Halligan Hall Extension: 410-302-2040</p> |
| <p>Naval Support Activity Annapolis Security Office: NSA Annapolis, Building 257 Longshaw Road Extension: 410-293-5772</p> | |

Legal

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| <p>Victims’ Legal Counsel (VLC) Office: Dahlgren Hall, 2nd floor, Room 219 Phone: 410-293-1561 Services: Assist during investigation/military justice process, advocate legal rights, and appear in court on behalf of survivor</p> | <p>Commandant’s Legal Advisor Office: Bancroft Hall, Room 3102 Extension: 410-293-7014</p> |
| <p>Asst Commandant’s Legal Advisor/Victim Witness Coordinator Office: Bancroft Hall, Room 8002 Extension: 410-293-7602</p> | <p>Office: Region Legal Service Office, Command Duty Officer Phone: 202-329-0249 (24/7)</p> |

Local & National Crisis Resources

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| <p>Anne Arundel County YWCA Sexual Assault Crisis Center and Hotline Hotline: 410-222-7273 Services: Advocacy, short-term individual and group counseling, community training and education Arnold, MD 21012 County: Anne Arundel Business: (410) 626-7800 Website: http://www.annapolisywca.org</p> | <p>RAINN-Rape, Abuse & Incest National Network National Hotline: 1-800-656-4673 Services: Counseling, community resources, online resources</p> |
| <p>DoD SAFE HELPLINE: Call: 1-877-995-5247 Text: 55-247 (inside U.S.) or 001-202-470-5546 (outside U.S.) Click: www.safehelpline.org Services: Group chat sessions, confidential reporting channels, resources, access to counselors and more.</p> | |

SAPR Reporting Options

RESTRICTED REPORT
 (Active Duty Military)

In order to ensure the restricted report option, the sexual assault should be reported directly to a SARC, Victim Advocate, Chaplain, health care provider, or any SAPRO staff member. • No law enforcement involvement; identities not revealed to chain of command

Medical care and forensic evidence collection exam available

- Counseling available (mental health services)
- Confidential
- Can be changed to an Unrestricted report at any time
- CATCH Program available (anonymous database for tracking serial offenders)

UNRESTRICTED REPORT
 (Active Duty Military)

Members of the victim's chain of command are required to report identifying information about a sexual assault to the SARC.

- Law enforcement involved, investigation
- Medical care and forensic evidence collection exam available
- Counseling available (mental health services)
- Information shared on need-to-know basis
- Military Protection Order (MPO) available if needed;
- Expedited Transfer available for staff (other options for midshipmen include Leave of Absence, company change, class schedule change, MSA Transfer)

CIVILIAN

If the survivor wants resources ONLY – NO Law Enforcement

- Contact USNA SARC or local rape crisis agency for advocacy and support
 - USNA 24/7 Response HelpLine (443) 336-2637
 - YWCA Crisis Hotline (410) 222-7273
- Medical care and forensic evidence collection exam available at local area hospitals
- Counseling or mental health services available
 - Employee Assistance Program (EAP) 1-800-222-0364
 - YWCA counseling services (410) 626-7800

If the survivor wants law enforcement involvement:

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 - YWCA Crisis Hotline (410) 222-7273
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Definitions

Definition of Sexual Assault

Sexual assault is not the name of a crime under the Uniform Code of Military Justice (UCMJ); rather, it is a term specifically defined by Department of Defense Directive 6495.01. The DoD uses the term "sexual assault" to refer to contact sex crimes by adults against adults. It encompasses all sex crimes under the UCMJ ranging from indecent assault to rape.

The definition of sexual assault states: For the purpose of this Directive and SAPR awareness training and education, the term sexual assault is defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. It includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim.

Article 120—Rape and sexual assault generally;

(a) **Rape.** Any person subject to this chapter who commits a sexual act upon another person by—(1) using unlawful force against that other person; (2) using force causing or likely to cause death or grievous bodily harm to any person; (3) threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping; (4) first rendering that other person unconscious; or (5) administering to that other person by force or threat of force, or without the knowledge or consent of that person, a

drug, intoxicant, or other similar substance and thereby substantially impairing the ability of that other person to appraise or control conduct; is guilty of rape and shall be punished as a court-martial may direct.

(b) **Sexual Assault.** Any person subject to this chapter who—(1) commits a sexual act upon another person by— (A) threatening or placing that other person in fear; (B) causing bodily harm to that other person; (C) making a fraudulent representation that the sexual act serves a professional purpose; or (D) inducing a belief by any artifice, pretense, or concealment that the person is another person; (2) commits a sexual act upon another person when the person knows or reasonably should know that the other person is asleep, unconscious, or otherwise unaware that the sexual act is occurring; or (3) commits a sexual act upon another person when the other person is incapable of consenting to the sexual act due to— (A) impairment by any drug, intoxicant, IV-68 Article 120 ¶45.a.(g)(8)(A) or other similar substance, and that condition is known or reasonably should be known by the person; or (B) a mental disease or defect, or physical disability, and that condition is known or reasonably should be known by the person; is guilty of sexual assault and shall be punished as a court-martial may direct.

(c) **Aggravated Sexual Contact.** Any person subject to this chapter who commits or causes sexual contact upon or by another person, if to do so would violate subsection (a) (rape) had the sexual contact been a sexual act, is guilty of aggravated sexual contact and shall be punished as a court-martial may direct.

(d) **Abusive Sexual Contact.** Any person subject to this chapter who commits or causes sexual contact upon or by another person, if to do so would violate subsection (b) (sexual assault) had the sexual contact been a sexual act, is guilty of abusive sexual contact and shall be punished as a court-martial may direct.

Consent

Consent means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person.

- Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent.
- A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent.

Victim's Bill of Rights

1. 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 offender.

2. A copy of these rights shall be provided to all victims reporting a sexual assault. 3. 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.

USNA Sexual Assault Action Guide/Incident Check List

Responding to a disclosure of sexual assault:

- 1. Is someone in immediate danger?** If so, call 911. Safety is paramount in this situation. Are they feeling unsafe in the present location or are they concerned about having any unwanted contact with their assailant in other areas on or off the Yard? Is there something you can do immediately? Separate survivor and suspected offender, if applicable.
- 2. Does the person need medical attention?** If yes, take the person to the nearest hospital
a. Forensic Evidence Collection Exam – If the assault has occurred within 96 hours of disclosure, the survivor has the opportunity to **choose** to have a forensic evidence collection exam for a possible future investigation.
b. Medical Exam – A survivor can receive medical attention regardless of the amount of time since the sexual assault.
- 3. Get Immediate, local Resources.** Use the **DoD Safe Helpline (877-995-5247)** or the **USNA 24/7 SAPR Response Line at (443-336-2637)** to obtain information on resources specific to your location. It is also a resource option for Victims to talk to someone confidentially.
- 4. LISTEN and support the survivor.** Tend to his/her immediate needs; stay with him/her until a SARC or Victim Advocate, medical, etc. arrives; *listen without judgment*.
- 5. Respect the victim's confidentiality:** DO NOT inform anyone else of the incident, beyond cooperating with any investigative or legal process. In order to ensure the restricted report option and the privacy of this person, do not speak to anyone else in your department or chain of command about the incident (unless you are in the victim's direct chain of command, in which case you are a mandatory reporter).
- 6. Treat suspected offender as innocent until proven guilty and protect the survivor's legal rights.**

Filing a Report: The Process

To REPORT the incident: Call, or assist the survivor in calling the **24/7 SAPR Response Line at (443) 336- 2637**.

Mandatory Reporters

Anyone in the direct chain of command of an active duty service member or midshipman is deemed a mandatory reporter, which means, a disclosure of a sexual assault will automatically be reported to NCIS and considered "Unrestricted" in nature. Watchstanders, law enforcement and legal counsel (excluding the Victim's Legal Counsel) are also deemed mandatory reporters for all active duty personnel. Midshipmen are NOT mandatory reporters for other midshipmen, regardless of Brigade leadership positions.

The USNA SAPR Office will work tirelessly to carry concerns forward in an effort to effect appropriate response from leadership.

Protections from Retaliation

SECNAVINST 5370.7D (12/4/2014) Retaliation Against Members of the Armed Forces Reporting a Criminal Offense. Makes it an art 92 violation to retaliate against a SM who reports a criminal offense

Military Whistleblower Protection Emphasizes prohibition against taking unfavorable or withholding favorable action as retaliation for someone reporting a crime.

- Members of the Armed Forces shall be free to make a protected communication and be free from reprisal for making or preparing to make a protected communication.
- No person shall restrict a member of the Armed Forces from making lawful communications to a member of Congress or an Inspector General.
- No person may take or threaten to take an unfavorable personnel action, or withhold or threaten to withhold a favorable personnel action, in reprisal against any member of the Armed Forces for making, preparing, or being perceived as making or preparing a protected communication.

The most efficient means to report and resolve your complaint within the Inspector General (IG) system is by notifying your local or command IG office.

- They can be located via the following link: http://www.dodig.mil/Hotline/helpful_links.html *All reprisal complaints receive DoD IG oversight regardless of where they are initially submitted.*

Secondarily, complaints may be submitted to the DoD Hotline using their on-line complaint form: •

www.dodig.mil/hotline (Internet)

- Phone: 1-800-424-9098

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