

**Defense Advisory Committee on Investigation, Prosecution, and  
Defense of Sexual Assault in the Armed Forces**

**Request for Information from Military Criminal Investigation Organizations (MCIOs)**

**RFI Set 5, Questions 1–2**

**Request Date: October 30, 2017**

**I. Purpose**

- A. The Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) is a federal advisory committee established by the Secretary of Defense pursuant to section 546 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law No. 113-291), as amended.
- B. The statutory mission of the DAC-IPAD is to advise the Secretary of Defense on the investigation, prosecution, and defense of allegations of rape, forcible sodomy, sexual assault, and other sexual misconduct involving members of the Armed Forces.
- C. The DAC-IPAD requests the below information to facilitate its required review of cases involving allegations of sexual misconduct on an ongoing basis for purposes of providing advice to the Secretary of Defense.

**II. Summary of Requested Response Dates**

Suspense	Question	Proponent
<b>15 Nov 17</b>	1	Service MCIOs – Provide adult sexual assault statistics for cases closed in fiscal year 2017 (FY 17).
<b>15 Nov 17</b>	2	Service MCIOs – Provide adult sexual assault (penetrative) investigation data for cases closed in FY 17 with a military subject.

**III. Service MCIO Adult Sexual Assault (ASA) Case Data for FY 17**

- MCIOs include Air Force Office of Special Investigations (AFOSI), U.S. Army Criminal Investigation Command (CID), Naval Criminal Investigative Service (NCIS) and Coast Guard Investigative Service (CGIS).
- “Adult sexual assault” means an unrestricted report of sexual assault made by an individual who is at least 16 years of age at the time of the alleged incident as defined by DoDI 5505.18, *Investigation of Adult Sexual Assault in the Department of Defense*.
- “Closed in FY 17” means the investigation or information file was closed between October 1, 2016 and September 30, 2017, regardless of the date the allegation was made or investigation opened.

**IV. Information Requested for FY 2017**

Question 1: Provide the following data listed below. So that the responses are uniform across the Services, please use attachment A, question 1 to provide the data.

<b>MCIO ASA Investigations Closed in FY 17</b>		
a.	Total number of ASA investigations closed in FY 17	
b.	Number of ASA cases that were closed information only (SIR only, Closed Only, Info File, and Record Only)	
c.	Number of ASA investigations closed in FY 17 with a military subject <sup>1</sup>	
d.	Number of ASA investigations closed in FY 17 with multiple military subjects	
e.	Number of ASA investigations closed in FY 17 with a non-military subject	
f.	Number of ASA investigations closed in FY 17 with an unknown subject	
g.	Number of ASA investigations closed in FY 17 with a penetrative offense and a military subject	

Question 2:

Provide data<sup>2</sup> on the following for all FY 17 sexual assault investigations<sup>3</sup> for a penetrative sexual offense<sup>4</sup> with a military subject and adult victim closed between October 1, 2016 and September 30, 2017, regardless of the date the allegation was made or the investigation opened. For each investigation, please provide the information listed below. So that the responses are uniform across the Services, please use attachment A, question 2 to provide the data.

- a. Case Number
- b. Service Branch of Subject(s)
- c. Status of Victim(s) (military or civilian)
- d. Date Closed
- e. Type of Penetrative Offense
- f. Case Clearance Category in Defense Incident-Based Reporting System (DIBRS)
- g. Any disposition (include no action taken or unfounded)

***Please provide responses to the DAC-IPAD by November 15, 2017***

<sup>1</sup> A military subject is an individual in Title 10 status at the time of the alleged incident subject to punishment under the Uniform Code of Military Justice. Do not include cases that were closed “information only” for question 1, sections c-g.

<sup>2</sup> For multiple subjects include separate entry for each accused with the same case number. For multiple offenses only include the most aggravated penetrative offense.

<sup>3</sup> Include cases which were closed “information only.”

<sup>4</sup> “Penetrative sexual offense” means Rape and Sexual Assault, in violation of Article 120, Forcible Sodomy, in violation of Article 125, and any Attempt to commit such offenses, in violation of Article 80.

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**RESPONSES REQUESTED FROM THE SERVICES BY NOV 15, 2017**

**Request for Information from Military Criminal Investigation Organizations (MCIOs)**

**Information Requested for FY 2017**

Question 1: Provide the following data listed below. So that the responses are uniform across the Services, please use attachment A, question 1 to provide the data.

<b>MCIO ASA Investigations Closed in FY 17</b>		
a.	Total number of ASA investigations closed in FY 17	
b.	Number of ASA cases that were closed information only (SIR only, Closed Only, Info File, and Record Only)	
c.	Number of ASA investigations closed in FY 17 with a military subject	
d.	Number of ASA investigations closed in FY 17 with multiple military subjects	
e.	Number of ASA investigations closed in FY 17 with a non-military subject	
f.	Number of ASA investigations closed in FY 17 with an unknown subject	
g.	Number of ASA investigations closed in FY 17 with a penetrative offense and a military subject	

<b>CID</b>	<b>MCIO ASA Investigations Closed in FY 17</b>		
	a.	Total number of ASA investigations closed in FY 17	2,702
	b.	Number of ASA cases that were closed information only (SIR only, Closed Only, Info File, and Record Only)	336
	c.	Number of ASA investigations closed in FY 17 with a military subject	1,1771
	d.	Number of ASA investigations closed in FY 17 with multiple military subjects	86
	e.	Number of ASA investigations closed in FY 17 with a non-military subject	252
	f.	Number of ASA investigations closed in FY 17 with an unknown subject	257
	g.	Number of ASA investigations closed in FY 17 with a penetrative offense and a military subject	820

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<b>OSI</b>	<b>MCIO ASA Investigations Closed in FY 17</b>		
	a.	Total number of ASA investigations closed in FY 17	1,274
	b.	Number of ASA cases that were closed information only (SIR only, Closed Only, Info File, and Record Only)	338
	c.	Number of ASA investigations closed in FY 17 with a military subject	745
	d.	Number of ASA investigations closed in FY 17 with multiple military subjects	22
	e.	Number of ASA investigations closed in FY 17 with a non-military subject	164
	f.	Number of ASA investigations closed in FY 17 with an unknown subject	69
	g.	Number of ASA investigations closed in FY 17 with a penetrative offense and a military subject	415
	<b>NCIS</b>	<b>MCIO ASA Investigations Closed in FY 17</b>	
a.		Total number of ASA investigations closed in FY 17	2,135
b.		Number of ASA cases that were closed information only (SIR only, Closed Only, Info File, and Record Only)	657
c.		Number of ASA investigations closed in FY 17 with a military subject	1,156
d.		Number of ASA investigations closed in FY 17 with multiple military subjects	38
e.		Number of ASA investigations closed in FY 17 with a non-military subject	100
f.		Number of ASA investigations closed in FY 17 with an unknown subject	184
g.		Number of ASA investigations closed in FY 17 with a penetrative offense and a military subject	708

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<b>CGIS</b>	<b>MCIO ASA Investigations Closed in FY 17</b>		
	a.	Total number of ASA investigations closed in FY 17	95
	b.	Number of ASA cases that were closed information only (SIR only, Closed Only, Info File, and Record Only)	27
	c.	Number of ASA investigations closed in FY 17 with a military subject	71
	d.	Number of ASA investigations closed in FY 17 with multiple military subjects	0
	e.	Number of ASA investigations closed in FY 17 with a non-military subject	3
	f.	Number of ASA investigations closed in FY 17 with an unknown subject	19
	g.	Number of ASA investigations closed in FY 17 with a penetrative offense and a military subject	35

Question 2:

Provide data<sup>1</sup> on the following for all FY 17 sexual assault investigations<sup>2</sup> for a penetrative sexual offense<sup>3</sup> with a military subject and adult victim closed between October 1, 2016 and September 30, 2017, regardless of the date the allegation was made or the investigation opened. For each investigation, please provide the information listed below. So that the responses are uniform across the Services, please use attachment A, question 2 to provide the data.

- a. Case Number
- b. Service Branch of Subject(s)
- c. Status of Victim(s) (military or civilian)
- d. Date Closed
- e. Type of Penetrative Offense
- f. Case Clearance Category in Defense Incident-Based Reporting System (DIBRS)
- g. Any disposition (include no action taken or unfounded)

**(The MCIOs provided the requested data. The information is Law Enforcement Sensitive, and not releasable by the DAC-IPAD)**

<sup>1</sup> For multiple subjects include separate entry for each accused with the same case number. For multiple offenses only include the most aggravated penetrative offense.

<sup>2</sup> Include cases which were closed “information only.”

<sup>3</sup> “Penetrative sexual offense” means Rape and Sexual Assault, in violation of Article 120, Forcible Sodomy, in violation of Article 125, and any Attempt to commit such offenses, in violation of Article 80.