

SAPRO Director Remarks – Major General Nichols
JPP Public Meeting: 18 September 2015
Data collection efforts and tracking systems

Good afternoon. Thank you, Chairwoman Holtzman and members of the panel for inviting us here today. Today we are pleased to be able to describe our data collection efforts and how they inform our policies and initiatives. Following my statement, Dr. Galbreath will briefly walk you through a process map that describes how cases flow through the military justice system.

First of all, I want to acknowledge the brave survivors, both women and men, who've shared their testimony with this panel over the past few months. Members of my staff were present at each of the previous meetings and listened to their accounts. I can only imagine how difficult it is for these individuals to talk openly about what they have endured. We acknowledge their courage, and we value opportunities to better understand their experience, learn from it, and make our prevention and response programs stronger.

While our sexual assault prevention and response policies and initiatives are informed by the experience of survivors, we have also based our program with research from both the civilian and military sectors. As we have told the Response Systems Panel in the past, the Department has based its efforts to eliminate sexual assault from the military on a variety of data. Through reports of sexual assault made to DoD authorities and a number of scientifically-designed surveys and focus groups, the Department has a greater understanding of the crime of sexual assault and

how it impacts the military. This information not only tells us how to improve our programs, but also gives us key points at which we can intervene to prevent sexual assault.

Sexual assault is an underreported crime. This means that reports to law enforcement fall far short of scientific estimates of how often the crime actually occurs. Consequently, the Department collects data in these broad categories: crime reports, surveys and focus groups.

- Crime report data comes from the Restricted and Unrestricted reports of sexual assault made to the Department. This information is now uniformly captured in the Defense Sexual Assault Incident Database, or “DSAID.” We also capture case disposition information that allows us to record what happened to each report we receive, including outcomes of prosecutions, administrative separations, and other actions taken by command.
- Survey data comes from a variety of sources, but we rely heavily on the Workplace and Gender Relations Surveys conducted for us by the Defense Manpower Data Center to estimate the occurrence of sexual assault in the military population. Most recently, the RAND Corporation was tasked with fine tuning and conducting this survey for us in 2014. The revised version that RAND conducted considered and incorporated the recommendations made by the Response Systems Panel, allowing us to produce crime rate estimates that more closely align with the language in the Uniform Code of Military Justice. We have also deployed two victim-focused surveys to better capture their experiences and needs. We also capture data from the

DEOMI Organizational Climate Survey and the DoD Health Related Behaviors Survey. Data from surveys not only allow us to estimate how often sexual assault occurs, but also what the impact of the crime is on the victim and the attitudes that our people have about reporting and the services we provide. Finally, the Department is participating in the National Intimate Partner and Sexual Violence Survey conducted by the Centers for Disease Control and Prevention. This particular research effort is only reliable source for comparative information about the prevalence of sexual assault in the civilian and military populations.

- While results from focus groups are qualitative and cannot be generalized to the full population, we find them helpful in exploring themes from our survey data, as well as identifying emerging trends in attitudes and behavior. We find that our people are becoming over surveyed on this and other topics – so focus groups allow us to reduce some of that survey burden.

Overall, our data is showing that we are making progress in our mission to eliminate sexual assault from the military. While we have much left to do, rates of unwanted sexual contact in 2014 were about half of what they were in 2006. In addition, more people than ever before are reporting the crime. We also know that since 2006, the share of people who experience a sexual assault each year and choose to report it to DoD has gone from about 7% in 2006 to about 24% in 2014. Case outcome data indicates that when the Department has jurisdiction and sufficient evidence of a crime, commanders are choosing to prefer court-martial charges, when appropriate, to address the misconduct.

DSAID fosters transparency by aggregating and placing standardized Service-wide sexual assault reporting and case disposition data at our finger tips. This, along with the bi-annual survey to estimate the past year prevalence of sexual assault, paints a clearer picture of the extent of the problem of sexual assault in the military and the progress we're making in our mission to eliminate sexual assault. In turn, our prevention and response policies, Secretary of Defense-directed initiatives, and reforms implemented over the past several years are evidence-based and very much driven by what we learn from the data.

Our data also indicates that the services provided by Special Victims Counsel and Sexual Assault Response Coordinators are the most highly rated by victims. Despite all this progress, we know we have a long way to go. As we told you last April, some of our data indicates we still have a significant challenge with victims' reported experience with retaliatory behavior. We would be happy to come back at a future date to tell you more about our strategy to address that challenge.

Since 2005, the Department has provided Congress with an Annual Report on sexual assault in the military. Over the years, this report has grown in both size and scope, as our collective need for data has expanded. In the early years of the SAPR program our reports were quite short and only captured the number of sexual assault reports made to the Department and a few data elements about the victims and the offenses. Logically, both the Department and Congress wanted to know the outcome of these cases, which caused us to include in our annual reports disposition information and a brief synopsis for each case. Starting in 2009, the Department began to use this information to graphically illustrate how

cases flow through the military investigative and justice processes. Case attrition through the military justice system was both informative and eye opening. We are aware of no other jurisdiction in the country that can follow every sexual assault report through its justice system. Dr. Galbreath will walk you through this case flow in just a few minutes.

We'd like to tell you that the Department's approach perfectly anticipated all our data needs and reflects a strategy put in place in the early days of 2005 when we implemented the SAPR program. In truth, our approach to data gathering has been an iterative process. In addition, data collection across the Department to support our program required new or improved data sharing agreements between our office, the military Services, criminal investigators, and military justice personnel. Our data capture efforts also required us to map a process for which there is no comparative system in the civilian sector. This level of complexity and the quantity of data needed led both the Department and Congress to a conclusion that a centralized case database was needed to better capture, analyze, and report data to DoD leadership and our stakeholders.

In 2009, Congress directed that we develop and implement a case level database for the reporting of sexual assault data. We also recognized that we needed to provide our response personnel with case management and business management capability. Consequently, we assembled a Service-led task force to develop a proposal for a database with these functionalities. The result is DSAID. DSAID attained full operational capability in 2012, and has since standardized and automated the Department's sexual assault data capture process, improved both Service and DoD oversight of cases and outcomes, and enhanced analysis and

reporting. 2014 was our first full year wherein we had all four Services entering data into DSAID.

Sexual Assault Response Coordinators, or SARCs, enter information about Unrestricted and Restricted reports into the database and leverage the system to help them provide supportive care. DSAID allows SARCs to track details about expedited transfer status and document referrals they make to legal, medical, and mental health services. DSAID also generates meeting minutes and other associated materials in support of monthly installation case management groups.

DSAID is the system of record for all information about Restricted Reports – except for a victim’s personally identifying information. Information in DSAID is subject to subpoena and court order, so as part of our confidentiality promise to victims we do not capture their name or other ID.

We rely upon the Military Criminal Investigative Organizations’ databases to be the systems of record for data about Unrestricted Reports. Consequently, the investigators’ systems share non-sensitive investigative and alleged offender information with DSAID through weekly interfaces.

We also capture case outcomes in DSAID. At the completion of the investigation, legal officers from the Offices of the Judge Advocates General and the legal advisor to the Commandant of the Marine Corps input and validate case disposition data and write synopses for each substantiated case. This disposition data show whether the Department

was able to take legal action against an alleged offender, what that action was, and how long the process took.

Currently under development is a data warehouse for DSAID that will allow us to store many years of sexual assault data, merge other DoD databases with DSAID data, and conduct advanced analyses. Other planned enhancements include deploying a secure file locker to meet the 50-year retention requirement for sexual assault reporting documentation (DD Form 2910 and the Department's sexual assault forensic exam form DD form 2911). This will not only establish a central repository for the documentation, but place less burden on victims who need to obtain copies of their documentation any lawful purpose, such as disability claims with the Veterans Benefits Administration.

Looking ahead, our goal is for the Department and the Military Services to incorporate responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of the sexual assault prevention and response program. This means expanding existing data capture tools to gain more clarity on emerging issues that we discover through our data collection efforts. For example, our survey effort in 2014 allowed us to identify some real differences in how men and women experience the crime of sexual assault. In addition, this survey allowed us to identify that our measures of sexual harassment and gender discrimination were highly correlated with our measure of sexual assault. Survey findings like these have always driven additional data collection efforts to further explore and identify ways we can improve our prevention and response efforts.

I'd like to conclude by saying that real people are behind every data point the Department collects on sexual assault – people that have experienced the worst that life has to offer. We cannot lose sight of this fact. Voices of these victims empower us to find new ways to prevent this horrible crime. In the end, everything we do aligns to the health and well-being of our Service members. That philosophy will not change. In addition, we all strongly believe that the information we amass about sexual assault in the military will one day make US society as a whole much safer. This concludes my opening statement. I'll now ask Dr. Galbreath to walk you through our process map of the military justice system.