



DEPARTMENT OF THE NAVY
COMMANDER NAVY RESERVE FORCES
1915 FORRESTAL DRIVE
NORFOLK VIRGINIA 23551-4615

COMNAVRESFORINST 1752.1
N00S
29 Dec 15

COMNAVRESFOR INSTRUCTION 1752.1

From: Commander, Navy Reserve Force

Subj: NAVY RESERVE FORCE SEXUAL ASSAULT PREVENTION AND RESPONSE
(SAPR) PROGRAM

Ref: (a) SECNAVINST 1752.4B
(b) OPNAVINST 1752.1C
(c) CNICINST 1752.2A
(d) 10 U.S.C. §101
(e) 10 U.S.C. §1074a
(f) 37 U.S.C. §204
(g) DoD Directive 1241.01 of 28 February 2004
(h) DoD Instruction 1241.2 of 30 May 2001
(i) SECNAVINST 5370.7D

Encl: (1) Responsibilities
(2) Reporting Procedures
(3) Required SITREP Information
(4) Unrestricted Report Pathway
(5) Restricted Report Pathway
(6) Sexual Assault Report Matrix
(7) SELRES Eligibility for SAPR Services
(8) Sexual Assault Case Management Group (SACMG)
(9) Audit Phone Calls
(10) CDO Script
(11) Phone Audit Spreadsheet
(12) Definitions

1. Purpose. This instruction provides policy and procedural guidance for the Navy Reserve Force Sexual Assault Prevention and Response (SAPR) Program, per references (a) through (i). This instruction is not intended to create any rights, substantive or procedural, enforceable by law or equity by any victim, witness, suspect, accused, or other person in any matter, civil or criminal, and places no limits on the lawful prerogatives of the Navy Reserve or its officials.

2. Applicability. This instruction applies to all Echelons and individuals in the Navy Reserve Force.

a. Reserve Component members who are sexually assaulted while performing active service, as defined in reference (d), subparagraph (d) (3), and Inactive Duty Training are eligible for full SAPR services.

b. Reserve Component members who are sexually assaulted while not in a duty status (performing active service or inactive duty training), will be eligible for limited SAPR services to include support from a Sexual Assault and Response Coordinator (SARC), Sexual Assault Prevention and Response Victim Advocate (SAPR VA), and Victims' Legal Counsel (VLC). These Sailors are also able to file a Restricted or Unrestricted Report.

c. Navy Reserve personnel who are victims of sexual assault or attempted sexual assault while traveling directly to or from Active Duty, Inactive Duty Training, funeral honors duty, or while remaining overnight immediately before the commencement of or between successive periods of inactive duty as defined in references (d) through (h), are eligible for full SAPR benefits. (Even though covered for full services, Sailors are not considered in a duty status during the times between drills).

d. The Family Advocacy Program (FAP) covers Service members and adult military dependent victims who are sexually assaulted by a spouse or intimate partner, as well as military dependent sexual assault victims, under 18 years of age. The installation SARC and the installation FAP and domestic violence intervention and prevention staff shall direct coordination when a sexual assault occurs within a domestic relationship or involves child abuse.

3. Policy

a. Sexual assault is a criminal act incompatible with Navy Core Values and is not acceptable anywhere, at anytime, whether on duty or off duty. All Navy personnel must uphold a culture of dignity and respect in order to maintain the trust between shipmates and the Nation that we serve. We must build a culture which ensures sexual assaults are not permitted by any Sailor.

b. Leaders must establish an inclusive command environment that embraces diversity and promotes intervention at all levels to prevent sexual assault.

c. Enclosures (1) through (12) provide detailed guidance for the execution of this policy.

4. Responsibilities. See enclosure (1).

5. Records Management. Records associated with restricted and unrestricted reports of sexual assault shall be managed per enclosure (4) of reference (a).

6. Forms and Reports

a. "Sexual Assault Disposition Report (SADR)" (NAVPERS 1752/1), available online at http://www.public.navy.mil/bupers-npc/reference/forms/NAVPERS/Documents/NAVPERS_1752-1_Rev08-14.pdf.

b. "Sexual Assault Incident Response Oversight (8-day) Report (SAIRO)" (NAVPERS 1752/2), available online at <http://www.public.navy.mil/bupers-npc/reference/forms/NAVPERS/Pages/default.aspx>.

c. "Victim Reporting Preference Statement" (DD Form 2910), available online at www.sapr.mil/index.php/toolkit.

d. "Sex Offense Accountability Record" (NAVPERS 1070/887), available online at http://www.public.navy.mil/bupers-npc/reference/forms/NAVPERS/Documents/NAVPERS_1070-887_Rev08-14.pdf.


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Distribution:
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<https://www.navyreserve.navy.mil>

RESPONSIBILITIES

It is the responsibility of all Navy Reserve Component Sailors to focus on sexual assault prevention and response, to include education, training, 24/7 victim response capability, and appropriate accountability for offenders. The continuous (24/7) victim response capability provides victims support and worldwide reporting services.

1. Commanding Officers (CO) of Reserve commands, in accordance with the Standard Navy Distribution List, shall be responsible for the administration of the SAPR Program as outlined in references (a) and (b) and will also be responsible for the following:

a. Ensure the command has an appropriate number of active duty Unit Victim Advocates (UVA) to handle any sexual assault cases that may arise, but no less than two.

b. Consider the number and paygrades of UVAs. UVAs should be officers, chief petty officers, and junior enlisted Sailors.

c. Forward to the first flag officer in the chain of command denials for military protective order, line of duty, expedited transfer requests, and proposed involuntary separation of Sailors who have reported a sexual assault per reference (b).

d. Understand that Selected Reservists (SELRES) can be UVAs and may assist with taking restricted or unrestricted reports, but they shall not perform advocacy duties unless on active duty orders.

2. Unit COs and Officers in Charge (OIC) shall be responsible for supporting their respective Immediate Superior In Command (ISIC) in maintaining an effective SAPR Program as outlined in reference (a) and will also be responsible for the following:

a. Units utilizing an alternate work site, from their parent command shall either sign a MOA with their supported command to provide SAPR services or have at least one UVA within the unit to accept sexual assault reports.

b. SELRES can be UVAs and may assist with taking restricted or unrestricted reports, but they shall not perform advocacy duties unless on active duty orders.

REPORTING PROCEDURES

There are two reporting options for victims of sexual assault, restricted and unrestricted reporting. All military members are eligible to report using either method.

1. Reporting Options

a. **Unrestricted Reports.** A victim of sexual assault may elect unrestricted reporting by filling out DD Form 2910. Once an unrestricted report is selected, a victim may not change their report to restricted.

(1) After an unrestricted report has been made, immediate notification shall be made to the SARC and the appropriate Military Criminal Investigative Organization (MCIO). The MCIO is normally the Naval Criminal Investigative Service (NCIS). COs and OICs shall ensure only MCIOs investigate allegations of sexual assault.

(2) Command investigations into sexual harassment allegations shall immediately be paused once a sexual assault is disclosed. SAPR services must be offered, and SARC and MCIO notifications must occur immediately.

b. **Restricted Reports.** Restricted reports do not trigger an investigation nor do they trigger reporting requirements as explained below. A victim may change a restricted report to an unrestricted report.

2. Reporting Requirements for Unrestricted Reports

a. A Personnel Incident Report (i.e., OPREP-3 NAVY BLUE or NAVY UNIT SITREP) shall be submitted as follows:

(1) The victim's command is responsible for releasing the Situation Report(s) (SITREP) (if the victim is a civilian, the offender's command will be responsible). All reports will include the alleged offender's command and ISIC in the Plain Language Address Designator.

(2) Each victim and incident shall be reported individually (i.e., two military victims with one alleged offender will have two separate reports; one victim assaulted by two offenders during the same incident will have one report; one

victim assaulted on two occasions will have two reports). In the case of a military offender on multiple civilian victims, all civilian victims may be reported on the same SITREP.

(3) Use OPREP-3 NAVY BLUE for rape, aggravated sexual assault, or if significant media interest is anticipated. Use OPREP-3 NAVY UNIT SITREP for sexual assault, sexual contact, or attempts.

(4) Care must be taken to avoid reporting information that may identify the individual(s) involved, or expose sensitive information that may invade their personal privacy.

(5) The victim's command and the alleged offender's command shall coordinate efforts for submission of this report.

(6) The point of contact listed on line 23 of the SITREP shall be the CO unless he or she is unavailable, then it will be the CO's discretion whether to remain the point of contact with alternate phone numbers or to designate the acting CO to assume that responsibility.

b. Sexual Assault Incident Response Oversight (SAIRO) Report (NAVPERS 1752/2). The SAIRO shall be submitted within eight days of release of the initial personnel incident report for an unrestricted report involving a service member victim or alleged offender in a duty status. When submitting the SAIRO via email, CNRF_SAPR@NAVY.MIL shall be included as a recipient.

c. First Flag Officer Report (FFR). The first flag officer in the victim's and/or alleged offender's chain of command will be briefed within 30 days of the release of the initial personnel incident report. If the victim and alleged offender are both service members, both chains of command will provide a FFR to their first flag officer (i.e., victim is in VR-XX and alleged offender is in Navy Operational Support Center XX, both Commander, Naval Air Force Reserve and Commander, Navy Reserve Forces Command (COMNAVRESFORCOM) will be briefed on the incident).

d. Sexual Assault Disposition Report (SADR). The SADR (NAVPERS 1752/1) shall be submitted within two business days of final disposition of all unrestricted reports of sexual assault. When submitting the SADR, CNRF_SAPR@navy.mil will be included in the email recipient list.

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e. Sex Offense Accountability Record (NAVPERS 1070/887). The record shall be submitted within five business days from adjudication of a courts-martial, non-judicial punishment (NJP), or at the completion of the NJP appeal process. The Sex Offense Accountability Record shall be included in the Service member's Official Military Personnel File (OMPF) record. The NAVPERS 1070/887 is not required for convictions in a civilian court of law.

REQUIRED SITREP INFORMATION

The following information must be included in all SITREPs (OPREP-3 Navy Unit SITREP or Navy Blue):

1. **Type of Incident:** Sexual Assault (If penetration, the message will be a Navy Blue).
2. **Date of Incident:** DDMMYYYY (as specific as possible)
3. **Time of Incident:** Be exact in local time (i.e., 0200L, 0100-0400L, or Unknown).
4. **Location of Incident:** i.e., NAVOPSPTCEN XXX male head, victim's residence, XXX bar city, state.
5. **Suspect or alleged offender:** Paygrade (i.e., E-3, O-4) and AD/FTS/SELRES/CIV, if known. Include duty status/not in a duty status as applicable.
6. **Suspect or alleged offender's current command and UIC:** If known
7. **Gender:** If known
8. **Age:** If known
9. **Race:** If known
10. **Weapon:** If yes, what kind?
11. **Alcohol/Drugs/BAC:** Yes or No for each/List Blood Alcohol Content (BAC) number or BAC unknown.
12. **Victim/Complainant:** Paygrade (i.e., E-3, O-4) and AD/FTS/SELRES/CIV, if known. Include duty status/not in a duty status as applicable.
13. **Victim/Complainant current command and UIC:** If known
14. **Gender:** If known
15. **Age:** If known
16. **Race:** If known

17. Alcohol/Drugs/BAC: Yes or No for each/List BAC number or BAC unknown.

18. NAVCRIMSERV Notified: Always YES for SA. Include date/time, name and field office.

19. Installation Family Advocacy Rep notified: When applicable.

20. Summary Brief: Report details without disclosing victim or alleged offender identity.

a. When chain of command was notified of the sexual assault.

b. Whether a military protective order has been issued and the duration.

c. Indicate if victim requested expedited transfer or line of duty process initiated.

d. Indicate if command or civilian victim advocate has been assigned and if VLC is requested.

e. Detail any investigation into collateral misconduct and status.

f. Include Judge Advocate General (JAG) point of contact information (mandatory for all FINAL reports) i.e., LT Joe Smith (RLSO, RCC JAG, COMNAVRESFORCOM JAG), (123) 456-7890, first.last@navy.mil.

21. Media Interest: Anticipated/Not Anticipated/Media reported incident (List how it was reported, i.e., newspaper article, online article, television coverage and whether or not the media reported the Sailor's service affiliation.)

22. NAVCRIMSERV Involvement: List agent and contact info, status of investigation, and NCIS office supervising investigation.

23. NCIS/Other Case Number: Generally provided by NCIS within 72 hours (include in first update).

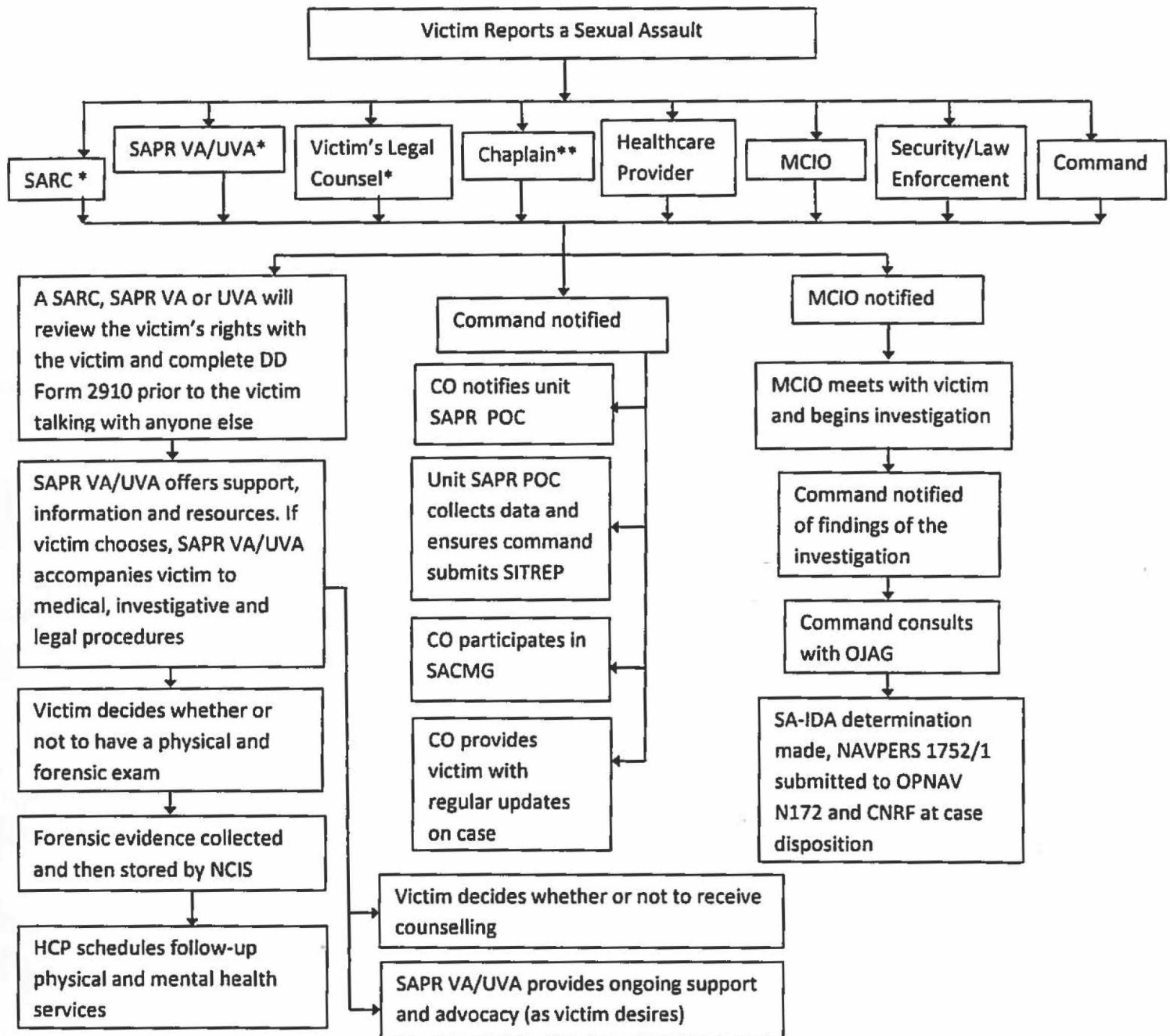
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24. POC name, phone, E-mail (person with knowledge of this SITREP): Shall be CO unless he/she is unavailable, then it is the CO's discretion whether to remain POC or designate the acting CO to assume that responsibility.

25. Summary: This summary is used for updates and changes in transfer and final SITREPs. When the victim or alleged offender transfers, include the originating command's name and unit identification code and the receiving commands information here. Ensure the receiving command is included in PLAD.

Avoid reporting information that may identify the individuals involved or expose sensitive information.

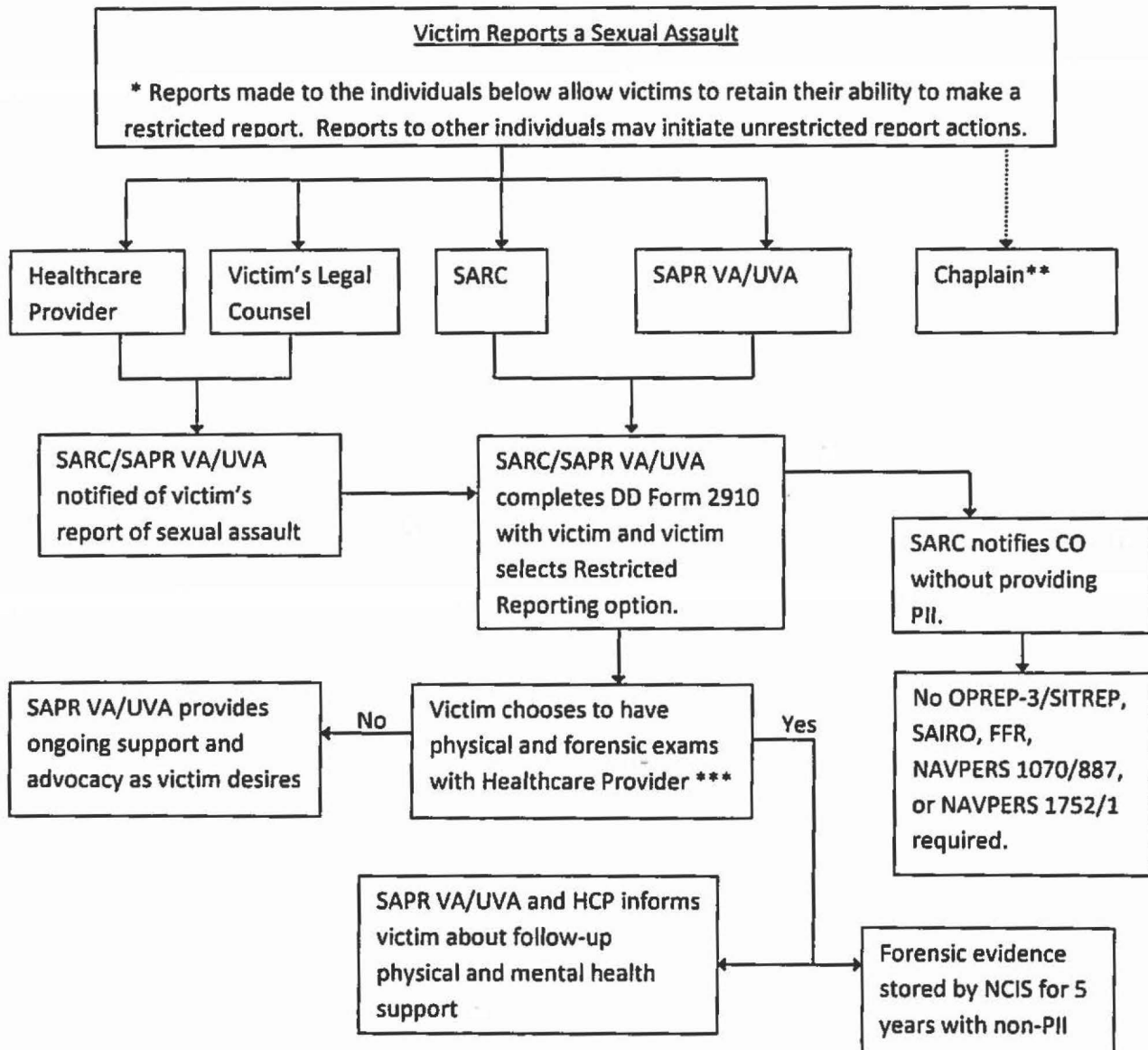
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UNRESTRICTED REPORT PATHWAY

* These positions are able to explain reporting options.

** Navy chaplains have the professional obligation to keep private all confidential communication disclosed to them (SECNAVINST 1730.9). While victims may disclose a sexual assault to chaplains, chaplains are not authorized to report the assault to commands or the SARC without the consent of the victim.

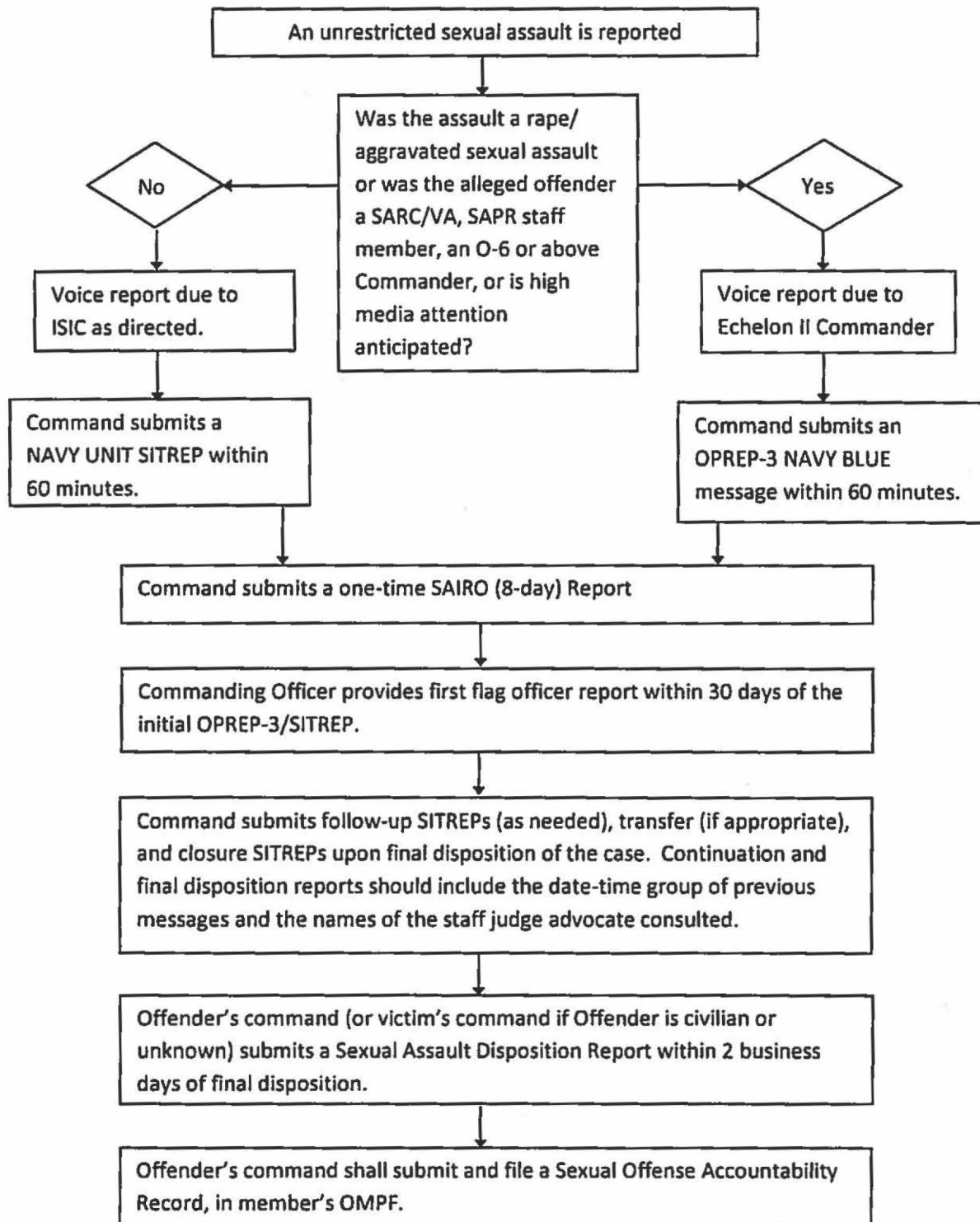
RESTRICTED REPORT PATHWAY



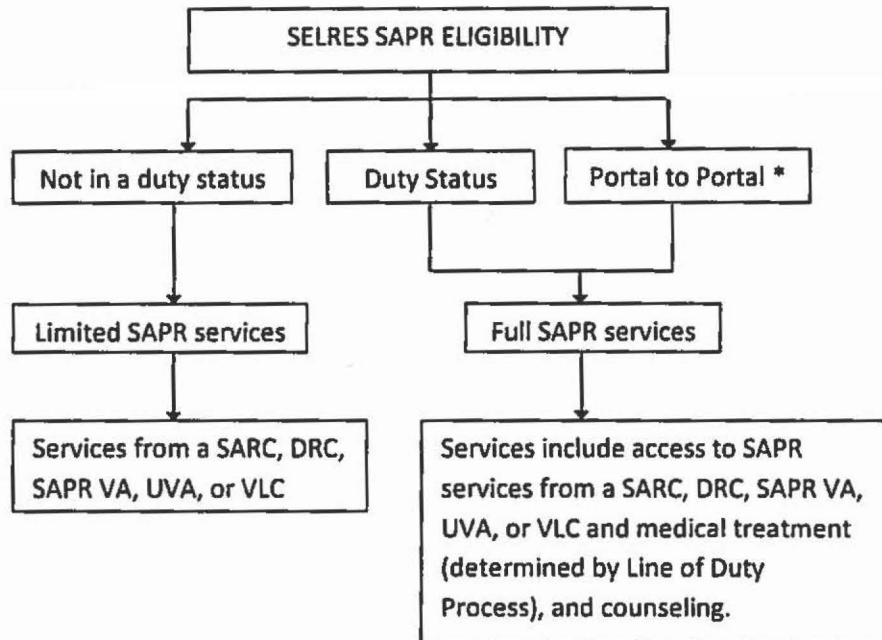
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*** State or local reporting requirements may require law enforcement notification or other procedures if the SAFE is conducted, request further information about civilian reporting requirements from SARC/SAPR VA/UVA/VLC prior to conducting SAFE if concerned about this possibility.

SEXUAL ASSAULT REPORT MATRIX



SELRES ELIGIBILITY FOR SAPR SERVICES



* SELRES traveling directly to or from active duty, inactive duty training, funeral honors duty, or while remaining overnight immediately before the commencement of or between successive periods of inactive duty.

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SEXUAL ASSAULT CASE MANAGEMENT GROUP

1. General. The Installation Sexual Assault Case Management Group (SACMG) reviews the status of open unrestricted reports of sexual assault to ensure coordination, accountability, and victim access to services and information.

2. The victim's CO and victim advocate are required to attend the SACMG. For Echelon VI units subordinate to NAVOPSPTCENS, the NAVOPSPTCEN CO is required to attend. Unit COs should also make every effort to attend the SACMG.

Enclosure (8)

AUDIT PHONE CALLS

Monthly phone audits are conducted on Echelon IV and V commands. COMNAVRESFORCOM SAPR Officers audit Echelon IV commands and Echelon IV SAPR Officers conduct audits on Echelon V commands.

1. The stand alone Navy Operational Support Center's (NAVOPSPTCEN) SAPR VA duty phone will be called each month, preferably outside of regular business hours. If the command is not a stand alone NAVOPSPTCEN, the command's Command Duty Officer (CDO) duty phone will be called.

a. All stand alone NAVOPSPTCEN phone numbers will be validated monthly through these audit phone calls. Any discrepancies or updates must be reported to CNIC and COMNAVRESFORCOM SAPR Officer immediately.

b. If the SAPR VA duty phone is not answered, the voicemail script must be utilized per reference (c). SAPR VAs are required to return the call within 60 minutes.

c. The CDO must utilize the script in enclosure (10).

2. Each auditor will verify the command has the DoD Safe Helpline button prominently displayed on their respective home pages and three 24/7 SAPR response lines per reference (c).

3. Each Echelon IV SAPR Officer will complete the audit spreadsheet found in enclosure (11) and submit the completed spreadsheet to the COMNAVRESFORCOM SAPR Officer no later than the 5th day of the following month.

4. The following discrepancies are considered failures:

a. The CDO asks the auditor for Personally Identifiable Information (PII).

b. The CDO does not follow the script or transfers the caller.

c. The command does not have the DoD Safe Helpline icon or the three 24/7 response phone numbers posted on their home pages.

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d. The SAPR VA duty phone does not have the correct voicemail message.

e. The SAPR VA does not return the phone call within 60 minutes.

5. The Echelon IV SAPR Officers will provide training to the failing commands and will inform their Commanders of any Echelon V audit failures as necessary. The COMNAVRESFORCOM SAPR Officer will follow up as necessary.

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CDO SCRIPT

1. If the caller is inquiring or requesting sexual assault program services:

Note: Do not ask for the caller's name, rank, or any other means of identification. Doing so could take away the caller's option to make a restricted report.

- a. Ask: "ARE YOU SAFE?"

- (1) If "NO": Direct the victim to CALL 911 IMMEDIATELY

- (2) If "YES": DO NOT ASK THE CALLERS NAME. Proceed with the script.

- b. Ask: "DO YOU NEED IMMEDIATE MEDICAL ATTENTION?"

- (1) If "YES": Direct the victim to CALL 911 IMMEDIATELY

- (2) If "NO": DO NOT ASK THE CALLERS NAME. Proceed with the script.

2. Immediately read the following script:

"I need to advise you that if you divulge your identity or any information about the assault, your reporting options will be limited to filing only an unrestricted report which would initiate an investigation into the allegation. I would like to provide you with contact information for the DoD Safe Helpline, Victim Advocate, or SARC. The Victim Advocate and SARC are able to accept Restricted and Unrestricted reports of Sexual Assault and the DoD Safe Helpline can help you find services or answer your questions."

3. Provide any of the following numbers the caller requests:

SARC: _____

Deployed Resiliency Counselor: _____

On-call SAPR VA: _____

Unit SAPR VA: _____

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Victims' Legal Counsel: _____

Medical personnel: _____

DoD Safe Helpline: 1-877-995-5247

You can also visit www.safehelpline.org or text 55-247

4. Unrestricted Report:

If the caller wants to make an Unrestricted Report of Sexual Assault to you: take the information, ask if you can have the VA call them. If so, contact the VA and provide them the victim's contact number, then notify the chain of command.

5. DoD Safe Helpline Operator initiates contact with CDO:

If the DoD Helpline Operator calls the CDO asking for VA of the command, provide the operator with the VA's phone number. Do not ask for any details about the case or who the victim is.

Unrestricted and Restricted Reporting options are of the utmost importance in sexual assault cases. DO NOT ask the caller to disclose information to you concerning the assault. Encourage the caller to call the DoD Safe Helpline.

PHONE AUDIT SPREADSHEET
RCC[illegible]

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DEFINITIONS

Deployed Resiliency Counselor (DRC). A licensed civilian counselor who works cooperatively with military and civilian medical, social service, law enforcement, chaplains and legal personnel on behalf of sexual assault victims to provide Sailors with critical support services during deployments.

Department of Defence Safe Helpline. A sole crisis support service for members of the DoD community who are victims of sexual assault. Available 24/7 worldwide, users can "click, call, or text" for anonymous and confidential support (www.safehelpline.org, telephone 1-877-995-5247, or text 55247) which does not replace local base and Installation SARC or SAPR VA contact information.

Final Disposition. Actions taken to resolve the reported incident, document case outcome, and address the misconduct by the alleged perpetrator, as appropriate. It includes, but is not limited to military justice proceedings, non-judicial punishment, or administrative actions, including separation actions taken in response to the offense, whichever is the most serious action taken.

Healthcare Provider (HCP). Those individuals who are employed or assigned as healthcare professionals, or are credentialed to provide healthcare services at a military treatment facility, or who provide such care at a deployed location or otherwise in an official capacity.

Limited SAPR Services. Include the assistance of a SARC, DRC, a SAPR VA and/or UVA.

Medical Treatment Facility (MTF). A facility established for the purpose of furnishing medical and/or dental care to eligible individuals.

Military Criminal Investigative Organization. The U.S. Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigations.

Personally Identifiable Information (PII). Information belonging to an individual that would or could disclose the person's identity to include the person's name, other

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particularly identifying descriptions (e.g., physical characteristics or identity by position, rank, or organization), or other information about the person or the facts and circumstances involved that could reasonably be understood to identify the person (e.g., a female in a command where there is only one female assigned).

Portal to Portal. Navy Reserve personnel who are traveling directly to or from active duty, inactive duty training, funeral honors duty or while remaining overnight immediately before the commencement of or between successive periods of inactive duty are eligible for full SAPR benefits.

Reprisal. Taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold favorable personnel action, for making or preparing to make a protected communication. Making or threatening to make a significant change in the duties or responsibilities of a Service member not commensurate with the member's grade is also prohibited.

Restricted Reporting. Reporting option that allows Service members and their military dependents 18 years of age and older who are the victims of sexual assault to confidentially disclose the assault to specified individuals (specifically a SARC, DRC, SAPR VA, Unit SAPR VA, or healthcare personnel) and receive medical treatment, including emergency care, counseling, and assignment of a SARC and SAPR VA or UVA, without triggering an official investigation. Only a SARC, DRC, SAPR VA, UVA or healthcare personnel may receive a restricted report.

Retaliation. One of the following actions when taken because the Service member reported, either formally or informally, a criminal offense:

a. Taking or threatening to take an unfavorable or adverse personnel action, or withholding or threatening to withhold a favorable personnel action.

b. Ostracism, which is the exclusion from social acceptance or friendship with intent to discourage reporting of a criminal offense or otherwise discourage the administration of justice.

c. Maltreatment, which is abusive or otherwise unwarranted,

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unjustified, and unnecessary for any lawful purpose treatment that is done with intent to discourage reporting of a criminal offense or otherwise discourage the administration of justice, and that results in physical or mental harm, suffering, or reasonably could have caused, physical or mental harm, or suffering. Maltreatment, under this instruction, does not require a senior-subordinate relationship as is required for maltreatment under Article 93 of the Uniform Code of Military Justice.

Sexual Assault. Intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Including the following specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these offenses.

Sexual Assault Forensic Examination (SAFE). The medical and forensic exam of a sexual assault victim under circumstances and controlled procedures to ensure the physical examination process and the collection, handling, analysis, testing, and safekeeping of any bodily specimens and evidence meet the requirements necessary for use as evidence in criminal proceedings.

Sexual Harassment. A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career.

b. Submission to such conduct by a person is used as a basis for career or employment decisions affecting that person.

c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Unrestricted Reporting. A process that an individual covered by this policy uses to disclose that he or she is the victim of a sexual assault. Under these circumstances, the victim's report provided to healthcare personnel, the SARC, a SAPR VA, command

authorities, or other persons is reported to law enforcement and may be used to initiate the official investigative process.

Victim. For purposes of this instruction, a person who asserts direct physical, emotional, or pecuniary harm as a result of the commission of a sexual assault. The term encompasses all persons 18 and over, eligible to receive treatment in military medical treatment facilities; however, the Restricted Reporting Program applies to Service members and their military dependents 18 years of age and older.

Victims' Legal Counsel (VLC). A Navy attorney who complements the care and support victims already receive through SARCs, DRCs, SAPR VAs, and unit SAPR VAs by providing legal counsel and advice on sexual assault reporting options as well as legal support during the investigation and disciplinary processing of those reports.