

**Defense Advisory Committee on Investigation, Prosecution, and  
Defense of Sexual Assault in the Armed Forces (DAC-IPAD)**

**Request for Information (RFI) and Request for Meeting Presenters**

**RFI Set 4, Questions 1 – 6**

**Request Date: September 11, 2017**

**SUBJECT: Legal and Sexual Assault Response Training for Commanders and Expedited Transfer Data for Fiscal Year 2016**

**I. Purpose**

- A. The 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 113-291), as amended.
- B. The mission of the Committee 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 and presenters 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. Requested Response Dates**

Suspense	Question(s)	Proponent
<b>5 Oct 17</b>	Presenters	Services and DoD provide names and contact information for nominated presenters for each panel.
<b>5 Oct 17</b>	1 - 3	Services and DoD SAPRO provide narrative responses and requested training materials.
<b>5 Oct 17</b>	4 - 6	Services provide requested expedited transfer policies and requested FY 16 data using the attached Excel spreadsheets (Attachments A and B).

**III. Request for Meeting Presenters at the October 19-20, 2017 DAC-IPAD Public Meeting in Arlington, Virginia.**

**October 19, 2017 – Panel 1** (*Services and DoD*): The DAC-IPAD requests a briefing on the Department of Defense (DoD) and military Services' expedited transfer policies.

- The Committee would like to hear from an authority from DoD on the expedited transfer policy promulgated by Department of Defense Instruction

(DoDI 6495.02), including the history of the policy, the request approval and transfer process, and the process for transfer of an accused.

- The Committee would like to hear from an authority from DoD on how the Family Advocacy Program handles expedited transfer requests related to adult sexual assault allegations and the policies that govern these transfers.
- The Committee would like to hear from a representative from each Service about the Service-specific policies regarding expedited transfers and the process for re-assigning Service members under such policies.
- This panel will tentatively be held from 2:30 p.m. to 3:20 p.m. (EDT) on October 19 and will consist of 6-7 presenters. Each presenter is requested to give a five minute presentation followed by questions from the Committee.

**October 19, 2017 – Panel 2** (*Services*): The DAC-IPAD requests presentations from five experienced special victims' counsel/victims' legal counsel (SVC/VLC).

- The Committee would like to hear from an experienced SVC/VLC from each Service who has two years of current or very recent experience serving in this capacity, if possible, on their experience with the expedited transfer policy and serving as victims' counsel.
- This panel will tentatively be held from 3:30 p.m. to 5:30 p.m. (EDT) on October 19. Each presenter is requested to give a five to seven minute presentation followed by questions from the Committee.

**October 20, 2017 – Panel 1** (*Services*): The DAC-IPAD requests presentations from five company/squadron or Service equivalent-level commanders and five first sergeants/senior enlisted advisors.

- The Committee would like to hear from a company/squadron or Service equivalent-level commander and his or her first sergeant/senior enlisted advisor from each Service with recent experience dealing with sexual assault allegations within the command. The Committee would like to hear about the legal and sexual assault response training received by the presenters and their personal experiences and perspectives dealing with sexual assault allegations and the expedited transfer policy.
- This panel will tentatively be held from 9:00 a.m. to 11:00 a.m. (EDT) on October 20. Each presenter team is requested to give a five minute presentation followed by questions from the Committee.

**October 20, 2017 – Panel 2** (*Services*): The DAC-IPAD requests presentations from five special court-martial convening authorities with recent experience dealing with sexual assault allegations.

- The Committee would like to hear from a special court-martial convening authority from each Service who has experience dealing with sexual assault allegations. The Committee would like to hear about the legal and sexual assault response training received by the presenters and their personal experiences and perspectives dealing with sexual assault allegations and the expedited transfer policy. *[Note: The Committee will not ask the presenters to discuss specific sexual assault cases with which they've been involved, but will ask them to focus more generally on their experiences and training in handling sexual assault allegations.]*
- This panel will tentatively be held from 12:30 p.m. to 2:20 p.m. (EDT) on October 20. Each presenter is requested to give a five to seven minute presentation followed by questions from the Committee.

**IV. Request for Information Regarding Commander Legal and Sexual Assault Response Training**

**Question 1** (*Services*): The DAC-IPAD requests information regarding the type, duration, and frequency of formal, Service-wide UCMJ legal training provided to special and general court-martial convening authorities. What portion of this training is devoted to sexual assault and making appropriate disposition decisions in sexual assault cases? Provide training materials used in this legal training.

**Question 2** (*Services*): The DAC-IPAD requests information regarding the type, duration, and frequency of UCMJ legal training provided to commanders below the level of special court-martial convening authority (i.e., company commanders, squadron commanders). What portion of this training is devoted to sexual assault? Provide training materials used in commander legal training. *[Please provide information on formal, Service-wide training. However, if you have examples of informal, installation-level training (i.e., legal training seminars or classes), please include some of these, as well.]*

**Question 3** (*DoD SAPRO and Services*): The DAC-IPAD requests information on the type and amount of formal, Service-wide training provided to commanders at all levels on sexual assault and supervising victims of sexual assault and accused Service members, to include the following types of training:

- a. The different ways victims may respond to a sexual assault
- b. How to respond to/treat a victim in the commander's unit
- c. How to respond when both the victim and alleged perpetrator are in the commander's unit
- d. Official and peer retaliation and ostracism
- e. How to respond to expedited transfer requests

**\* Responses to questions 1 – 3 should address the following:**

1. How many hours is the training and how often is it conducted?
2. At what point in the commander's tenure is the training conducted? (e.g., prior to taking command, after assumption of command)
3. Where is the training conducted? (e.g., JAG school, installation)
4. How is the training conducted? (e.g., group setting, one-on-one, computer-based, scenario-based)

**V. Request for Information Regarding Expedited Transfer Requests for Fiscal Year 2016**

**Question 4** (*Services*): Please provide copies of (or links to) all current Service-specific policies and procedures related to expedited transfers of adult sexual assault victims and accused.

**Question 5** (*Services*): Please provide a list of all sexual assault-related expedited transfer requests made **by victims** in FY 16, including those made pursuant to DoDI 6495.02 or other policies such as transfers made within the purview of the Family Advocacy Program. Please include an identification number (DSAID number, if available) for each request that can be used by DoD and the Services to provide additional information about a specific request or the underlying sexual assault case if requested by the DAC-IPAD at a later date.

For each sexual assault-related expedited transfer request, please provide the information listed below. So that the responses are uniform across the Services, please use Attachment A to provide the data to the DAC-IPAD. The label of each column in the spreadsheet corresponds to the numbered data points below.

1. Identification number (DSAID number for the underlying sexual assault allegation or other case-identifying number if not in DSAID)
2. Requester rank at time of request
3. Requester gender
4. Requester location/installation at the time of the request
5. Requester job title at the time of the request
6. Was the requester represented by an SVC/VLC?
7. Was the request approved or denied?
8. Rank of the decision-maker/approval authority for the request
9. Job title of the decision-maker/approval authority for the request
10. Requested transfer location(s)/installation(s)
11. If transfer was approved, location/installation that requester transferred to
12. If transfer was approved, requester's MOS/job title at new location
13. Was the transfer temporary or permanent?
14. Date of the underlying unrestricted sexual assault report
15. Date of the expedited transfer request
16. Date of the approval/denial of expedited transfer request

17. Date of the transfer of requester, if transfer occurred
18. Disposition of the sexual assault allegation if final

**Question 6** (*Services*): Please provide a list of all sexual assault-related transfers of Service members **accused of sexual assault** in FY 16, including an identification number (DSAID number, if available) for each transfer that can be used by DoD and the Services to provide additional information about a specific transfer or the underlying sexual assault case if requested by the DAC-IPAD at a later date.

For each sexual assault-related transfer of an accused, please provide the information listed below. So that the responses are uniform across the Services, please use Attachment B to provide the data. The label of each column in the spreadsheet corresponds to the numbered data points below.

1. Identification number (DSAID number for the underlying sexual assault allegation or other case-identifying number if not in DSAID)
2. Accused rank at time of request
3. Accused gender
4. Accused location/installation at the time of the request
5. Accused job title at the time of the request
6. What was the rank of the decision-maker/approval authority?
7. What was the job title of the decision-maker/approval authority?
8. Location/installation that the accused was transferred to
9. Accused job title at receiving location/installation
10. Date of the underlying unrestricted sexual assault report
11. Date of transfer of accused
12. Was the transfer permanent or temporary?
13. Disposition of the sexual assault allegation if final

ATTACHMENT A: Expedited Transfer Request Data for Fiscal Year 2016													
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	DSAID (or other) Identification Number	Requester Rank	Requester Gender (M/F)	Origin Installation	Requester Job Title	SVC/VLC (Y/N)	Request Approved/Den. (A/D)	Decision-Maker Rank	Decision-Maker Job Title	Requested Transfer Locations	Transfer Installation (or N/A)	Requester Job Title at New Location	Permanent or Temp. Transfer (P/T)
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ATTACHMENT B: Accused Transfer Data for Fiscal Year 2016

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DSOID (or other) Identification Number	Accused Rank	Accused Gender (M/F)	Origin Installation	Accused Job Title	Decision-Maker Rank	Decision-Maker Job Title	Transfer Installation (or N/A)	Accused Job Title at New Location	Date of Sexual Assault Report (mm/dd/yyyy)	Date of Transfer (mm/dd/yyyy) or (N/A)	Permanent or Temp. Transfer (P/T)	Disposition of Sexual Assault Case if Final
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