

**JUDICIAL PROCEEDINGS PANEL  
REQUEST FOR INFORMATION SET # 5**

**102. DOD IG and Service IGs: In order to improve processing time for sexual assault victims who report retaliation to the IGs,**

**a. What impact would there be to have all sexual assault victim reprisal complaints investigated by DoD IG to streamline the process?**

<b>DoD</b>	<b>(DoD IG)</b> DoD IG is already handling all sexual assault victim reprisal complaints about which it is made aware.
<b>USA</b>	<b>(DAIG)</b> DoD IG is in the best position to address this question. Directing DoD IG to investigate all sexual assault victim reprisal complaints would lessen the burden on the Service IG offices.  <b>(HQDA/OTJAG)</b> Both DODI 5505.18 and 6495.02 requires the MCIOs to conduct investigations on criminal retaliation/reprisals (such as physical assaults, threats, stalking, property damage, etc.), when associated with a sexual assault investigation. Having the DODIG investigate such retaliations/reprisals instead of the MCIO could adversely affect an on-going sexual assault investigation, might result in missed charges when an offender is referred to a court martial by a Service, could preclude the CMG from being briefed on retaliation cases on a monthly basis, as well as other as of yet unknown second and third order effects.
<b>USAF</b>	<b>(SAF/IG)</b> Given the relatively small number of reprisal cases emanating from a sexual assault, the impact of transferring the cases from the Air Force to DOD would have a negligible impact on the Air Force. Any impact would be realized through the reduced caseload within the Service. Other impacts at the DOD level would be beyond our scope to comment.
<b>USN</b>	Including violations of 10 U.S.C. 1034, the impact would be minimal because NAVINSGEN receives very few complaints of this nature.
<b>USMC</b>	This is more appropriate for DoD IG to answer vice the Service IGs. However, this likely would not streamline the process due to the amount of Service IG support DoD IG would require to complete the investigative process.
<b>USCG</b>	The Coast Guard does not have a service IG. As discussed above, folding retaliation reports into the existing civil rights/EO process would ensure victims who report retaliation that does not rise to a criminal offense receive resources to resolve that problem. Criminal retaliation actions are adequately investigated by CGIS.

**b. What resources would be necessary to implement a policy withholding those complaints to the DoD IG?**

<b>DoD</b>	<b>(DoD IG)</b> Since the policy is already in place, there would be no additional resources needed.
<b>USA</b>	<b>(DAIG)</b> DoD IG is in the best position to address this question.
<b>USAF</b>	<b>(SAF/IG)</b> The Air Force would not require any additional resources. Other resource impacts would be beyond our scope to comment.
<b>USN</b>	Please refer to DoD IG.
<b>USMC</b>	This is more appropriate for DoD IG to answer vice the Service IGs. DoD IG already

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	has investigative jurisdiction when it so chooses.
<b>USCG</b>	The Coast Guard does not have a service IG. As discussed above, folding retaliation reports into the existing civil rights/EO process would ensure victims who report retaliation that does not rise to a criminal offense receive resources to resolve that problem. Criminal retaliation actions are adequately investigated by CGIS.

**c. Would it be beneficial to have a specialized investigative or processing section within DoD IG to specifically handle sexual assault retaliation complaints.**

<b>DoD</b>	<b>(DoD IG)</b> All of our investigators are trained to handle sensitive matters. At this time the number of sexual assault reprisal complaints is too low to justify the creation of a specialized section. Should that change in the future, we are open to reevaluating.
<b>USA</b>	<b>(DAIG)</b> DoD IG is in the best position to address this question.
<b>USAF</b>	<b>(SAF/IG)</b> There are no significant differences in the handling of a reprisal complaint based on the nature of the protected communication, in this case the report of a sexual assault. As long as the Investigating Officer can confirm that there was a Protected Communication made, then a reprisal investigation can be conducted. This should not require any specialized skillset.
<b>USN</b>	Please refer to DoD IG.
<b>USMC</b>	This is more appropriate for DoD IG to answer vice the Service IGs.
<b>USCG</b>	The Coast Guard does not have a service IG. As discussed above, folding retaliation reports into the existing civil rights/EO process would ensure victims who report retaliation that does not rise to a criminal offense receive resources to resolve that problem. Criminal retaliation actions are adequately investigated by CGIS.