

**JUDICIAL PROCEEDINGS PANEL
REQUEST FOR INFORMATION SET # 3**

82. For fiscal years 2012-2014, based on the number of substantiated retaliation cases (answer to RFI # 81j), please provide the number of service members who received an adverse action relating to their retaliatory misconduct (i.e., Article 92, Article 93 (Maltreatment), or Article 134 (Obstruction of Justice)) and further identify the type of action taken and in the table below.

Actions Taken Against Retaliators / Offenders	FY12	FY13	FY14
a. Total number of substantiated cases with adverse action taken against offender			
b. Offender received adverse administrative action, but retained in the Service			
c. Offender received adverse administrative action and administratively separated from the Service			
d. Offender received nonjudicial punishment, but retained in the Service			
e. Offender received nonjudicial punishment and administratively separated from the Service			
f. Offender court-martialed, but retained in the Service			
g. Offender court-martialed and received a punitive discharge (BCD, DD, Dismissal)			
h. Offender court-martialed (no kick) and subsequently administratively separated			

USA	<p>The Army has not historically tracked allegations of retaliation or disposition information on those offenses and does not have reliable data available.</p> <p>In March 2015, pursuant to SECARMY Directive 2015-16, the Army established a formal mechanism to track all allegations of retaliation through the monthly Sexual Assault Review Board (SARB). The senior installation commander will ensure all allegations of retaliation made by victims, bystanders, witnesses, and first responders are investigated by either law enforcement or through Army Regulation 15-6 Investigations. The results of those investigations and any subsequent accountability actions will be monitored by the SARB until complete.</p> <p>Additionally, the Chief of Staff of the Army directed that Army SHARP Resource Centers, located at select installations across the force, collect data on retaliation allegations beginning in May 2015.</p> <p>The Army believes that the SARB and Resource Center reports will serve as reliable sources of data for future analysis.</p> <p>In March 2015, at the direction of the Undersecretary of Defense for Personnel and Readiness, the Army conducted a data call of multiple sources for reports, investigations and dispositions of retaliation allegations. The Army does not have confidence in the specifics of the data collection results because there was not sufficient time to properly collect and analyze the results. The Army believes that our</p>
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	<p>results may be incomplete, inconsistent, and potentially duplicative, which would lead to potentially improper conclusions and corrective action. Therefore, the data collected through the SARB and SHARP Resource Centers is the proper source to determine policy and actions for the future.</p> <p>Although the detailed results of the data call are not appropriate for release, the data collection did confirm that: (1) as of March 2015, the SARBs are collecting data as required by SECARMY Directive 2015-16; (2) the Inspector General (IG) complaint process is being properly executed for allegations of retaliation and reprisal in accordance with the Military Whistle Blower Protection Act; and (3) victims are reporting allegations of retaliation through multiple channels including the chain of command, law enforcement, Victim Advocates, Sexual Assault Response Coordinators, Special Victim Counsel, the IG, and Congressional representatives.</p>
USAF	<p>Due to current technological limitations, the Air Force does not currently track adverse actions outside of courts-martial and Article 15s. We are in the process of developing a system that will track all adverse actions and will have special identifiers for retaliation. Prior to issuing the guidance referred to in Question 81, AF/CVS sent a data call to the field requesting all available information on retaliation complaints for FY 14 through March 2015.</p>
USN	<p>Navy is unable to provide an accurate response to the requested data call. Please refer to the narrative response in question 81 for the information Navy was able to obtain.</p>
USMC	<p>The Marine Corps does not track the data requested in items (a) through (e). Further, the Marine Corps had no responsive cases for items (f)-(h).</p>
USCG	<p>The Coast Guard has not historically tracked allegations of retaliation or disposition information on those offenses and does not have reliable data available.</p>