2020 Annual Training:
Suicide Prevention & Sexual Assault Prevention and Response (SAPR)

Training Guide
The COVID-19 pandemic has required the Department of the Air Force (DAF) to adapt quickly and smartly in a rapidly changing environment, and we have risen to that challenge. How the DAF delivers bylaw annual training on Suicide Prevention and Sexual Assault Prevention and Response (SAPR) needs to be agile to these changing conditions.

Commanders/ Directors are authorized to deliver the following required Suicide Prevention and SAPR Talking Points to the Air and Space Professionals in their units as they deem appropriate, giving thoughtful consideration for the significant value this content has during this time of increased isolation and risks.

In this time of physical distancing, it is more important than ever to stay socially connected. Commanders/ Directors have discretion on the training delivery methods, and should consider utilizing means that will increase connectedness e.g. video or telephone conferencing, recorded videos, and other communication channels.
2020 Annual Training: Suicide Prevention & Sexual Assault Prevention and Response (SAPR)

Implementation Guidance for Commanders / Directors

- Must ensure all regular Active Duty, Reserve, Guard, and DAF civilians (appropriated and non-appropriated fund) receive all Suicide Prevention and SAPR Talking Points by **31 December 2020**. Contractors are highly encouraged, but not required, to receive the talking points.

- Collaborate with Sexual Assault Response Coordinators (SARCs), Violence Prevention Integrators (VPIs) (or ANG OPR), and Community Action Team (CAT) to determine an implementation plan.

- Encouraged to spread out the Talking Points throughout the year to ensure regular touchpoints. Providing these Talking Points monthly, in smaller doses, supports ongoing connectedness, improves retention, and increases the sharing of resources with personnel.

- Content is divided into the following:
  - **Part One: Suicide Prevention Talking Point.** To comply with the DoD training requirement, Commanders/ Directors will ensure all required personnel receive the Suicide Prevention Talking Point and associated handout (page 7). Prior to the distribution of the handout, insert contact information for local resources.

  - **Part Two: SAPR Talking Points.** To comply with the bylaw training requirement, Commanders/Directors will ensure all required personnel receive all five SAPR Talking Points. An appendix is provided with supplemental information and additional guidance as needed. Support from the serving SJA, other legal office personnel, SVC, or OSI should be sought for relevant legal or investigative topics. The sensitive nature of the content should be addressed with each SAPR Talking Point to prevent unintentional disclosure of a sexual assault and give priority to victim sensitivity and care.
Commanders/Directors (Sq/CC and above) will track training completion of Suicide Prevention Talking Point and SAPR Talking Points separately.

By **28 January 2021**, MAJCOMs will report the following to AF/A1Z:

- The total number of personnel in each organization(s).
- Number of personnel who received the Suicide Talking Point and all SAPR Talking Points.
- Percentage of personnel who received the Suicide Talking Point and all SAPR Talking Points.

Commanders/Directors will ensure to the greatest extent possible that 100% total force training has been completed. Commanders/Directors are encouraged to track training in ADLS (or ARCnet for ANG), or may utilize other tracking means. An optional alternative tracking spreadsheet entitled *2020 Annual Training Suicide Prevention and SAPR Tracker* is available through the MAJCOM SAPR and VPI Program Managers.

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Part One: Suicide Prevention Talking Point
BUILD CONNECTION

- **Meaningful connection to others** is a valuable tool in the prevention of suicide. Airmen must be active in reaching out, both to others who may be in distress and to resources for themselves and others. Please refer to the *Suicide Prevention Handout* for resources.

SIGNS OF DISTRESS

- **Stress** is a normal part of our lives. Occasionally stressors overwhelm our ability to cope and may result in symptoms and trigger a state of **distress**. Common signs of **distress** include:
  - Mood changes, such as depression or anxiety
  - Irritability, agitation, or anger
  - Difficulties with sleep (too little or too much)
  - Withdrawing from family, friends, or others

- Identifying **distress** in ourselves and others is important to preventing negative effects. Examples of coping skills to implement when in distress include exercise, mindfulness, meditation, recognizing and expressing gratitude, engaging in creative activities, practicing resilience skills, and connecting with friends, family, or nature.

A.C.E.

- Symptoms/states of **distress** may be overwhelming and lead to having thoughts of death, self-harm, or suicide. It is important to **ASK** someone directly “are you thinking about harming yourself, or of suicide?” Do not avoid this important question.

- The next step is to convey that you **CARE** about that person’s well-being and their answer to your question(s). This can be done through active listening (paraphrasing, clarifying, eye contact, attentive posture). Communicate empathy and listen to what the person is saying and feeling.

- **ESCORT** a person who has expressed current thoughts of self-harm, or suicide to get professional help to prevent suicide and demonstrate that you **CARE**. Empower a person (without overwhelming them) in this process by letting them choose from 2-4 appropriate resources (see *Suicide Prevention Handout*).
  - Most important is getting the person to any next level of care/resource. Do **not** leave a person in distress alone. Be sure to follow up in the days and weeks after a connection to help is made.

Go SLO

- Building time and space between the Airmen in distress and their access to lethal means (including firearms and medications) can reduce the risk of suicide attempts and deaths. When you recognize Airmen in distress and use ACE, remember to also go “**SLO**” – help implement use of **Safes**, **Locks**, or **Outside** of the home storage of lethal means.
DAF RESILIENCE

PROMOTE RESILIENCE
Practice self-care such as regular exercise, sufficient sleep, and relaxation time. Invest in resilience skills like balance your thinking, mindfulness, and looking for the good to manage stress.

RECOGNIZE SIGNS OF DISTRESS
Mood changes, such as depression or anxiety
Irritability, agitation, or anger
Sleep difficulties
Withdrawing from social activities, family, friends, or others
Lack of interest in activities that were previously enjoyed (hobbies, work, etc.)

ASK
Directly ask the individual if they are having thoughts of death, self-harm, or suicide.

CARE
Care about their answer. If they hesitate, or seem uncertain, ask follow-up questions to convey that you care about their well-being.

ESCORT
If the individual is having thoughts of suicide or needs help, escort them to a qualified professional or leadership.

GO SLO
If someone demonstrates signs of distress, consider their access to LETHAL means including firearms, medications or other means of fatal methods. Airmen should remember to “go SLO” - use Safes, Locks, or store means Outside the home.

SMALL STEPS SAVE LIVES.

www.resilience.af.mil

MILITARY CRISIS LINE: 1 (800) 273-8255

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Part Two: SAPR Talking Points
SAPR Talking Point 1: The SAPR Program

Sexual Assault is inconsistent with our AF Core Values. The DAF SAPR mission is to educate, advocate, and collaborate to stop sexual assault and to provide direct response services to victims of sexual assault. The AF will ensure response services are:

Gender-inclusive, culturally competent, and recovery-oriented.

- SAPR services are available 24/7 for all locations, including deployed locations.
- SAPR personnel will ensure victims are protected, treated with dignity and respect, and receive timely access to appropriate medical treatment and services.
- Installation or host Wing Commander provides functional oversight of local SAPR program, ensuring immediate response capability exists to support victims.

Sexual Assault Defined*: Intentional sexual contact characterized by force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent.

- These behaviors may constitute one or more criminal offenses under the Uniform Code of Military Justice (UCMJ) and/or applicable state, Federal, or foreign jurisdiction’s criminal law.
- UCMJ sexual assault offenses are listed in the Manual for Courts-Martial under Articles 120 (rape, sexual assault, aggravated sexual contact, and abusive sexual contact) and 120b (sexual abuse of a child). Attempts or conspiracies to commit such acts are also punishable under Article 80 and Article 81.
- Other sexual or related offenses under the UCMJ include Articles 93a (prohibited activities with recruits/trainees), 117a (wrongful distribution/broadcast of intimate images), 120a (obscene mail), 120c (other sexual misconduct), and 130 (stalking).

Consent Defined*: A freely given agreement to the conduct at issue by a competent person.

- An expression of lack of consent through words or conduct means there is no consent.
- Lack of verbal or physical resistance does not constitute consent.
- Submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent.
- A current or previous dating / social / sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent.
- A sleeping, unconscious, or incompetent person cannot consent.
- Consent cannot be assumed. If you are unsure about consent, always ask and wait for an affirmative response. Stop unless you have explicit permission to continue.

*NOTE: These are training definitions and are NOT necessarily the definitions used to determine whether conduct is prosecutable under the UCMJ or other applicable law.
SAPR Talking Point 2:
SAPR Reporting Options*

- **Unrestricted Report**: Investigated and command authorities notified.
- **Restricted Report****: Confidential, not investigated, can be made to Sexual Assault Response Coordinator (SARC), SAPR Victim Advocate (VA), Volunteer VA, or health care provider.

- **Reporting Outside the Chain of Command**: A victim is not required to first notify his or her commander prior to making a report, and should not if the alleged perpetrator is the commander (or equivalent) or otherwise in the victim’s chain of command. Victims have the opportunity to go outside the chain of command to report the offense to others, including (unrestricted reports only):
  - Their next senior commanding officer
  - Commanders outside the chain of command
  - Office of Special Investigations (OSI) or an Inspector General (IG)
  - DoD Safe Helpline

- **Independent Investigation**: If information about a sexual assault comes to a commander’s attention from a source other than a victim, that commander must immediately report the matter to an MCIO and an investigation may be initiated based on that independently acquired information.
  - Victims who previously made a Restricted Report can maintain that Restricted Report and can elect not to participate in the investigation.
  - If a SARC is notified of an independent investigation and the victim has not signed a DD Form 2910 electing a Restricted Report, the SARC must inform the victim that the option to file a Restricted Report is no longer available.

- **Mandatory Reporters** for sexual assault include: Commanders, chain of command (includes supervisors, supervisory chain, First Sergeants), AF Instructors (with exception of USAFA instructors), and law enforcement.

- **Sexual Harassment**: not the same as sexual assault, but is are along the same continuum of harm. Sexual harassment involves:
  - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that unreasonably interferes with an individual’s work performance or creates an intimidating, hostile, or offensive working environment.
  - Complaints of sexual harassment can be reported to the Equal Opportunity Office or Command.
  - Sexual harassment may be civil or criminal (UCMJ).

*Sexual assaults that occur between intimate, married, or dating partners or when the victim is below the age of 18 are to be reported to the Family Advocacy Program (FAP) (Director of Psychological Health for ANG). See AFI 90-6001 for definitions and additional information.

**Exceptions to confidentiality of Restricted Reports can be found on page 16.
Available SAPR Resources

There are many support resources available to sexual assault victims, both within and outside of the SAPR Program. If you have additional questions, the SARC can provide you with more information.

Available Resources for all Victims of Sexual Assault:

- SARC (military and civilian eligible).
- Advocacy from a SAPR VA or Volunteer VA (military and civilian eligible).
- Sexual Assault Forensic Examination (SAFE) (military and civilian eligible).
- Special Victims' Counsel (SVC) (military, other UCMJ nexus - see SARC for request/exceptions) (communications are confidential and privileged).
- Mental Health (military/dependents), Employee Assistance Program (civilians), local counseling resources (both military and civilians) (communications to mental health providers are confidential and privileged).
- Military OneSource (military/dependents) (mandatory reporter for sexual assault).
- Medical Care - Primary Care (military) / Local hospital or physician (civilians).
- Chaplain & Religious Affairs Airmen (both military and civilians) (communications are confidential and privileged).
- DoD Safe Helpline (both military and civilians). The Safe Helpline can be reached by calling 877-995-5247, going to https://www.safehelpline.org/, or using the Safe Helpline App.

Additional Resources Available for Victims who File Unrestricted Reports:

- Expedited Transfer (ET)—PCS or PCA to support immediate and future welfare of victim of a sexual assault who file an Unrestricted Report via DD Form 2910.
- Military Protective Orders (MPOs) and Civilian Protective Orders (CPOs)—Prohibit contact or communication between the alleged offender(s) and the victim. MPOs are issued by the alleged offender’s commander and are enforceable by military authorities. Civilian law enforcement is not required to honor or enforce an MPO.
- Non-rated Period—Request made directly to the unit Commander. See SARC or SVC for additional information.

New Resource: Catch a Serial Offender Program (CATCH):

- CATCH offers victims who file a Restricted Report the opportunity to confidentially and anonymously submit information about the alleged offender(s) and the incident to Military Criminal Investigators with the goal of identifying serial offenders.
- If a match is identified, victims will be notified by the SARC and offered the opportunity to convert to an Unrestricted Report. Contact the SARC or SVC for additional details about the CATCH program. See page 18, SARC, SVC, and https://www.sapr.mil/catch for details.
SAPR Talking Point 4: SAPR Victim Rights

SAPR Victim Rights:
- Sexual assault victims have the right to (but not limited to) the following:
  - Be treated with fairness and respect for your dignity and privacy
  - Be reasonably protected from the alleged offender
  - Express a preference on military or civilian prosecution of the offense
  - Provide inputs to the convening authority on disposition of the offense
  - Receive notice of certain proceedings and events and be present at certain proceedings unless a military judge orders otherwise
  - Reasonably confer with the prosecutor/trial counsel in the case
  - Receive restitution, if available by law
  - Proceedings free from unreasonable delay
  - Be heard at certain proceedings

Retaliation and Reprisal:
It is Air Force policy to protect individuals from retaliation, ostracism, maltreatment, and reprisal related to a sexual assault incident. See page 20 for definitions.

- When individuals engage in retaliation or reprisal, it not only violates good order and discipline, it can erode unit cohesion and undermine mission readiness. Moreover, it can deter other victims from reporting their sexual assault and receiving support services.
- Individuals protected from retaliation or reprisal include victims and/or their dependents, witnesses or bystanders who intervene or report a sexual assault, SARCs, SAPR VAs, and VVAs executing their duties and responsibilities, SVCs and other First Responders.
  - Report retaliation/reprisal related to a report of sexual assault to:
    - SARC or SAPR VA
    - Special Victims’ Counsel (SVC)
    - Installation/DoD Inspector General (IG)
    - Office of Special Investigations (OSI)
    - Immediate Commander
    - Commander outside the Chain of Command

Military Justice Updates:
- Ask Installation SJA for FY20 NDAA updates/changes.
- See page 19 for additional information.
SAPR Talking Point 5: Wingman and Leadership Intervention

If we all do our part as wingman, and leaders, to intervene (reactive) and set new norms (proactive), we can reduce the number of people who are impacted by sexual violence.

Recognize Warning Signs:

- **Recognize warning signs for sexual violence is the first step to intervening.**
  - Wingman might know the potential perpetrator, victim, or maybe even both. What you notice can change depending on your relationships with the people involved. It is important to remember all genders are at risk for sexual violence.
  - The warning signs we each notice can be different. What’s essential is that we each take action when we see a behavior that concerns us or crosses our line.
  - See the appendix (page 21) for a list of common warning signs.

Intervening:

- **Everyone has barriers to intervening sometimes.**
  - **Personal Barriers:** Things such as fear of embarrassment or retaliation, fear of escalation or getting hurt, or being uncertain what to do.
  - **Social Barriers:** Being concerned with how Airmen in your unit, friends, or other people will react if you get involved.
  - **Organizational Barriers:** Concern that getting involved could have a negative impact on your career, rank, or someone else’s career.
  - What is important is that we each take action when we see a behavior that concerns us.
  - **Pick a intervention option that is most realistic for you to do despite the barriers.**
    - **Direct:** Address the situation yourself by approaching any of the people involved.
    - **Delegate:** Get someone else to intervene such as a supervisor, first sergeant, friends, a bartender, chaplain, etc.
    - **Distract:** Create a distraction that will diffuse or interrupt the situation. You could ask someone to drive you home, ask to borrow a phone, or interrupt and start a conversation.

Creating a Healthy Climate:

- **Prevention is not limited to intervening when you notice warning signs. It includes setting norms that promote respect and make sexual violence less likely to happen.**
  - Three important norms that help reduce sexual violence:
    - Sexual assault will not be tolerated.
    - Everyone deserved to be treated with respect.
    - Everyone is expected to play a part in prevention.
  - Consider different contexts to communicate that sexual violence prevention efforts are important to you like social media, work life, and your personal/social life.
  - Norms are set by small decisions: What is something you can say or do today to promote a healthy climate of respect?
The following pages provide additional SAPR specific content to assist with the delivery of the SAPR Talking Points.
SAPR Reporting Options

- Victims can file a Restricted or Unrestricted report by signing a DD Form 2910 with a SARC or SAPR VA.

  - **Unrestricted Report** — A process by which an individual discloses, without requesting confidentiality or restricted reporting, that they are a victim of sexual assault. An Unrestricted Report initiates victim support, law enforcement investigation, and command support. Communications with the SARC or SAPR VA are protected by the MRE 514 privilege, absent written permission by the victim or applicable exception(s).

  - **Restricted Report** — Reporting option that allows sexual assault victims to confidentially disclose the assault to specified individuals (i.e., SARC, SAPR VA, or healthcare personnel) and receive medical treatment, including emergency care, counseling, and a victim advocate, without triggering an official investigation or command involvement, unless the victim consents or an established exception is exercised. Victim consolation with a SVC or chaplain preserves a restricted report.

- Victims can change their Restricted Report to Unrestricted at any time, but cannot change their Unrestricted Report to Restricted.

SAPR Reporting Eligibility

- **Restricted Report:** Active Duty, Guard, Reserve, Military dependents age 18 of older who are eligible for treatment in the military healthcare system, Coast Guard when attached to the DoD, and DoD civilian employees.

- **Unrestricted Report:** Active Duty, Guard, Reserve, Military dependents age 18 of older who are eligible for treatment in the military healthcare system, Coast Guard when attached to the DoD, and DoD civilian employees (does not include military medical or legal services not already authorized by law).

  - US citizen DoD contractor personnel and their US citizen employees are only eligible to make Unrestricted Reports when they are authorized to accompany the Armed Forces in a contingency operations while OCONUS.

Documentation Retention

- DD Forms 2910, 2910-1, 2910-2, and 2911 are retained for 50 years. It is recommended that victims retain sexual assault records for potential use in VA benefits applications.
  - DD Form 2910, *Sexual Assault Victim Reporting Preference Statement*
  - DD Form 2910-1, *Replacement of Lost DD Form 2910*
  - DD Form 2910-2, *Retaliation Reporting Statement for Unrestricted Sexual Assault Cases*
  - DD Form 2911, *DoD Sexual Assault Forensic Examination (SAFE) Report.*

  - SAFE Kits are used to store and safeguard any evidence collected during a SAFE. OSI will retain kits collected on 31 Jan 2019 and thereafter for 20 years. Kits in storage prior to 31 Jan 2019 will only be kept for five years from their collection, IAW the policy in effect at the time.
Confidentiality and Military Rule of Evidence (MRE) 514:

- **Confidentiality:**
  - SAPR personnel (SARCs, SAPR VAs, VVAs) have an obligation to protect the confidentiality of communications with the victim.
  - Protections apply whether the report is Restricted or Unrestricted.
  - Disclosure of confidential communications may be required by law or regulation.

- **Exceptions to confidentiality of Restricted Reports include:**
  - Victim provides written authorization
  - To prevent/lessen a serious and imminent threat to anyone’s health or safety
  - Officials participating on Disability Evaluation Boards and Medical Evaluation Boards
  - SARC, SAPR VA or healthcare personnel supervising victim services
  - When required by law

- **MRE 514:** The victim’s privilege to refuse to disclose and prevent the SARC/VA from disclosing their confidential communications. Whether a victim filed an Unrestricted Report or an Independent Investigation was launched, a victim can maintain confidentiality with their SARC / SAPR VA under MRE 514.
  - This privilege applies to all stages of a UCMJ proceeding; from initial investigation through final disposition; it also applies in most administrative proceedings.
  - A SARC, SAPR VA, or VVA cannot disclose confidential communications without victim consent or an applicable exception, even at the Case Management Group meetings.
  - For example, a victim tells the SAPR VA about their sexual assault and underage drinking. Law enforcement later asks the SAPR VA questions about the victim’s sexual assault and/or underage drinking. Because the conversation with the SAPR VA is a confidential communication and privileged under MRE 514, the SAPR VA is prohibited from sharing any information about the communication without express permission of the victim.

**SF 86 – Questionnaire for National Security Positions**

- When completing Standard Form 86, *Questionnaire for National Security Positions*, question 21E asks, “Do you have a mental health or other health condition that substantially adversely affects your judgment, reliability, or trustworthiness, even if you are not experiencing such symptoms today?”

- “If your judgment, reliability, or trustworthiness is not substantially adversely affected by a mental health or other condition, then you should answer "no" even if you have a mental health or other condition requiring treatment. For example, if you are in need of emotional or mental health counseling as a result of … having been sexually assaulted but your judgment, reliability or trustworthiness is not substantially adversely affected, then answer "no".”
Military Protective Orders (MPO) and Expedited Transfers (ET) Procedures

- Sexual assault victims who have filed an Unrestricted Report or experience related retaliation or reprisal can request an MPO and/or ET via support from the SARC or SVC.

  - **MPO**—A tool to enhance victim safety by notifying the alleged offender via DD Form 2873 that they are being ordered to not directly or indirectly contact or communicate with the victim and/or their dependents, and may be subject to action under the UCMJ if they do so.
    - Issued by alleged offender's commander and copies are supplied to the victim and alleged offender.
    - If a commander decides to deny a sexual assault victim's request for an MPO, the basis must be documented in writing, in consultation with the SJA, and must be forwarded with the request to the installation commander.
    - Remains in effect until modified or rescinded by the commander.
    - An MPO is enforceable by military authorities. Civilian law enforcement is not required to honor or enforce a MPO. Victims can also seek a Civilian Protective Order (CPO) which is enforceable by civilian law enforcement.

  - **ET**—Provides military sexual assault victims an option to request a PCS or a PCA to support the immediate and future welfare of the military victim.
    - Initiated by the victim making an official request to the victim's unit commander via support from the SARC, SAPR VA, or SVC.
    - Installation or host Wing Commander has 72 hours to make a determination to approve or disapprove the request.
    - If disapproved, victims can appeal to the first G/FO in their chain of command.
    - Once approved, AFPC will process the PCS or PCA for the ET.

- Transfer requests involving threats of bodily harm or death should be handled in accordance with AFI 36-2110, Assignments Attachment 12, Threatened Person Assignment.

Special Victims' Counsel (SVC)

- The SVC provides confidential, no cost legal assistance through independent representation of victims of sexual assault who file Restricted or Unrestricted Reports, or seek legal advice about filing a report.
  - The relationship between a victim who obtains an SVC is an attorney/client one; meaning privileged communication and confidentiality are maintained.
  - SVCs cannot accept an official sexual assault report, but can refer victims to a SARC or SAPR VA, who can accept an official report (DD Form 2910).
  - For Unrestricted Reports, SVCs can provide assistance related to OSI interviews, MPOs, ETs, Trial and Defense Counsel interviews, Court-Martial, complaints about retaliation and reprisal, victim collateral misconduct, etc.
The CATCH Program

How the CATCH Program works:

- Restricted Reporting victims elect to participate in CATCH and receive access to the CATCH database (or paper submission) from the SARC.
- Military investigators (NCIS, CID, OSI) at Headquarters analyze suspect information submitted to the CATCH database.
- If a match is identified, the SARC will notify the victim and offer the victim the opportunity to convert to an Unrestricted Report.
  - If a victim elects to maintain their Restricted Report, they can decide whether they would like to be contacted for future matches.
  - If a victim elects to convert to an Unrestricted Report, SARCs will make the appropriate notifications.
- The local MCIO may be provided information submitted to CATCH as part of their investigation AFTER the victim has elected an Unrestricted Report.

What Victims Should Know:

- Any victim who has filed a Restricted Report may participate in CATCH.
- Participation is completely voluntary. Victims may elect or decline to participate at any time after filing a Restricted Report.
- A victim can opt out at any time by notifying the SARC. Their data will not be removed from the database, but they will no longer be contacted.
- Participating victims can share as little or as much information about the incident and alleged offender(s) and can update submissions at any time.
- The information provided to CATCH:
  - Is confidential and only utilized to identify potential matches, unless the victim gives their consent via conversion to an Unrestricted Report.
  - Is maintained in the CATCH database for 10 years.
- Anonymous CATCH information is analyzed to identify potential serial offenders.
- Victims may consult with an SVC to assist in making a decision. The SARC can facilitate a referral for eligible victims.
Sexual Assault Military Justice Updates

- Updates to the military justice system over the last several years have enhanced victims’ rights.
- Alleged offenders will also be impacted by the recent updates.
- These military justice updates include:
  - Revisions to Article 32, UCMJ, creating enhanced procedural mechanisms to protect victim sexual history and creating an opportunity for the victim to submit matters at/following preliminary hearings.
  - Revisions to Article 60, UCMJ, limiting a convening authority’s ability to alter findings and sentence at clemency.
    - A victim may submit matters to the convening authority to consider during clemency. The convening authority may not consider a victim’s character during clemency unless presented at trial and not excluded.
  - Eliminating the statute of limitations on sexual assault under the UCMJ.
  - Mandating a minimum mandatory sentence of dismissal or dishonorable discharge for persons found guilty of rape, sexual assault, or an attempt/conspiracy to commit these offenses.
  - At interviews, victims may be accompanied by the SARC, SAPR VA, VVA, SVC, or counsel for the government.
  - If the victim is represented by an SVC, the defense counsel, trial counsel and OSI must request victim interviews through the SVC. If the victim is not represented by counsel, defense counsel must request an interview through trial counsel.
  - Requiring that sex-related findings/determinations (non-judicial punishment) be included in personnel records and mandating commanders to review personnel records of incoming service members for these notifications.
  - Consulting with the victim on their preference whether the sexual assault offense should be prosecuted by court-martial or in a civilian court with jurisdiction, for offenses that occur in the U.S.
- More information about these updates and other changes to the UCMJ can be obtained through your local legal office.
Retaliation and Reprisal

❖ **Retaliation**—A prohibited personnel action where an Air Force member wrongfully takes or threatens to take an adverse personnel action against any person, or wrongfully withholds or threatens to withhold a favorable personnel action with respect to any person, with the intent to: (a) retaliate against any person for reporting or planning to report a criminal offense, or making or planning to make a protected communication; or (b) discourage any person from reporting a criminal offense or making a protected communication.

❖ **Reprisal**—Involves taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, for making, preparing to make, or being perceived as making or preparing to make a protected communication.

❖ **Ostracism**—Wrongfully excluding a military member from social acceptance or membership in or association with a group of which such military member was a part or a reasonable person would conclude wanted to be a part with the **intent** to do any of the following:
  - Inflict emotional distress on the military member, OR
  - Discourage reporting of a criminal offense or sexual harassment or otherwise discourage the due administration of justice concerning a criminal offense or sexual harassment; **and**, because the perpetrator knew or believed that the member was by reporting it, being a witness or victim, intervening, or cooperating in an investigation of involved in a criminal offense or sexual harassment.

❖ **Maltreatment**—Treatment by peers or by other persons that, when viewed objectively under all the circumstances, is abusive or otherwise unnecessary for any lawful purpose, that is done with the intent to discourage reporting of a criminal offense or otherwise discourage the due administration of justice, and that results in physical or mental harm or suffering, or reasonably could have caused physical or mental harm or suffering.

❖ Victims can seek assistance from a SARC, SAPR VA, SVC, a SARC at a different installation facilitated by SAFE Helpline, OSI, their immediate commander, and/or a commander outside their chain of command to report retaliation and the IG for reprisal options including:
  - Service personnel to invoke their Service-specific reporting procedures.
  - Service Military Equal Opportunity representative to file a complaint of sexual harassment.
  - Service personnel to file a complaint of wrongs in accordance with Article 138 of the UCMJ.
  - DoD IG, invoking Whistle-Blower Protections.
  - Commander or SARC to request an Expedited Transfer.
  - Commander or SARC to request a safety transfer or Military Protective Order if the victim fears imminent violence.
  - G/FO if the retaliation, reprisal, restriction, ostracism or maltreatment involves administrative separation of a victim within one year of the final disposition of the sexual assault case.
  - DoD OIG if the victim believes there has been an impact on their military career due to reporting a sexual assault or seeking mental health treatment for sexual assault.

❖ If a victim discusses retaliation with SAPR personnel, but chooses not to make a retaliation report via the DD form 2910-2, *Retaliation Reporting Statement for Unrestricted Sexual Assault Cases*, communication between SAPR personnel and the victim remains confidential.

❖ If the victim’s chain of command becomes aware of allegations of retaliation, reprisal, ostracism, or maltreatment, they are required to take appropriate measures to protect the victim and report the allegation(s).
Wingman Intervention

- Preventing sexual violence is a mission imperative for the Department of the Air Force.
- Early efforts to prevent sexual assault mainly focused on the potential perpetrator or the potential victim. However, current violence prevention efforts focus on a third role that has tremendous power to prevent harm – the wingman.
- Wingmen are defined as those who witness a high-risk situation and are in a position to intervene (reactive). Wingmen can also define the norms of their unit or base and decide what will and will not be acceptable (proactive).
- Wingman have two important roles to play in addressing sexual violence:
  - React when you see warning signs of sexual assault to make it less likely someone gets hurt.
  - Clearly communicate that sexual assault is not acceptable and that you expect all Air and Space Professionals to look out for each other. You do this by role-modeling, having conversations, and expressing support in meetings, trainings, or among your peers.

Recognize Warning Signs

- Some common warning signs you can notice as a wingman include:
  - Using alcohol or drugs to incapacitate someone
  - Testing or violating boundaries, like touching someone in an inappropriate way or telling an off-color joke
  - Separating someone from their friends, coworkers, or peers in a social situation
  - Scaring someone using voice or body language
  - Making threats
  - Using physical force
  - Engaging in unwanted physical or sexual contact as a part of hazing or setting group norms
  - Pushing drinks on someone
  - Lacing someone's drink with a drug
  - Getting a reputation for being sexually violent, intimidating, or “creepy”
  - Targeting someone that a person may have power over related to age, rank, etc.
  - Making sexual comments that are inappropriate to the setting or relationship
  - Seeming preoccupied with another person in a romantic or sexual way
  - Engaging in sexual contact with someone who is asleep or passed out
  - Engaging in any sexual activity that is not wanted

Creating a Healthy Climate

- Consider: How can you communicate to the people in your unit and on your base that sexual violence prevention efforts are important to you?
- To create norms that help reduce sexual violence, consider the following contexts:
  - **Personal social media**: Post links to related news stories and videos; add comments that express support for prevention efforts; like or share positive comments by others.
  - **Work life**: Include a statement supporting prevention in a local/base newsletter; start meetings with a conversation about the role everyone is playing in prevention; talk positively about a related training you have attended.
  - **Social life**: Role model; have conversations about related issues; volunteer to support prevention efforts.
References

- AFI 90-5001, *Integrated Resilience*
- AFI 90-6001, *Sexual Assault Prevention and Response (SAPR) Program*
- CNGBI 1300.01, *Sexual Assault Prevention and Response Program*
- DoDI 6490.16, *Defense Suicide Prevention Program*
- DoDD 6495.01, *Sexual Assault Prevention and Response (SAPR) Program*
- DoDI 6495.02, *Sexual Assault Prevention and Response (SAPR) Program Procedures*
- DoD SAPRO, *Annual/Refresher SAPR Training Core Competencies and Learning Objectives*
  - Located at the following website under “Education and Training”: https://www.sapr.mil/prevention-program-elements

Resources

- AF Resilience: https://www.resilience.af.mil/
- DoD SAPRO: https://www.sapr.mil/
- DSPO: https://www.dspo.mil/
- Air National Guard Prevention: https://www.ang.af.mil/prevention/
- Military OneSource: https://www.militaryonesource.mil/
- Contact your servicing legal office with any legal or policy questions.

*For additional support on the Talking Points, contact the Installation SARC/SAPR VA for SAPR or the VPI (or ANG OPR) for Suicide Prevention.*