

E-PME  *Enlisted*
PROFESSIONAL MILITARY EDUCATION

Sexual Assault 4.C.06

Learning Objective(s): **EXPLAIN** the elements of the Coast Guard’s Sexual Assault Prevention and Response Program (SAPRP).

Why You Need to Know This

Sexual assault is not about romance and sexual desire. It’s about exercising power over and humiliating another person, using sexual conduct as a weapon. The Coast Guard is committed to ensuring victims of sexual assault are protected, treated with dignity and respect, and provided appropriate ongoing support. Being a Guardian against sexual assault requires being able to know the difference between acceptable and unacceptable conduct, as well as recognize the difference between consent and lack of consent. Knowing what actions you and others can take to prevent becoming a sexual assault offender or victim can help keep you out of trouble. When sexual assault does occur, appropriate response can do much to protect and help to heal victims and bring offenders to justice.

This lesson will provide you with the information you will need to know in regards preventing and responding to sexual assault.

Topics Covered

This section will cover the following topics:

- Sexual Assault Defined
- SAPR Program Goals: Zero Tolerance
- Acceptable and Unacceptable Conduct
- Unrestricted Reporting
- Restricted Reporting
- Prevention: Reducing the Risks of Sexual Assault
- Resources
- Rights of the Accused

At the end of this lesson you will be required to participate in a learning activity. You are encouraged to first review the learning activity and the sign off requirements located in the “**You and Your Supervisor**” section of this lesson. Reviewing this information before you begin the lesson will allow you to take proper notes and focus on key learning points.

Sexual Assault Defined

Sexual assault is defined as intentional physical contact of a sexual nature, committed without the victim's consent. A victim is not considered to have consented where the perpetrator uses force, threats, or coercion to commit the sexual contact, or where the victim is asleep, incapacitated or unconscious.

Zero Tolerance

Sexual assault violates the Coast Guard's core values and will not be tolerated. All members of the Coast Guard shall foster an environment that does not excuse, tolerate, or mitigate sexual assault. Helping service members and their families to cope with a sexual assault incident is the most difficult challenge faced by commands. This zero tolerance policy is intended to help commands effectively confront this challenge.

The Coast Guards Sexual Assault policy applies when sexual assault is reported or alleged and a Coast Guard active duty member, Coast Guard Reserve member on active duty or in a drill status, civilian employee, or dependant is the victim or accused and the incident occurs on Coast Guard controlled property. The Coast Guard is committed to ensuring victims of sexual assault are protected, treated with dignity and respect, and provided appropriate ongoing support. Equally, the Coast Guard is dedicated to ensuring that persons who commit crimes are held accountable under the Uniform Code of Military Justice (UCMJ) and under civil laws.

Acceptable and Unacceptable Conduct

Contrary to popular perception, both men and women can commit sexual assault and both can become victims. Sexual assault is intentional sexual contact, set apart from legal sexual activity because it includes:

- Force
- Threats
- Intimidation
- Abuse of rank or authority
- Lack of consent

Consent is words or overt acts by a competent person indicating a freely given agreement to the sexual conduct at issue. Consent can be denied at any point (even if, for example, the two people have had sex in the past or have made suggestive remarks or acts).

Acceptable and Unacceptable Conduct (Continued)

The following shows a lack of consent:

- Declining or expressing unwillingness to engage in a sexual act.
 - Submission resulting from the offender's use of force, threat or fear.
 - Submission resulting from the victim's intoxication, unconsciousness or incapacitation.
 - Words ("not now" "go away") or actions (crying, silence, pushing away) that indicate that a person does not consent.
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Unrestricted Reporting

To achieve the Coast Guard's Sexual Assault Prevention and Response Program (SAPRP) objectives, the Coast Guard has adopted new policies that provide victims with options:

- An **unrestricted** (complete reporting) of sexual assaults to activate both victims' services and accountability actions is the preferred method but, it is recognized that unrestricted (complete reporting) represents a barrier for some victims in accessing needed services.
- A **restricted** (confidential) reporting which does not activate the official investigatory process until/unless the victim chooses to request this option.

Unrestricted Reporting

- A service member who is sexually assaulted and desires medical treatment, counseling, and an official investigation of his or her allegation can report the matter using official reporting channels, e.g., Duty Watch Stander, Supervisor, or the Chain of Command.
 - Once a Coast Guard official receives a report that a sexual assault has occurred, the Coast Guard Investigative Service (CGIS) must be notified immediately. Once notified of an allegation, CGIS has sole responsibility for the investigation.
 - Use of the unrestricted reporting option is encouraged as it provides for immediate formal investigation by trained criminal investigators as well as the full range of protections to the victim, including Military Protective Orders and other police and command protective actions.
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Unrestricted Reporting (Continued)

NOTE: Case tracking numbers (assigned during the initial report) will be used solely and no names or other personal identifying information will be included in any reports or file names. Sexual assault reporting procedures require EAPC notification for all incidents of reported sexual assault. And, all victims will be explained the Victim Reporting Preference Statement form to understand all reporting options available.

Commands are also prohibited from taking any formal or informal investigative action, to include preliminary inquiry or interview of alleged victims, suspects, or witnesses.

Restricted Reporting

Restricted Reporting

- Restricted reporting allows a sexual assault victim to confidentially disclose the details of his or her assault to specific key individuals and receive medical treatment and counseling without triggering an official investigative process and notification of the victim's command.
 - The restricted reporting option is available to those sexual assault victims who are Coast Guard members assaulted while in an active duty status. This includes members of the Coast Guard Reserve component when they are performing active duty training, or are in Title 10 (regular active duty) or Title 14 (emergency augmentation) status, or while in an inactive duty for training status.
 - Service members who are sexually assaulted and desire restricted reporting should report the assault only to:
 - Employee Assistance Program Coordinator (EAPC), Sexual Assault Response Coordinator (SARC), or Family Advocacy Specialist (FAS) from the Health, Safety and Work-Life (HSWL) field office.
 - Victim Advocate (VA)
 - Health Care Provider (HCP)
 - Chaplain
 - Service members who initially elect the restricted reporting option can, within 12 months of their initial confidential report of the assault, elect to pursue unrestricted reporting, which will result in initiation of a formal investigation by CGIS and afford the victim the full range of protections, including police and command protective actions.
 - Unauthorized disclosures of restricted reporting may result in administrative or disciplinary action.
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Restricted Reporting (continued)

Members assigned to an afloat unit while underway or in a port other than their homeport at the time the assault may report to a Medical Officer (MO), Independent Duty Health Services Technician (IDHS), or Victim Advocate (VA).

Restricted Reporting may not be an option if:

- State law mandates that a report be made to the police agency that has jurisdiction where the assault occurred or was reported. In such jurisdictions, the victim may be questioned by the police who may pursue the investigation and may notify CGIS regardless of the victims' wishes.
- It is determined that the victim or other person(s) would otherwise remain in serious and imminent danger if the crime is not reported.
- The victim is incapacitated or otherwise unable to make a competent decision.
- The sexual assault was disclosed by a third party (someone other than an EAPC, HCP, VSP, or Chaplain) to another member either in the same command or another command.
- **NOTE:** Third-party disclosures shall not by themselves rule out the possibility of restricted reporting when the incident is disclosed by the victim in the presence of a non-medical support person during a medical procedure.

The policy on restricted reporting is in addition to the current protections afforded privileged communications with a Chaplain, and does not alter or affect those protections. Command Chaplains will:

- Provide and/or coordinate appropriate spiritual care and/or referral services, if requested by the victim.
 - Participate appropriately in command climate stabilization responses.
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**Prevention:
Reducing the Risks
of Sexual Assault**

Reducing the chances of sexual assault includes recognition of several key warning signs, including:

- Someone who behaves as if your relationship is more intimate than it really is; uses “we” frequently in conversations and is working hard to make you trust them.
- Behaves excessively friendly or unusual.
- Frequently sits or stands too close to you or stares.
- Tries to manipulate you.
- Is abusive or is easily angered.
- Does not accept no for an answer.

Remember that alcohol and date rape drugs can also be used by offenders to incapacitate a potential victim. Alcohol is also relatively easy for an offender to obtain. Always stay alert and aware of your surroundings. And always ensure your partner consents to sexual activity. You must have consent from your partner before you can legally engage in sexual activity. If someone is passed out, unconscious, or asleep, they are legally unable to give their consent.

Resources

The following local resources are available to Coast Guard sexual assault victims and their commands:

Victim Advocate (VA): An advocate is a person who can provide emotional support to the victim during interviews, medical procedures and legal proceedings. Victim Advocates report directly to the EAPC.

Employee Assistance Program Coordinators (EAPCs) are trained and qualified to appropriately respond rape and sexual assault victims and to respond as required, often as Sexual Assault Response Coordinators (SARCs).

Coast Guard Investigative Service (CGIS) special agents are trained to conduct sexual assault and rape investigations, coordinate with local authorities and medical treatment facilities in conducting rape protocol examinations, and to determine the validity of allegations.

Rights of the Accused

Rights of the accused:

Support services are to be provided as appropriate when the accused is a Coast Guard member. The command should monitor the well-being of the accused particularly for any indications of suicide ideation, and ensure appropriate intervention occurs. Additionally:

- The accused is to be considered innocent until proven guilty in a legal proceeding.
 - Command representatives shall not interview the accused about the incident. Investigative interviews of alleged perpetrators, victims, and witnesses in suspected incidents of rape or sexual assault shall only be conducted by CGIS special agents.
 - The accused shall be treated respectfully, with appropriate care and concern at all times.
 - Information about the accused and the incident is to be closely held. Only those who have an official need to know are to have access to this information.
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Learning Activity



Complete the on-line Sexual Assault Prevention Response (SAPR) Mandated Training (MT) found on the Coast Guard Portal at the following link: <https://cgportal.uscg.mil/delivery/Satellite/trained>

The course takes approximately 20 minutes to complete. When you are done, print out a record of your course completion and show it to your supervisor.

For You and Your Supervisor

Completion of this task is noted by the course completion record.

References

The following references were used in this lesson, they can be found at [CG Directives at CG-612](#):

- Sexual Assault Prevention and Response Program (SAPRP), COMDTINST 1754.10(series)
 - Sexual Assault Prevention Response (SAPR) Mandated Training (MT)
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**NO means NO,
but so does...**

"not now"
"I'd rather be alone"
"I'm not sure"
"I don't feel good about this"
"you've been drinking"
Pushing away
Crying
Trying to leave
Being threatened
"I've been drinking"
"I'm not ready for this"
Drunkenness
Silence
Moving Away

**Prevent accusations of sexual assault.
Make sure your partner **can** and **does** consent!**


www.WorldLife4You.com **Recognize, Prevent, Respond** 1-800-USCG-WLS