

Commanders' Guide on Selecting and Recommending SARCS and SAPR VAs

Overview

The Department of Defense (DoD) Sexual Assault Advocate Certification Program (D-SAACP) recognizes the critical support Sexual Assault Response Coordinators (SARCs) and Sexual Assault Prevention and Response (SAPR) Victim Advocates (VAs) provide to victims of sexual assault. Through D-SAACP, SARCs and SAPR VAs receive nationally recognized certification validating their training and commitment to upholding the highest standards for victim care and privacy. More information on this program can be found at www.sapr.mil.

An essential part of the D-SAACP Application Package (DD Form 2950) are two Letters of Recommendation—one from the first person in the applicant's chain of command and one from the applicant's senior commanding officer.¹

Prior to completing the Letter of Recommendation, commanders must speak with the D-SAACP applicant and confirm that a background check has been performed and that they are confident in the applicant's moral character, professional abilities, understanding of and willingness to perform the duties required, along with observing a commitment to maintain the victim's privacy. Commanders should follow Service-specific guidelines when interviewing SARCs and SAPR VAs and utilize DD Form 2909, "Victim Advocate and Supervisor Statement of Understanding." Commanders should be confident in their selection of SARCs and SAPR VAs. This guide provides resources and information a commander might find helpful when preparing to select and recommend a SARC and/or SAPR VA. Enclosed are:

- The DoD Victim Advocate Competencies Framework—which represents the knowledge, skills, and attitudes SARCs and SAPR VAs should possess;
- Suggested questions for guiding the selection of SARCs/SAPR VAs;
- Special considerations when selecting SARCs/SAPR VAs; and
- Common myths and facts about sexual assault.

¹ IAW DD 2950's Instructions on page 1, the applicant's recommendation letter from the first person in the chain of command must be from an E-7 or higher, O-3 or higher, or GS-9 or higher. The Senior Commanding Officer must be an O-6 or higher, or GS-15 or higher.

Elements of Sexual Assault Response

Background

In 2012, the National Organization for Victim Assistance (NOVA) developed four critical elements of sexual assault response that included crisis intervention, recovery and investigation, command decision-making and action, and reintegration. Collectively, these elements adhere to a national accreditation framework as prescribed by the 2012 National Defense Authorization Act (NDAA) and served as the basis for the coordinated development of SARC and SAPR VA Core Competencies.

Four Elements of Sexual Assault Response

Crisis Intervention

- Immediate efforts to intervene, assess, and reduce the severity of a crisis and address victims' urgent needs

Recovery & Investigation

- Period of time when victims experience treatment (e.g. medical care, counseling, chaplain support) and criminal investigation procedures (for Unrestricted Reports)

Command Decision Making & Action

- Sequence of events and interactions from when commanders choose to pursue disciplinary action (if they choose to do so) through case resolution

Reintegration

- Process in which victims focus on rebuilding their lives

SARC and SAPR Victim Assistance Core Competencies

These competencies apply to the full range of sexual assault prevention, case management, victim advocacy and sexual assault response duties of SARCs and SAPR VAs. In some cases, SARCs and SAPR VAs may need to demonstrate multiple competencies simultaneously. Some competencies, particularly those relating to investigative and administrative processes, will not apply when the SARC or SAPR VA is responding to a Restricted Report.

Overarching SARC and SAPR VA Core Competencies

Overarching core competencies are those competencies relevant across the spectrum of SAPR prevention, training and education, and response to sexual assault. They include successfully applying and managing the SAPR program to aid victims of sexual assault, demonstrating awareness of the impact of sexual assault, communicating effectively, and upholding the highest of ethical standards. They also include involving command leadership to make positive impacts for individual victims as well as at the command level, active participation in Case Management Group (CMG) meetings, and assessing the command environment to assist leadership manage and mitigate trends of sexual assault.

SARCs and SAPR VAs are accountable to provide awareness of the SAPR program to victims in critical areas such as policy and procedures, command personnel roles and responsibilities, and the investigative process. Critical advocacy skills include the impact of trauma, victimization/re-victimization, and the potential psychological consequences from a sexual assault. Effective communication techniques recognize and understand basic principles of communication, including verbal, non-verbal, and cultural variation. Lastly, ethical standards as solidified in the “DoD SARC/VA Code of Professional Ethics” provide the cohesive bond to ensure professional delivery of victim-centric response, programs and services. Collectively, these core competencies ensure a seamless and integrated SAPR program approach to prevention, training, and education, and overall response to sexual assault.

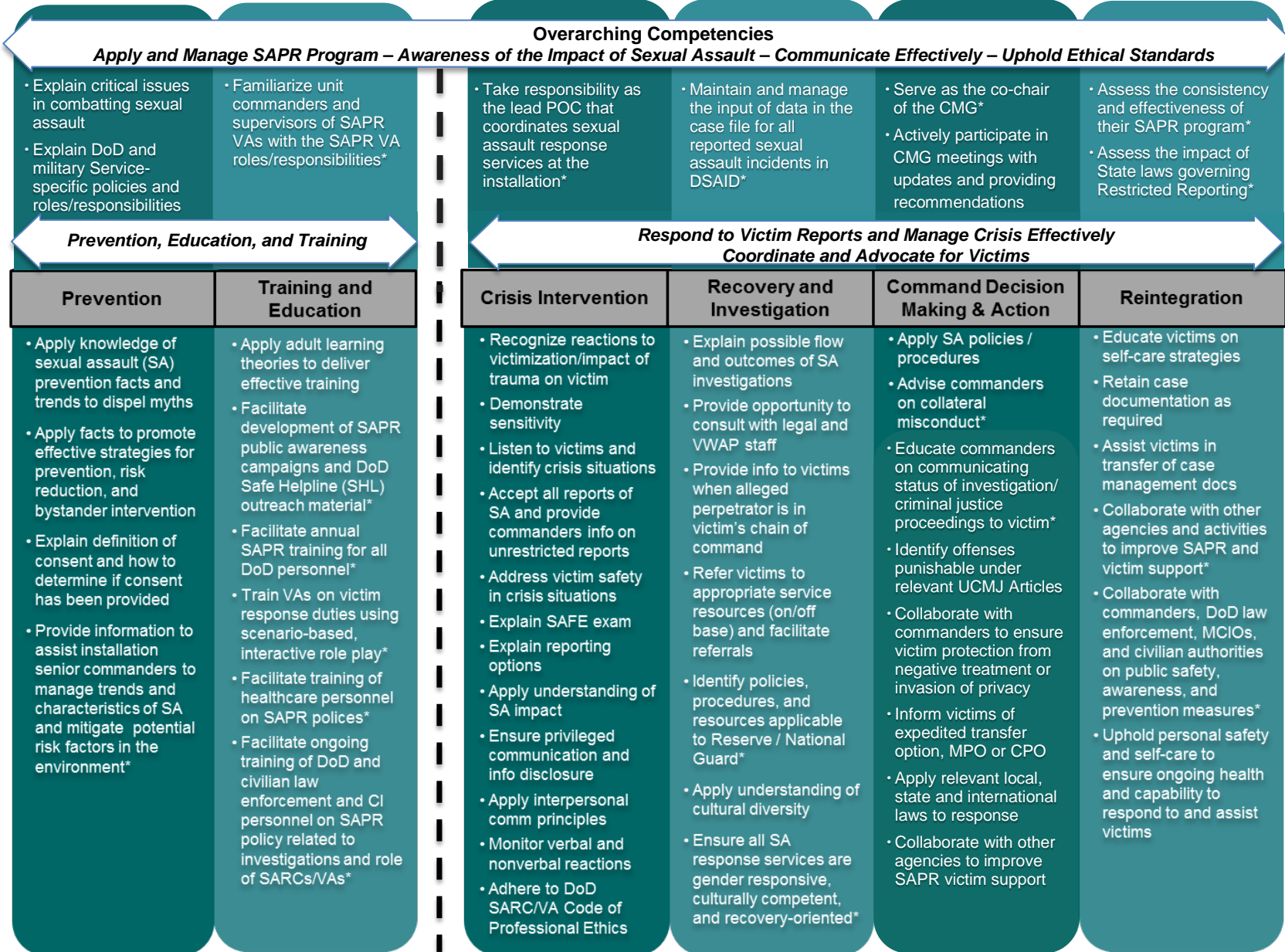
Prevention, Education, and Training Core Competencies

The goal of prevention, education, and training is to deliver consistent and effective prevention methods and training programs. Sustained leader emphasis by Commanders and first line supervisors is critical to this effort, as they are central in establishing the climate of dignity, respect, sensitivity, and environmental expectations that can reduce and eliminate this crime. SARCs and SAPR VAs aggressively seek to identify prevention strategies and behaviors that may reduce sexual assaults. While SAPR training and education focuses primarily on the overall force, it also seeks improved professionalization of SARCs and SAPR VAs, as well as first responders and the general public. Together, these core competencies create an atmosphere where the cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault is not tolerated, condoned, or ignored.

Response to Sexual Assault SARC and SAPR VA Core Competencies

The sexual assault core competencies include responding to victim reports and managing crisis effectively and coordinating services and advocacy for victims. These competencies intersect at various points across the elements of sexual assault response. The overall goal for SARCs and SAPR VAs is to deliver effective victim support, response, and reporting options, so that we instill confidence and trust, strengthen resilience, and inspire victims to report sexual assaults, either restricted or unrestricted. Victim confidence is only achieved through the timely and accurate delivery of relevant information. Compassion, coupled with the utmost privacy and confidentiality, reinforce our commitment in advocating for the victim. From the initiation of a report through case disposition in the justice system to victim recovery, we care for our victims. When victims report, they are provided a safe environment and offered medical care, counseling, legal assistance, and victim witness assistance. SARCs and SAPR VAs are the critical capability we employ to achieve these objectives.

Sexual Assault Response: Integration of Elements, Core Competencies, and Learning Objectives



*Denotes SARC only training requirements

Sample Questions

Recommended Questions for Selecting New SARCs and SAPR VAs:

1. Why are you interested in serving as a SARC and/or SAPR VA?
2. Are you committed to attending the mandatory 40 hours of initial SAPR training and 32 hours of continuing education training every 2 years?
3. Are you willing and able to be on call periodically (including during late night and early morning hours, as well as weekends) to respond to a sexual assault situation?
4. Respond to the following hypothetical case: A Service member reports a sexual assault to you and elects to make a Restricted Report. Days later, someone approaches you and says he was told by another Service member about the sexual assault. How would you respond?
 - The answer should be along the lines of “Thank you, I will follow up with the person” without violating the victim’s Restricted Report.
5. Based upon your understanding of the role of the SARC and/or SAPR VA, what do you perceive will be most challenging to you in fulfilling this role?
6. How would a victim’s background, beliefs, or views that may be different from your own affect your response?
7. Do you have experience in this field through employment, volunteer work, or college courses?
8. What do you believe is the leading reason why victims of sexual assault do not report?
9. (*Follow up question for SARCs only:*) What do you think we, as a team, can do to address this issue?

Recommended Questions for Experienced SARCs and SAPR VAs:

1. What have you enjoyed most about this job? What has been most challenging?
2. Without providing any personal identifying information or privileged communications, tell me about your most difficult sexual assault case. What made this case difficult? What did you learn from it?
3. Have you completed the 32 hours of biennial continuing education training (if applicable)?
4. Based upon your experiences as a SARC and/or SAPR VA, what do you believe are the most important skills for a victim advocate?
5. How have you forged working relationships with both military and civilian resources, such as other SARCs, the Chaplains, military criminal investigators and local rape crisis centers?
6. How do you see us working together to provide quality response to sexual assault victims and preventing sexual assault?
7. What ideas do you have to increase sexual assault awareness and prevention?
8. (*For SARCs:*) How do you plan to support the advocates that you will supervise and how will you recognize their efforts in supporting the SAPR program through advocacy and prevention?
9. Respond to the following hypothetical scenario: A 19-year old Service member reports she was sexually assaulted by two members of her unit. She doesn’t remember much about the sexual assault as she had been drinking at a local bar prior to the assault. Although she wants to hold the offenders appropriately accountable, she’s unsure of whether to elect Unrestricted Reporting as she feels the assault is her fault. How would you support the victim?

- The answer should acknowledge how she feels but also letting her know that being assaulted is not her fault. Ensure that she is currently feeling safe. Provide the Service member with her reporting options including the advantages and disadvantages of both options. Provided information and referrals to the appropriate resources. Listen to the victim and allow her to make her own decision.

Special Considerations when Selecting SARCs/SAPR VAs:

Commander discussions with new and experienced SARCs/SAPR VAs are key to identifying and retaining advocates who will be safe, non-threatening, and empathetic sources of support and information for victims of sexual assault. The following are screen out factors, or “red flags,” to consider prior to recommending SARCs and SAPR VAs for service. If any of these factors are exhibited, follow Service-specific guidelines for notification of Service leadership and/or removal of an advocate.

1. **Applicants who are recovering from a sexual assault.** The emotional trauma experienced by an assault may make it difficult for an individual to remain emotionally objective and demonstrate the stability and presence needed by the assault victim. If an applicant discloses past victimization, assess where the applicant is in his/her recovery process (e.g., has he/she attended counseling or received any other support?). Consider asking if he/she is comfortable speaking with the designated SARC or a counselor who can provide both emotional support and assess the advocate’s ability to serve as a SARC or SAPR VA.
2. **Applicants who have difficulty relating to others or who make moral judgments.** Sexual assault occurs across all sectors of society. Advocates will be working with members of the military community who represent different races, genders, ethnicities, religions, sexual orientations, and nationalities. The effective advocate must be able to work across these differences. Be aware of any statements/jokes that the advocate makes about a particular group of people, any judgments/assumptions expressed about the victim/offender, and/or lack of empathy to all victims or victims different from themselves. The attached “Sexual Assault Myths and Facts” Sheet provides additional information. If an applicant alludes to any of these myths, ask follow-up questions to assess the applicant’s general perception of sexual assault.
3. **Sexual assault offenders.** Pursuant to SAPR policy, persons adjudicated to have committed a sexual offense are prohibited from serving as a SARC or SAPR VA, and therefore cannot be considered for SARC/VA duties.
4. **Availability.** Pursuant to SAPR policy, SARCs and SAPR VAs must be available 24/7 when on-call, and attend their Service’s mandatory 40-hour (or longer) initial SAPR training and 32 hours of continuing education training (every 2 years). SARCs/SAPR VAs may also be expected to participate in monthly case management meetings and may be required to testify at court hearings. If an applicant is unable or unwilling to meet these requirements, he or she should not be considered.
5. **Confidentiality violations.** If an applicant expresses concern or unwillingness to protect victim privacy and uphold the VA privilege and DoD Sexual Assault Restricted Reporting Policy, ask follow-up questions. For a new advocate, this may be a training issue if he/she is not clear on privilege communications with a victim and Restricted Reporting Policy and the responsibilities of the SARC/SAPR VA under this policy. Pursuant to SAPR policy, all advocates must be aware that improper disclosure of covered communications, whether under Restricted or Unrestricted reporting, will result in removal as a VA and may also result in disciplinary actions under the UCMJ, or other adverse personnel or administrative actions (DD Form 2909).

- 6. Boundary issues.** Maintaining appropriate physical and emotional boundaries protects both the advocate and the victim. SARCs and SAPR VAs must stay within their assigned role and utilize their chain-of-command to successfully advocate for victims. Advocates who express open hostility or frustration with how sexual assault case(s) are handled may adversely affect a case and potentially re-traumatize a victim. If an applicant continues to display boundary issues, he or she may not be a good fit for advocacy service.

Myths and Facts: Understanding Sexual Assault in the Military

Myth: *The primary victims of sexual assault in the military are women.*

Fact: While rates of unwanted sexual contact are higher for women than men, our surveys estimate that thousands of men are victimized every year; in the DoD, sexual assault is a gender neutral crime.

Myth: *There were 26,000 military women raped in FY12.*

Fact: The “26,000” estimate reflects not just rape, but all forms of unwanted sexual contact – the survey term for the full range of contact sex crimes between adults that constitute “sexual assault” under military law. These crimes are committed against both men and women, and involve offenses ranging from rape to sexual touching crimes like groping. This estimate is drawn from a scientifically-conducted survey that found in FY12 that 6.1% of active duty women and 1.2% of active duty men indicated experiencing unwanted sexual contact in the year prior to being surveyed.

Myth: *5,000+ reports of sexual assault to Department authorities each year means there were 5,000 violent rapes reported.*

Fact: These reports reflect the full range of sexual assault offenses from rape to abusive sexual contact (groping). Historically, about two-thirds of reports of sexual assault made to military authorities involve allegations of penetrating sex crimes and one-third involves contact sex crimes.

Myth: *Most “real” sexual assaults are blitz attacks perpetrated by men in ski masks.*

Fact: Most sexual assaults are perpetrated by a male offender already known to the victim. DoD research indicates that sexual assaults against a military member are most likely to be perpetrated by another military member, who is a peer or near peer in age and rank to the victim.

Myth: *Most “real” sexual assaults leave the victim visibly battered and bruised.*

Fact: The vast majority of sexual assaults do not leave visible injury on the victim. Injuries that do occur often heal quite rapidly – especially injuries occurring to the genitalia. Psychological trauma is more likely to occur during a sexual assault. This “invisible” injury may only be detectable weeks later in the victim’s behavior, as he or she attempts to cope with lasting life changes caused by the incident.

Myth: *If a victim has really been sexually assaulted, he or she should be able recall the event in great detail.*

Fact: Recent research shows that while victims can and do store details about sexual assault in their memories, trauma often interferes with the encoding and recall of those memories. As a result, victims’ recall about an incident may appear disorganized or incomplete, which is incorrectly interpreted as being deceitful. Use of alcohol at the time of the incident increases memory problems. Special interviewing techniques, currently being taught to military criminal investigators and attorneys, have been shown to help victims improve their recall of traumatic events.

Myth: Most sexual assault allegations are false.

Fact: The best, scientifically-sound, civilian research shows that between 2% to 8% of sexual assault allegations turn out to be false – meaning no sexual assault was attempted or completed. This means that there is a 92% to 98% chance that a victim is telling the truth.

Myth: Victims must report all sexual assaults to their commander.

Fact: Victims have many options for reporting a sexual assault and are not required to report the matter to their commander. The DoD created SARCs and SAPR VAs in 2005 to provide victims with specially trained resources for reporting and care. A victim may make a Restricted (confidential) Report or Unrestricted Report to a SARC, a VA or a healthcare provider. Additionally, Unrestricted Reports may be made to any military law enforcement or criminal investigative organization.

Myth: Prosecution is the best means of sexual assault prevention.

Fact: Research shows many sex offenders choose to believe that their behavior is not criminal or punishable. Consequently, many offenders are not deterred by the prospect of punishment. Prevention is more likely to be achieved when prosecution and punishment are combined with interventions that interfere with an offender's ability to complete a criminal act. The DoD uses bystander intervention to give Service members the knowledge and skills necessary to recognize situations at risk for sexual assault and to safely take action to prevent the crime.

Myth: Commanders are sweeping these cases under the rug by ignoring the complaints of Service members and by conducting Commander-led investigations.

Fact: Without exception, DoD Policy requires Commanders to forward all unrestricted sexual assault allegations to the Military Criminal Investigative Organizations – Army Criminal Investigative Division (CID), Navy Criminal Investigative Service (NCIS), and Air Force Office of Special Investigations (AFOSI) – for independent investigations.

Myth: Commanders are more likely to use non-judicial punishment and administrative action than courts-martial to hold offenders accountable.

Fact: Commanders use the court-martial process as their primary means of disciplinary action in sexual assault cases. In FY13, when commanders had jurisdiction over the perpetrator and sufficient evidence of the crime to take disciplinary action, they preferred court-martial charges on 70.6% of alleged sexual assault perpetrators. Of the remaining 29.4% of alleged sexual assault perpetrators receiving punishment in FY13, approximately 17.7% received non judicial punishment and 11.7% received adverse administrative action.