



**2011-2012 Academic Year Biennial Survey and Report
on
Sexual Harassment and Sexual Assault at the
United States Merchant Marine Academy**

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Foreword

The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 requires the U.S. Merchant Marine Academy to conduct a survey on sexual harassment and sexual assault every other year. The results of the survey administered by the U.S. Department of Defense's Defense Manpower Data Center (DMDC) to the Midshipmen in May and November of 2012 reveal that during the 2011-2012 Academic Year, an estimated 17 female Midshipmen and 8 male Midshipmen, or 3 percent of the total Midshipmen population, had been sexually assaulted and that 136 Midshipmen had been sexually harassed. The Academy has no record of any of these incidents being officially or informally reported to Academy officials, calling into question the effectiveness of prevention efforts that had been implemented at the time of the survey.

These results are deeply disturbing to me, the leadership of Academy, and the Department. We take these findings extremely seriously, and we will implement whatever measures are necessary to put a stop to this egregious behavior and ensure that all Midshipmen have a safe and supportive environment, both on campus and during their Sea Year training.

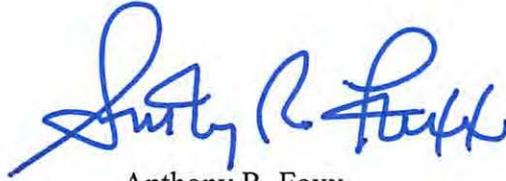
A comprehensive Plan of Action to prevent and respond to sexual assault and sexual harassment has already been put in place. In February 2012, the Academy hired a Sexual Assault Prevention and Response Coordinator (SARC). He has resigned, and we are conducting a search for his replacement. In the meantime, we have appointed an interim SARC. In August 2012, the Academy appointed a Civil Rights Officer. Although the timing of the survey was such that the Academy's Sexual Assault Prevention and Response Program (SAPR Program) had little to no impact on the results of the survey, we are hopeful that the Plan of Action executed over the last 2 years by our leadership, faculty, staff, and SARC to fully implement a "Zero-Tolerance" Program has begun to make a difference.

The Academy also has created a new training plan for Academic Year 2013-2014; added orientations for incoming Midshipmen during their first summer training and conducted scenario-based small group discussions for upperclass Midshipmen; implemented new reporting procedures that have yielded some "restricted" (confidential) reports; and established an Academy sexual assault review board that meets monthly and includes the senior leadership who oversee the implementation of the action plan; and upgraded the campus security program with emergency call boxes, surveillance cameras, and an enhanced guard force. In a few weeks, we will activate an electronic access system on the barracks and expand that system to encompass the rest of the campus.

The results of this DMDC survey will provide a baseline from which we can accurately track our progress. We look forward to the next survey, which will be conducted later this year, to tell us where we are progressing, where we are not, and what else we must do to put a stop to sexual assaults and sexual harassment.

The American people entrust the U.S. Merchant Marine Academy with developing America's best young men and women into leaders of exemplary character who proudly serve as officers in our U.S. Merchant Marine and Armed Forces. The U.S. Department of Transportation, the Maritime Administration, and the Academy are committed to providing Midshipmen with an environment free of sexual harassment and sexual assault, living quarters that are safe and

secure, a faculty and staff who are worthy of trust and respect, and an institution of higher education that honors diversity and allows every member of the Regiment of Midshipmen to live up to his or her full potential.



Anthony R. Foxx
Secretary of the U.S. Department of Transportation

March 27, 2014

Executive Summary

The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (P.L. 110-417), requires the U.S. Merchant Marine Academy to prescribe a policy and conduct an assessment during each Academic Year¹ to determine the effectiveness of its policies, training, and procedures with respect to sexual harassment and sexual violence prevention. For each academic year beginning in an odd-numbered year, the Academy also must administer a survey.

The Academy conducted a self-authored internal survey for the 2009-2010 Academic Year. Seven students reported on that survey that they had been sexually assaulted, and 21 students reported that they had been sexually harassed. The Academy, however, has no record of any students reporting any of these incidents through formal or informal procedures. The Academy also has no official or informal reports of sexual harassment or sexual assault being received in Academic Year 2011-2012. It is clear that at the time of the 2010 survey and at the time of the 2012 survey, Midshipmen² were reluctant to file reports of incidents of sexual harassment and assault, a serious issue that must be resolved by Academy leadership.

In the 2011-2012 Academic Year, the Academy made the decision to contract with the U.S. Department of Defense's Defense Manpower Data Center (DMDC) to administer its confidential Service Academy Gender Relations sexual assault and sexual harassment survey (SAGR Survey).³ The advantage of this approach was threefold: 1) it enabled the Academy to use an unbiased outside resource to administer a standardized survey tailored to students attending Federal service academies; 2) it provided a professional compilation and analysis of results; and 3) it gave the Academy the ability to compare results with other Federal service academies.

There are, however, some aspects of the SAGR Survey that should be considered when interpreting statistical inferences about the Academy's Midshipman population. For instance, the survey extrapolates the responses of actual survey takers to non-survey-takers using a weighting formula.⁴ This means that the survey provides estimated percentages of the overall population rather than actual numbers of Midshipmen. Like any survey, each estimate has some margin of error. Some estimates of groups of Midshipmen within the survey have such large margins of error that an estimate cannot even be reported. Rather than provide the margins of error for every percentage in this Report, however, the convention will be to use the word "estimated" or "about" to remind the reader that actual results may vary from the numbers reported.

The SAGR Survey results were reported to the Academy by DMDC as percentages but, for purposes of this report, some of the percentages have been converted to produce numbers of

¹ An Academic Year at the Academy begins on July 1 of each year and ends on June 30 the following year.

² The terms "Midshipman" and "Midshipmen" are gender neutral.

³ This is the same survey that DMDC administers at the Nation's other four service academies: the United States Military Academy, the United States Naval Academy, the United States Air Force Academy and the United States Coast Guard Academy.

⁴ Midshipmen are encouraged but not required to complete the survey, thus the reason for the weighting formula.

Midshipmen, which are subject to both a sampling error and a rounding error. For these reasons, estimated numbers for categories of Midshipmen in this Report's tables (such as males and females, or Midshipmen in different classes) do not always add up to the estimated overall totals.

The formatted SAGR Survey is most likely the first time the Academy's Midshipmen have seen this particular kind of survey. Its questions differ in structure and content from the previous self-authored Academy survey, rendering it difficult at times to determine trends and draw conclusions compared to previous years. For this reason, the SAGR Survey should be considered a baseline report.

The SAGR Survey presents estimated results for a Midshipmen population of 946 based on 482 actual respondents to the survey. Thus, this Report will cite responses from the 2009-2010 survey, but the reader should be aware that differences in methodology between the two surveys makes comparisons inappropriate in many cases.

As the SAGR Survey is a product tailored specifically for Federal service academy students, it was not administered to Academy faculty or staff, leaving a gap in analysis of an important Academy cohort. Based on the previous self-authored survey, the Academy recognizes this as a consequential shortcoming in determining the overall prevalence of sexual harassment and sexual assault within the larger campus community for the 2011-2012 Academic Year. Thus, the Academy has added to this year's Plan of Action the development of a survey tool to assess gender relations in the faculty and staff.

The SAGR Survey was given to Midshipmen in two separate sittings, once in May 2012 and once in November 2012, to members of the Classes of 2012 through 2015. Two administrations were required because approximately half of the Second and Third Class Midshipmen⁵ were away from campus on Sea Year training during the first administration in May. These Midshipmen were subsequently surveyed in November after they returned to campus. During that Academic Year, the female Midshipman population was 123, of whom 95 participated in the survey. There were 823 male Midshipmen, of whom 387 participated in the survey.

This year only 47 percent of the on-campus male Midshipmen completed the survey, as compared to the 95 percent who took the survey 2 years ago, a 48-point drop in participation. Only 77 percent of the on-campus female Midshipmen completed the survey, as compared to the 97 percent who took the last survey, a 20-point drop. Among the female Midshipmen, only 50 percent of the First Class women completed the survey.

Through the survey, we estimated that about 17 female students and 8 male students were sexually assaulted. While this constitutes only 3 percent of total Midshipmen, it constitutes 14 percent of the female students. Of these 17 women, about 10 of them reported that they were assaulted while on Sea Year training. Among the estimated 28 sexual assaults on all Midshipmen, we estimate that 27 percent of the incidents involved multiple assailants. Two Midshipmen reported being drugged.

⁵ First Class are seniors; Second Class are juniors; Third Class are sophomores; and Fourth Class or Plebes are freshmen.

The 136 students who report being sexually harassed represent a dramatic increase over the 21 students who reported being harassed in the 2009-2010 survey. This is partly because the 2011-2012 survey projects estimates to the entire student population, whereas the 2009-2010 survey reports only on the 72 percent of students who actually completed the survey. Also, the definition of sexual harassment was broadened in the 2011-2012 survey (to include, for example, “crude and offensive behavior”), which may have caused an increase in the number of reported instances. How much of the reported rise in harassment is due to these changes in methodology is difficult to determine.

The survey reports that one victim said she had reported an instance of sexual assault through formal channels. The Academy, however, has no record of this report. Both male and female upperclassmen reported being harassed by Academy faculty or staff, particularly male and female First Class Midshipmen. The SAGR Survey reported that an estimated 2 male and 3 female First Class Midshipmen were harassed by civilian faculty and staff.

In an apparent increase from the 2010 survey, the SAGR Survey showed that an estimated 67 percent of female Midshipmen believe that senior leadership (defined as the Superintendent, Academic Dean, Commandant, and Vice/Deputy Commandant⁶) would make honest and reasonable attempts to stop sexual harassment and sexual assault. In the 2010 survey, only 51 percent of female Midshipmen reported that they believed that senior leadership had created a climate in which “to a large extent” sexual assault was not tolerated, and only 42 percent believed that sexual harassment was not tolerated.

Overall, among all the Midshipmen responding to the survey—male and female, Fourth Class and upperclassmen—confidence in the senior leadership appears to be higher than it was in 2010. As a group, an estimated 78 percent of Midshipmen (population size of 946) believe that senior leadership makes honest and reasonable attempts to stop sexual harassment and sexual assault. In 2010, only 53 percent of Midshipmen (population size of 694) believed that senior leadership established a culture intolerant of sexual harassment, while 58 percent believed that senior leadership established a culture intolerant of sexual assault.

The SAGR Survey also measured the incident rate of sexist behavior at the Academy. There were an estimated 114 women (approximately 93 percent) who indicated experiencing sexist behavior, with 100 percent of female Third Class Midshipmen reporting that they had experienced sexist behavior. There were an estimated 337 men who indicated experiencing sexist behavior (about 41 percent), with a higher response rate from First Class (66 percent) and a lower response from Fourth Class (27 percent) and Third Class (34 percent).

Clearly, Academy leadership must address this climate, since sexist behavior may be an initial step in a continuum of behaviors leading to sexual harassment and sexual assault. And while faith in senior leadership to stop sexual harassment and sexual assault appears to be building, there is an enormous amount of work yet to be done.

⁶ The position of Deputy Superintendent was created in July 2012. It was first filled in January 2013, after the completion of the survey. This position will be included in the 2013-2014 Survey.

The Academy's Plan of Action has been updated and reflects ongoing areas of concern as well as new items identified as a result of the SAGR Survey. We have identified the following nine areas as requiring attention:

- Preventing peer sexual assault and sexual harassment on campus and aboard commercial vessels;
- Reinforcing a “no tolerance and full reporting” climate;
- Changing the sexist culture at the Academy;
- Improving intervention and prevention training among faculty, staff, and Regimental leadership;
- Intensifying awareness, prevention, and training among Midshipmen;
- Improving the variety and quantity of after-class activities;
- Refining Standard Operating Procedures for reporting and investigation;
- Developing assessment tools for faculty and staff; and
- Increasing gender diversity in Academy employees and the Regiment of Midshipmen.

The Academy looks forward to the next survey in order to gauge the effectiveness of our efforts over the last year and to establish trend lines in order to measure our success.

Legislative Requirement

This report is produced in compliance with the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (P.L. 110-417), title XXXV – Maritime Administration, section 3507 (Appendix A). The Act requires an annual assessment at the U.S. Merchant Marine Academy to determine the effectiveness of its policies, training, and procedures with respect to sexual harassment and sexual assault involving its personnel. In odd-numbered academic years (*e.g.*, 2011-2012 Academic Year), the annual assessment consists of the Academy's self-assessment and an anonymous survey of Midshipmen. In even-numbered years (*e.g.*, 2010-2011 Academic Year), the Academy performs its annual assessment and reports changes to policies, training and outreach material. This assessment includes the results of a survey, which is the Academy's second survey since implementation of the Duncan Hunter Act's requirements.

2011-2012 Academic Year Survey Development and Methodology

The U.S. Merchant Marine Academy, within the U.S. Department of Transportation, is not required by law to participate in any assessment codified by U.S. Code 10, which states that the U.S. Military Academy, U.S. Naval Academy, and U.S. Air Force Academy implement an assessment cycle that consists of alternating surveys and focus groups. However, Academy officials requested to be included in the service academy assessment program beginning in 2012, in order to make use of a readily available survey for a comparable cohort and to take advantage of the services of professional statisticians in analyzing survey results.

The DMDC designed the SAGR Survey to track sexual assault and sexual harassment issues at the service academies. The survey results provide information on the annual prevalence rates of sexual assault, sexual harassment, and sexist behavior; a discussion of students' perceptions of Academy climate with respect to sexual assault and sexual harassment; the availability and effectiveness of sexual assault and sexual harassment training; and the students' perceptions of program effectiveness in reducing or preventing sexual assault and sexual harassment.

The DMDC administered the SAGR Survey in May and November 2012 to the Academy's Midshipmen in the Classes of 2012 through 2015. The student population at the time of the November administration was 946 (123 female and 823 male Midshipmen). Even though surveys were only completed by roughly half of the total population, the total population number is important because data from respondents is weighted by analysts so that the results are reflective of the entire population. Two administrations of the SAGR Survey were required because approximately half of the Third and Second Class Midshipmen were away from campus on Sea Year training during the first administration in May, and were subsequently surveyed in November after they returned to campus.

The SAGR Survey also was administered at the Nation's four military service academies. The same survey and analytical procedures were used at all academies producing comparable results with one caution—the U.S. Merchant Marine Academy results include a longer timeframe as a reference for some of the questions (June 2011 to November 2012 as opposed to June 2011 to May 2012) for those Third and Second Class Midshipmen who were surveyed in November.

Prevalence rates might be slightly higher due to this longer timeframe (34 percent of Midshipmen completed the survey in November).

The ability to calculate annual prevalence rates is a distinguishing feature of this survey. The results included rates of unwanted sexual contact, unwanted gender-related behaviors, and stalking-related behaviors experienced during the Academic Year 2011-2012 (defined in the survey questions as June 2011 through the date of the survey administration in May and November 2012). Future administrations of the survey will allow trend comparisons of rates across survey years.

Respondents were provided with the following definitions of sexist behavior, sexual harassment, and sexual assault:

“Sexist Behavior” is defined as verbal or nonverbal behaviors that convey insulting, offensive, or condescending attitudes based on the gender of the student.

“Sexual Harassment” is defined as experiences of crude/offensive behavior (e.g., repeatedly told sexual stories or jokes that are offensive), unwanted sexual attention (e.g., unwanted attempts to establish a romantic sexual relationship despite efforts to discourage it), or sexual coercion (e.g., treated badly for refusing to have sex).

“Unwanted Sexual Contact (Sexual Assault)” is defined as intentional sexual contact that was against a person’s will or which occurred when the person did not or could not consent, and includes completed or attempted sexual intercourse, sodomy (oral or anal sex), penetration by an object, and the unwanted touching of genitalia and other sexually-related areas of the body.

These definitions are somewhat different from the definitions used in the 2009-2010 survey, so that comparisons between the results of the two surveys may not be comparable.

Survey Administration

Data was collected in May and November 2012 from Midshipmen in the Classes of 2012 through 2015. A team from DMDC administered the anonymous paper-and-pen survey in group sessions. Separate sessions were held for female and male students. After checking in, each student was handed a survey, an envelope, a pen, and an Academy-specific information sheet. The information sheet included details on where students could obtain help if they became upset or distressed while taking the survey or afterwards. Students were briefed on the purpose of the survey and the importance of participation, yet completion of the survey itself was voluntary. Students could leave the session at the completion of the mandatory briefing if they did not wish to take the survey. Students returned completed or blank surveys (depending on whether they chose to participate) in sealed envelopes to the survey staff as they exited the session.

Midshipmen Response Rates

The total survey sample consisted of a census of 946 students based on student rosters provided by the Academy. The number 946 was achieved after excluding students who could not participate for various reasons (e.g., left the Academy, were foreign nationals, or were exchange students from another Academy). Of those 946 students, 41 did not complete the survey because they were sick or on leave or otherwise unable to be present. Of the remaining students, 174 chose not to complete any of the survey, and 248 answered some questions, but did not answer enough questions to provide usable results.⁷ Finally, one student completed the survey but asked that his or her results not be tabulated as part of the survey results. That meant that usable surveys were completed by 482 students. Table 1 details the demographics of the 482 Midshipmen respondents. Overall, the survey had a 51 percent response rate, with 47 percent of male Midshipmen participating and 77 percent of female Midshipmen participating.

This represents a significant decrease from the students' participation in the 2009-2010 survey. The prior survey was administered by the Academy, and students were required to participate. Of those on campus, 95 percent of male Midshipmen participated, as did 97 percent of the female Midshipmen. Twenty-four percent of the men and 28 percent of the women were at sea when the survey was administered, so they also did not participate. For this survey, the Academy again offered to require student participation, but DMDC preferred that student participation be voluntary, saying that individual survey responses were more likely to be accurate if they were done voluntarily. The decrease in the number of First Class females participating was particularly dramatic, falling to 50 percent from 100 percent.

Table 1. Midshipmen Response Rates By Class and Gender

Gender/Class	Midshipmen Population	Number of Responses	Response Rate (%)
Male	823	387	47
2012	191	65	34
2013	190	91	48
2014	232	140	60
2015	203	88	43
Female	123	95	77
2012	26	13	50
2013	25	24	96
2014	34	27	79
2015	36	29	81
Total	946	482	51
2012	217	78	36
2013	215	115	53
2014	266	167	63
2015	239	117	49

Note: Five students did not answer the question that indicated their class. In the Number of Responses column, the sum of the number of students in each class does not add up to the bolded numbers.

⁷ Surveys were considered usable if the respondent answered at least 50 percent of the questions asked of all participants, answered at least one sub-question on question 12, and answered question 19.

The lower response rate, and particularly the fact that the response rate varies significantly from one group of students to another (e.g., only 47 percent for males, but 77 percent for females, and only 34 percent for seniors) inevitably raises the question of whether the validity of the results is compromised by non-response bias.

Non-response bias is the possibility that the results of the survey are incorrect because some categories of students had a much lower response rates than others. If the categories of students who had higher response rates experienced a different rate of sexual harassment or sexual assault from the categories of students that had lower response rates, then the results of the survey would be biased.

The DMDC carefully weighted the different categories of students in projecting estimates for the overall population (with weights inversely related to their response rates) to correct for non-response bias. While we have not conducted a thorough analysis of non-response bias for this survey, DMDC has performed such an analysis for the similar surveys that it has conducted for active duty military personnel.⁸ The DMDC study focused on questions related to Unwanted Sexual Contact (i.e., sexual assault). The study looked at seven different methods for assessing the presence of non-response bias.

While it is beyond the scope of this study to examine the results of the DMDC non-response study in detail, DMDC concluded that the level of non-response bias appears to be modest, and that the amount of non-response bias detected seems more likely to understate the rate of unwanted sexual contact (USC) than to overstate it. They detected some evidence that categories of respondents that were more likely to experience USC were less likely to complete subsequent surveys, thus understating the prevalence of USC, but described this effect as “minimal.”

⁸ Defense Manpower Data Center, *2012 Workplace and Gender Relations Survey of Active Duty Members: Nonresponse Bias Analysis Report*, Alexandria, Virginia, January 2014.

Midshipmen Perceptions

Training

As reflected in Table 2, the survey results show little variation between male and female Midshipman in their understanding of sexual harassment versus sexual assault and in understanding the reporting procedures for both sexual harassment and assault. There was significant variation, however, in the Midshipmen’s reported understanding of the difference between “restricted” and “unrestricted” reporting.⁹

In the 2012 survey, the results indicate that an estimated 94 percent of males and 95 percent of females believed they knew how to distinguish between sexual harassment and sexual assault. In the 2010 survey, only 79 percent of males and 84 percent of females reported that they knew how to distinguish between sexual harassment and sexual assault.

An estimated 91 percent of males and 83 percent of females indicated via the 2012 SAGR Survey that they understood how to report sexual assault. This stands in contrast to the 69 percent of males and 65 percent of females who indicated in the 2010 survey that they understood how to report harassment and assault on campus, and the 61 percent of males and 56 percent of females who indicated that they understood how to report harassment and assault at sea. While we are cautious about comparing the results from 2012 to 2010 because of the methodological differences, there would appear to be significant improvement between 2010 and 2012.

Table 2. Midshipman Understanding of Sexual Harassment and Sexual Assault Policies and Procedures (Estimated Percent (%) of Respondents Who Fully Understand)

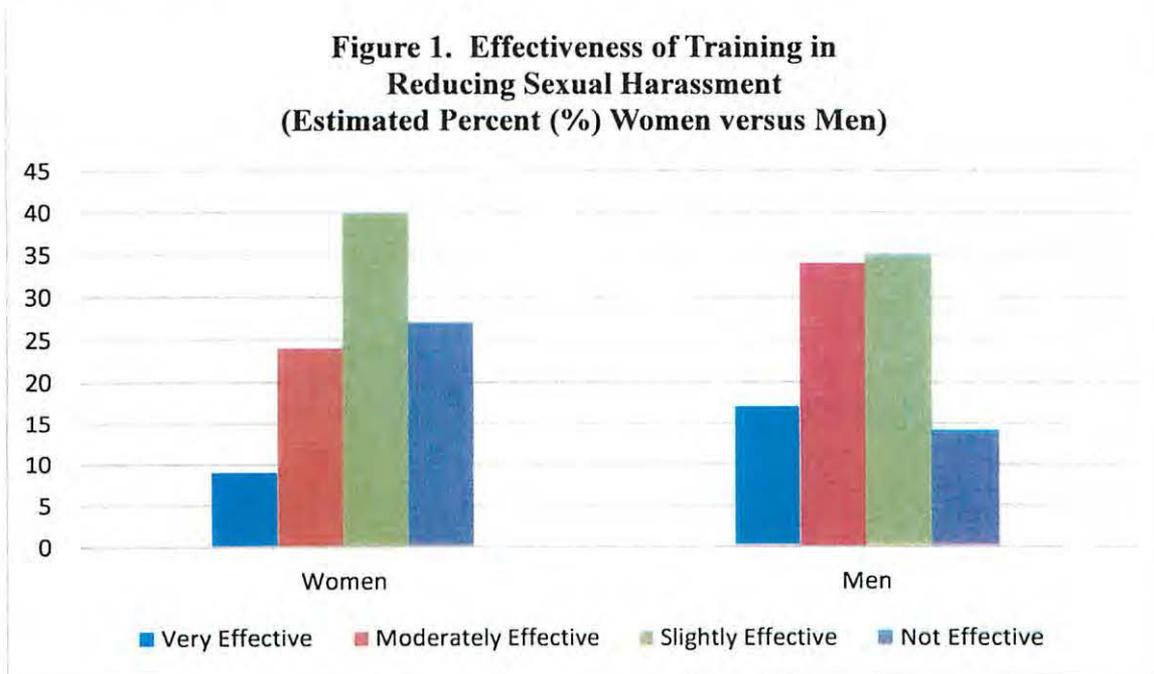
Training Topic				
Midshipman Cohort	Harassment v. Assault	How to Report Harassment	How to Report Assault	Diff. Between Restricted and Unrestricted
Male	94	90	91	62
Female	95	81	83	71
Total	94	89	90	64

Since the arrival of the full-time SARC in April 2012, the Academy has increased its training to include mandatory sexual assault training sessions once a year for faculty and staff. Midshipmen are required to attend four times a year. The Academy’s Civil Rights Director has developed a

⁹ A “restricted” report allows a Midshipman who is sexually assaulted to confidentially disclose the details of the assault to specifically identified individuals and receive medical treatment and counseling without triggering an official investigation. An “unrestricted” report allows a Midshipman who is sexually assaulted to receive medical treatment and counseling, but also triggers an official investigation. The victim chooses whether to make a “restricted” or “unrestricted” report.

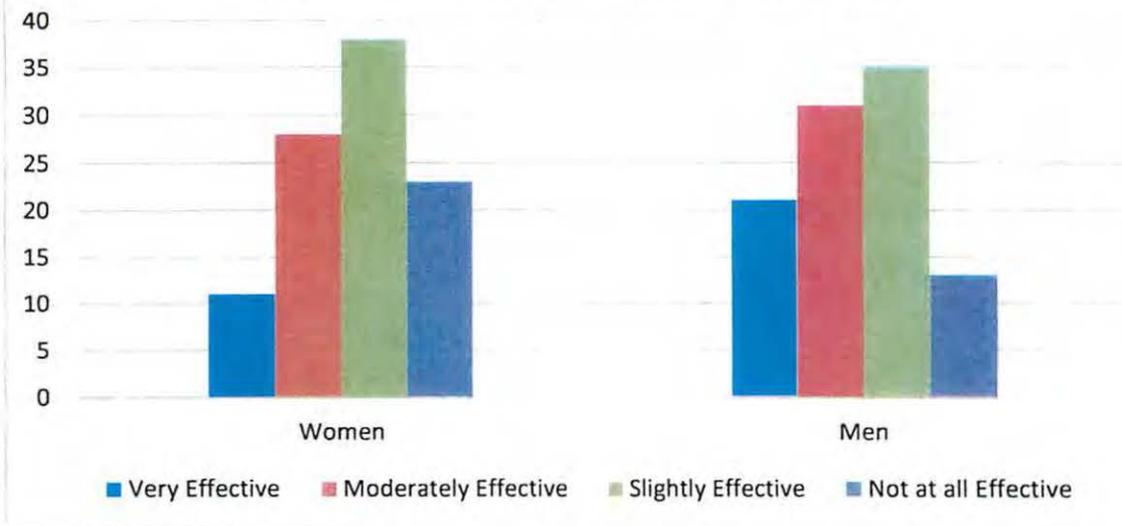
program to provide training on sexual harassment, and her presentation is delivered in conjunction with sexual assault training. The comprehensive academic year training plan developed by the SARC has featured professional speakers, awareness campaigns, and online training sessions. The SARC has developed measures of effectiveness to help assess content and delivery with a focus on fine-tuning the training to ensure maximum retention of information by the students. The Academy plans to organize small group sessions where upperclassmen can learn about and discuss sexual harassment and sexual assault, since this method has proven effective for Fourth Class Midshipmen. Sexual harassment and sexual assault training is a work in progress, and the Academy looks forward to the next SAGR survey in order to determine if these training efforts have made a difference.

Effectiveness of Training



When asked to evaluate the Academy’s training program in terms of its effectiveness in reducing sexual harassment, an estimated 33 percent of women and 51 percent of men who had received training felt that it was very effective or moderately effective (Figure 1). This compares unfavorably with the 67 percent of women and 49 percent of men who thought it was only slightly effective or not at all effective. While the results from the men regarding the effectiveness of the training were almost equally balanced pro and con, the results show that the training conducted in Academic Year 2011-2012 was not perceived as meeting the expectations of Academy women that it would actually reduce sexual harassment.

**Figure 2. Effectiveness of Training in Reducing Sexual Assault
(Estimated Percent (%) Women versus Men)**



When asked to evaluate the Academy’s training program in terms of its effectiveness in reducing sexual assault, an estimated 11 percent of women and 21 percent of men felt that it was very effective (Figure 2). For women, less than half thought sexual assault training was very effective or moderately effective, while half of men thought the training was very effective or moderately effective. These results show that training conducted in Academic Year 2011-2012 failed to meet the expectations of Academy women that it would actually reduce sexual assault.

There are two conclusions to be drawn from these results. The overall quality of training must be improved to ensure that all Midshipmen understand and retain all pertinent definitions, policies and reporting procedures. Additionally, gender differences may need to be taken into account when conducting the training. The Academy has already increased the frequency of training and has employed a variety of delivery methods to satisfy different learning styles. Going forward, the Academy plans to introduce small group sessions and to use scenarios to encourage discussion. The Academy will also obtain input from female Midshipmen in order to craft more gender-sensitive training sessions.

Confidence in Reporting/Outcomes of Reporting

The 2012 SAGR Survey revealed that Fourth Class Midshipmen of both genders have more confidence in the system for reporting sexual assault than do male and female Midshipmen generally (Table 3). The entire female cohort, however, expressed significantly less confidence than did the men that the system would protect their privacy, ensure their safety, and treat them with dignity and respect. This Report is unable to trend the SAGR Survey responses with the 2010 survey’s responses due to the different phrasing of the question, except to say that the 2010 survey year’s report also concluded that female upperclassmen showed significantly less confidence in procedures for reporting both sexual harassment and assault compared to male Midshipmen.

The Academy has put several initiatives in place to increase confidence in the system. The “restricted” (versus “unrestricted”) reporting system was introduced in the last year in order to provide both women and men the maximum amount of confidentiality while still providing them with medical care and counseling services. Significant effort and resources have been expended on security upgrades to increase safety on campus. These upgrades include lighted emergency call boxes scattered strategically across campus, access control systems on barracks doors, and surveillance cameras monitored by a 24/7 guard in a police command center. In addition, the Academy now has a SARC, a Civil Rights Director, and a stable leadership team with women in key senior positions.

Table 3. If Experiencing Sexual Assault in the Future, a Midshipman Would be Likely to: (Estimated Percent (%) of Respondents)

	Trust System to Protect Privacy			Trust System to Ensure Safety			Trust System to Treat You with Dignity/Respect		
	Yes	No	Don't Know	Yes	No	Don't Know	Yes	No	Don't Know
Male	37	44	20	45	36	19	48	32	20
Fourth Class	46	36	18	50	31	19	60	23	18
Female	27	58	14	34	45	21	44	42	14
Fourth Class	41	44	15	41	37	22	56	30	15
Total	36	45	19	44	37	19	47	34	19
Fourth Class	45	38	17	49	32	19	59	24	17

Person to Whom Midshipmen Would be Willing to Report Assault

The SAGR Survey asked Midshipmen whether, if they experienced a sexual assault, they would be likely to discuss the incident with the SARC, a victim advocate, a peer advocate, or a friend. Both females and males indicated by a large majority—an estimated 84 percent for women and 60 percent for men—that they would discuss the incident with a friend. Only an estimated 35 percent of females and 42 percent of males indicated that they would be likely to discuss the incident with the SARC. Statistics showed that females (estimated 25 percent) and males (estimated 31 percent) would be less likely to have a discussion with a victim advocate, and least likely (estimated 21 percent of females and 24 percent of males) to discuss the incident with a peer advocate.

Low numbers for the SARC most likely reflect a lack of confidence in the system itself, as reported in the previous section, given the fact that the Academy did not have a SARC on board until 1 month before the SAGR was initially administered in May 2012. Moreover, those Midshipmen who took the survey in November 2012 had not yet received training from the SARC, having been away at sea training during the interim. Unfortunately, the SAGR Survey did not ask Midshipmen whether they would be inclined to discuss the incident with other members of the Academy community. In the 2010 survey, large percentages of Midshipmen

indicated willingness to report a sexual assault incident to the chaplain, a company officer, or medical representative.

Consequences of Reporting or Bringing Charges of Assault

The 2010 survey asked Midshipmen what they believed would be the outcome of reporting sexual assault and provided them with a wide range of possibilities for victim and perpetrator. For all of those possibilities, Midshipmen were asked whether they thought that outcome was very likely, likely, moderately likely, somewhat likely, not likely at all, or there was no basis to judge. In that survey, female Midshipmen expressed more certainty than their male counterparts about adverse consequences for the accuser and less certainty about adverse consequences for the perpetrator.

The 2012 SAGR Survey greatly restricted the scope of this question, asking only to what extent a Midshipman would hesitate to make an “unrestricted” report based on four concerns: 1) what parents might think; 2) what might happen to an accuser’s reputation; 3) that the accuser would be punished for fraternization or underage drinking; and 4) that damage might occur to the Academy’s reputation. The SAGR Survey does not consider how a victim or accuser might feel about consequences for the perpetrator.

Table 4. To What Extent Would a Midshipman Hesitate to Make an Unrestricted Report Out of Concerns for . . . (Estimated Percent (%) of Respondents)

	What Parents Might Think			Reputation and Standing at Academy			Punishment for Fraternization or Underage Drinking			Damage to the Academy’s Reputation		
	Very Lrg	Mod	Not at All	Very Lrg	Mod	Not at All	Very Lrg	Mod	Not at all	Very Lrg	Mod	Not at All
Male	17	18	41	17	24	26	16	20	33	13	18	38
Female	11	16	42	32	25	7	22	19	27	17	17	40
Total	16	18	41	19	24	24	17	20	33	13	18	38

Table 4 shows that females believed more strongly than males that the accuser would suffer adverse consequences for making a report. An estimated 32 percent of females compared to 17 percent of males indicated that they feared, to a very large extent, that their reputation and standing at the Academy would be damaged. An estimated 22 percent of females compared to 16 percent of males feared, to a very large extent, that they would be punished for fraternization or underage drinking if they made a report.

Since mid-2012, the Academy has been proactively training Midshipmen with an improved program about sexual assault prevention and response, emphasizing the importance of reporting even in the face of challenging consequences. During each session, students are asked to

consider how sexual assault affects victims. The training also has stressed the importance of reporting sexual assault, since reporting enables the Academy to ensure that Midshipmen are receiving necessary support services and maintain a record of these incidents. Midshipmen are told that reporting sexual assault allows the Academy to prosecute the offender so that his or her crimes cannot be repeated.

Despite these training sessions and the SARC's ongoing encouragement that they report sexual harassment and sexual assault, it will continue to be difficult to alleviate the fears of Midshipmen that they will be stigmatized by members of the Regiment or punished for an offense concomitant with the assault. The Academy will continue with its training regimen, but will also seek a better understanding of how to actively break down the cultural stigma of sexual assault.

Culture

It is crucial to establish an institutional culture in which sexual harassment and sexual assault are not tolerated, so that both men and women can live and learn in a positive and professional environment. At the Academy, three separate cohorts were identified as having particular influence over the Regiment of Midshipmen. Members of senior leadership set the overall tone for the Academy while the academic faculty sets the tone within the classroom. The Regimental staff is responsible for day-to-day oversight of the Midshipmen and sets the tone within living spaces. The SAGR Survey asked Midshipmen whether they believed that these three cohorts make honest and reasonable efforts to stop sexual harassment and sexual assault. Their answers speak to the effectiveness of the Academy effort to create a culture where sexual harassment, sexual assault, and sexist behavior will not be tolerated.

The survey showed (Table 5) that more than half of all Midshipmen respondents believe that senior leadership, civilian faculty, and Regimental staff are making an honest and reasonable effort to stop sexual harassment and sexual assault; however, only 46 percent of female Fourth Class Midshipmen said that they believe the civilian faculty is making the same honest effort. This number may be low because of the Fourth Class Midshipmen's general unfamiliarity with the Academy leadership, civilian faculty, and staff at the time of the survey. This is corroborated by the fact that 39 percent of freshman women said that they did not know if the civilian faculty were making an honest effort to stop sexual harassment and sexual assault. The freshman responses could simply reflect the newness of the Regimental environment and their unfamiliarity with the faculty.

Table 5. Do Academy Leadership, Civilian Faculty and Commissioned Officers Make Honest and Reasonable Efforts to Stop Sexual Harassment and Sexual Assault? (Estimated Percent (%) of Respondents)

	Senior Leadership			Civilian Faculty			Commissioned Officers		
	Yes	No	Don't Know	Yes	No	Don't Know	Yes	No	Don't Know
Male	80	10	10	67	13	20	77	11	12
Fourth Class	82	5	14	66	13	22	76	7	17
Female	67	20	13	58	15	27	67	26	7
Fourth Class	79	14	7	46	14	39	79	14	7
Total	78	11	10	66	13	21	75	13	11
Fourth Class	81	6	13	63	13	24	77	8	16

The SAGR Survey responses demonstrate improvement over the 2010 survey, when overall belief that the “Academy staff to a large extent create a culture in which Midshipmen sexual harassment and sexual assault are not tolerated” hovered around the 50-percent positive mark. This year, senior leadership received the highest vote of confidence for setting a climate of non-tolerance, while confidence in faculty members was the lowest. However, among women, both senior leadership and commissioned officers scored the same, while faculty scored low primarily because of a low score given the faculty by Fourth Class women. In the 2010 survey, the Regimental staff received the highest vote of confidence and faculty members were the lowest. Continuing a trend from the 2010 survey, female upperclassmen this year were the least confident that senior Academy personnel are establishing a culture of non-tolerance. Clearly, the Academy must ensure that all members of the Academy’s leadership team are making the same overt commitment to creating a climate of non-tolerance for sexual harassment and sexual assault.

The Academy’s 2010 survey did not ask Midshipmen about their perceptions of sexist behavior at the Academy. The 2012 Survey did ask about it and found that about 93 percent of women and 41 percent of men said that they had experienced sexist behavior at the Academy. Sexist behaviors examined included situations where Midshipmen had heard individuals refer to people of their gender in insulting or offensive terms, situations where they felt treated differently because of their gender, situations where individuals had made offensive sexist remarks, and situations in which an individual had put them down or were condescending to them because of their gender. Women reported experiencing these behaviors at a rate more than twice as high as that of men. If sexual assault can be seen as a continuum of behavior starting with sexist attitudes that escalate through sexual harassment to become sexual assault, then the Academy must address sexist behavior in order to have a longer-term effect on reducing incidents of sexual assault.

Privacy of Reporting

Midshipmen were asked twice in the SAGR Survey regarding concerns about privacy in reporting a sexual assault. In the first instance, Midshipmen were asked, in the context of the school environment, whether they would trust the Academy's reporting system to protect their privacy if they became the victim of a sexual assault (Table 3). In the second instance, Midshipmen were asked if they would trust the military reporting system to protect their privacy. Midshipmen indicated a much stronger belief that the military reporting system would protect their privacy (an estimated 54 percent of males and 32 percent of females) versus an estimated 37 percent of males and 27 percent of females who would trust the reporting system at the Academy to protect their privacy.

Incidents of Midshipman Sexual Harassment and Sexual Assault

Incidents of Sexual Assault

In the SAGR Survey, each Midshipman was asked whether, since June 2011, he or she had "experienced any of the following intentional sexual contacts that were against your will or which occurred when you did not or could not consent in which someone: 1) sexually touched you, 2) attempted to make you have sexual intercourse, but was not successful, 3) made you have sexual intercourse, 4) attempted to make you perform or receive oral sex, anal sex or penetration by a finger or object, but was not successful, or 5) made you perform or receive oral sex, anal sex or penetration by a finger or object."

In total, an estimated 28 Midshipmen (about 17 women and 8 men) (Table 6) were estimated to have experienced at least one incident of sexual assault during that period. The fact that the number of men and the number of women do not add up to the total indicates that there is a significant margin of error in all three of these estimates. One woman responded that she had reported the assault through the Academy's formal reporting procedures, but the Academy had no record of such a report having been filed.

Through the survey, among the 17 women who reported that they were sexually assaulted, we estimate that 4 women were raped, and 10 were the victims of attempted rape, and 3 were subjected to unwanted sexual touching. Given margins of error on these numbers with respect to the men, we cannot estimate with certainty how many were raped, and how many were the victims of attempted rape or unwanted touching.

Based on responses to the survey, we estimate that of the 28 sexual assaults on Midshipmen, 27 percent of them, or 8 of the assaults, involved multiple assailants.

**Table 6.¹⁰ Incidents of Sexual Assaults* on Midshipman
(Estimated Number of Midshipmen)**

	Number of Respondents	Number of Incidents		
		One	Two	Three or More
Male	8	NR**	NR	NR
Fourth Class	2	NR	NR	NR
Female	17	6	5	6
Fourth Class	3	NR	NR	NR
Total	28	8	6	13
Fourth Class	5	NR	NR	NR

*Includes sexual touching, attempted or completed sexual intercourse, oral sex, anal sex or penetration by a finger or object
**Not Reportable because of low reliability

Sources of Sexual Assault

As Table 7 indicates, an estimated 13 of 17 incidents of sexual assaults on female Midshipmen were perpetrated by other Midshipmen. In the other cases of sexual assault against women, the survey estimates that one was perpetrated by a faculty or staff member, two by a U.S. Department of Defense (DoD) or U.S. Department of Transportation (DOT) person not affiliated with the Academy, and one by a person not affiliated with DoD or DOT. The trend of Midshipman on Midshipman sexual assault continues from the 2010 survey, when 6 of 10 female sexual assaults and the 1 male sexual assault were perpetrated by Midshipmen.

The survey analysis estimated that about 10 females were sexually assaulted during their summer experience/training/sea duty. The SAGR Survey did not specifically ask if the sexual assault was perpetrated by members of the ship's crew, but the assumption could be made that since Midshipmen typically get sent to a ship as a same sex pair, the sexual assault likely came from a crew member. (In the 2010 survey, two female Midshipmen reported assault by ship's crew during their Sea Year training experience.) Yet Table 7 estimates that only four reported incidents of sexual assault (for all Midshipmen) occurred outside the Academy community, three by DoD/DOT persons not affiliated with the Academy and one by a person not affiliated with DoD/DOT. Although this numerical discrepancy may be partly explained by the uncertainty associated with projecting the survey results to the overall population of Midshipmen, another possible conclusion is that Midshipmen are perpetrating unwanted sexual contact on their sea partners or on other Academy Midshipmen when multiple sets of Midshipmen are sent to the same ship.

¹⁰ The SAGR Survey takes the responses of actual survey takers and extrapolates those results to non-survey takers using a weighting formula. This means that the survey provides estimated percentages of selected populations rather than actual numbers of Midshipmen, and that each estimate calculated has some margin of error. The SAGR Survey results were reported as percentages but, for purposes of this report, the percentages in Tables 6, 7, 9 and 10 have been converted to produce actual numbers of Midshipmen. As in any survey, these estimates are subject to both sampling error and rounding error. For these reasons, numbers in this Report's tables for categories of Midshipmen do not always add up to the overall totals of Midshipmen.

**Table 7. Incidents of Midshipman Sexual Assault* by Source
(Estimated Number of Incidents)**

	All	Other Midshipmen	Faculty/Staff	DoD/DOT person not affiliated with the Academy	Person not affiliated with DoD/DOT
Male	8	NR**	NR	NR	NR
Female	17	13	1	2	1
Total	28	23	1	3	1

*Includes sexual touching, attempted or completed sexual intercourse, oral sex, anal sex, or penetration by a finger or object

**Not Reportable because of low reliability

Data in the left-hand column does not sum because of sampling error and rounding error

Since mid-2012, the Academy has provided targeted training on sexual assault and sexual harassment to all Midshipmen preparing to embark on Sea Year training. A special program recently put in place has a female Academy graduate return to the school to brief Third Class females on what to expect in their first experience at sea. In addition, the Academy's Policy on Sexual Assault Prevention and Response (Attachment 1) requires the Director of the Department of Shipboard Training and Professional Development to solicit shipping companies for their policies on sexual harassment and sexual assault so as to be able to provide these policies to Midshipmen for situational awareness.

It is clear, however, that if a substantial portion of the sexual assaults are being perpetrated by Midshipmen on other Midshipmen during Sea Year training, the Academy must strengthen its own policies and programs before Sea Year training begins. With this in mind, the Academy is re-evaluating at sea reporting protocols to ensure procedures are adequate for Midshipman when faced with an assault or a potential assault situation.

Academy training to date has focused on teaching Midshipmen what constitutes sexual assault and what students should do if they find themselves in situations that may lead to sexual assault. The SARC provides the bulk of in-house training, but professional speakers have been brought in to provide Midshipmen with different perspectives and approaches to stopping sexual assault and sexual harassment. Instructors have sought to teach Midshipmen to how to recognize appropriate and inappropriate behaviors, how to handle awkward or difficult situations, how to protect themselves in compromising or dangerous situations, and how to intervene when they witness other students in these situations. The Academy has implemented online sexual assault prevention and alcohol prevention training; these programs were required of selected class years to supplement normally scheduled training.

The Academy has incorporated a program to select and train student Victim Advocates (VA), with one or more VA assigned to each company. It also has formed a Sexual Assault Student

Advocate Club where Midshipmen can get together and discuss issues in sexual assault prevention and response.

For the future, the Academy will conduct periodic assessments to gauge the effectiveness of training with an eye to reducing Midshipman on Midshipman incidents at sea. It will be crucial to obtain the input of women in these assessments in order to adjust training content and delivery if indicated. Senior leadership and the SARC should engage senior female faculty and staff female as well as Midshipmen for suggestions on improving sexual assault awareness and prevention.

Role of Alcohol or Drugs in Sexual Assaults

We estimate that two of the Midshipmen (or 8 percent) who reported that they had been victims of sexual assault indicated that the offender had used a date rape drug or other sedative. An estimated 13 Midshipmen (45 percent) reported that both they and the offender had been drinking before the assault, and an estimated 3 Midshipmen (12 percent) reported that the offender had been drinking.

Use of Formal Reporting Procedures

The SAGR Survey shows that, among the many reasons for not reporting a sexual assault, 92 percent of the females who had been assaulted did not want people gossiping about them, and an equal percentage feared that their reputation and standing would be damaged—a legitimate concern in a school where the population averages about 1,000 students. This may explain why 94 percent of them decided to take care of it themselves (Table 8).

Substantial percentages of women who had been assaulted also reported that they did not report because they thought they would be labeled a troublemaker (74 percent), knew what other victims had gone through after making a report (73 percent), did not think that the report would be kept confidential (67 percent), thought that their evaluations for leadership positions would suffer (54 percent), thought that they would be subject to some sort of retaliation from the offender (53 percent), did not think anything would be done (52 percent), thought they would be blamed for the assault (47 percent), and thought they would not be believed (27 percent).

These responses lead to two conclusions: 1) that the Academy must work to address a culture in which females continue to feel victimized after the crime, and 2) that the Academy must build trust in the sexual assault reporting system.

Reasons for Not Reporting	
Took care of it myself	94
Did not want people gossiping	92
Thought it would hurt my reputation and standing	92
Felt uncomfortable making a report	80
Felt shame/embarrassment	74
Thought I would be labeled a troublemaker	74
Knew what other victims went through when they reported	73
Did not think report would be kept confidential	67
Did not want anyone to know	64
Thought reporting would take too much time and effort	60
Thought evaluations or chances for leadership positions would suffer	54
Feared I or others would be punished for infractions/violations coincident with the assault	54
Feared some sort of retaliation from the offender	53
Did not think anything would be done	52
Thought it was not important enough to report	48
Thought I would be blamed for the assault	47
Did not want to hurt the offender's career	41
Thought I would not be believed	27
Did not know how to report	19

Incidents of Sexual Harassment

The SAGR Survey calculated the Academy's sexual harassment incident rate by examining responses to 13 questions. These questions asked if, since June 2011, a Midshipman had found "himself or herself in any situations where persons have: 1) repeatedly told sexual stories or jokes that were offensive, 2) made unwelcome attempts to discuss sexual matters, 3) made offensive remarks about your appearance, body or sexual activities, 4) made gestures or used body language of a sexual nature that was embarrassing or offensive, 5) made unwanted attempts to establish a romantic relationship despite efforts to discourage it, 6) continued to ask for dates, drinks, dinner, etc., even after being told 'no,' 7) made what felt like a bribe (reward or special treatment) to engage in sexual behavior, 8) threatened some sort of retaliation for not being sexually cooperative, 9) touched you in a way that made you feel uncomfortable, 10) intentionally cornered you or leaned over you in a sexual way, 11) treated you badly for refusing to have sex, and 12) implied better leadership positions or better treatment if you were sexually cooperative." The 13th question asked the Midshipmen which of the behaviors in questions 1-12 they considered sexual harassment. The incident rate was determined to be the percentage of students who experienced "Crude/Offensive Behavior," "Unwanted Sexual Attention," or "Sexual Coercion" and who indicated that they considered some of the behaviors experienced in 1-12 to be sexual harassment.

An estimated total of 132 Midshipmen, including 70 females and 66 males, reported being sexually harassed, compared to the 2010 survey, when 21 Midshipmen (16 females and 5 males), reported that they were sexually harassed. There could be several explanations for this six-fold increase. The 2012 survey projects totals for the entire population of 946 Midshipmen, while the 2010 survey only reports incidents reported by the 659 respondents. The SAGR survey also identified more behaviors (such as “crude and obnoxious behavior”) as forms of sexual harassment, which may have increased the number of students reporting this kind of activity. The 2012 survey results are estimates that include margins of error, as many as plus or minus 5 female First Class Midshipmen and plus or minus 17 male First Class Midshipmen just for the sexual harassment calculations. In addition, there may have been more trust in the anonymity of the DMDC-administered SAGR survey as opposed to the 2010 survey’s self-assessment, which may have encouraged Midshipmen to answer more honestly in the SAGR Survey as compared to 2010.

**Table 9. Sexual Harassment of Midshipmen by Type*
(Estimated Number of Midshipmen)**

	All**	Crude/Offensive Behavior***	Unwanted Sexual Attention****	Sexual Coercion*****
Male	66	21	6	4
Fourth Class	10	2	1	1
Female	70	49	24	6
Fourth Class	22	16	6	1
Total	132	54	20	9
Fourth Class	31	12	5	2

*Midshipmen were allowed to respond to each type of behavior indicating frequency of experiences ranging from “never” to “very often” (omits “Sexist Behavior” and “Other”)
 **Sexual harassment incident rate was constructed from Crude/Offensive Behavior, Unwanted Sexual Attention and Sexual Coercion statistics and counted only if the respondent considered the behavior to be sexual harassment
 ***Defined as verbal and nonverbal behaviors of a sexual nature that were offensive or embarrassing
 ****Defined as attempts to establish a sexual relationship or to engage in sexually suggestive behavior
 *****Defined as classic quid pro quo, instances of special treatment or favoritism conditional on sexual cooperation
 Note: Data in the columns do not sum because of sampling error and rounding error.

The Academy has already taken proactive steps to address sexual harassment. The Civil Rights Director now serves as the Sexual Harassment Prevention Coordinator, and her presentation on sexual harassment prevention has been given in tandem with all periodically scheduled SAPR training. The Academy has employed its Human Rights Committee to examine attitudes and behaviors and to make suggestions for preventative and corrective action. Some of these suggestions, including company bulletin boards and suggestion boxes, have already been implemented.

Sources of Sexual Harassment

Midshipmen cited their peers (Table 10) as the most common source of sexual harassment at the Academy. This is a change from the 2010 survey, when ship crew members were found to be the predominant sources of harassment.

	All	Other Midshipmen	Faculty/Staff	DoD/DOT person not affiliated with the Academy	Person not affiliated with DoD/DOT
Male	66	36	10	1	3
Fourth Class	10	5	NR	0	0
Female	70	64	13	4	3
Fourth Class	22	21	2	1	0
Total	132	83	21	4	5
Fourth Class	31	20	1	1	1
Not Reportable because of low reliability					
Note: Data in the columns do not sum because of sampling error and rounding error					

The Academy’s campaign to eliminate sexual harassment will be tied into its plan to address attitudes that lead to sexist behavior. This campaign has to start with administrative leadership, faculty and staff awareness of these existing attitudes, and a commitment by these three cohorts to root out and eliminate sexist attitudes within. Leadership, faculty, and staff have a responsibility to set the example for Midshipmen and cannot expect Midshipmen to accept gender equality if it is not modeled by the adults they encounter every day.

The Academy will strive to increase female enrollment to the 20 to 25 percent range, since it has been demonstrated that reaching this “critical mass” has much to do with changing sexist attitudes and behavior. In the meantime, senior female leadership and staff plan to meet with female upperclassmen to develop lines of communication and a better understanding of their lives as women in a predominantly male environment. Training will not only feature large group lectures, but also smaller scenario based focus groups. Finally, the Academy will again have DMDC administer the SAGR survey in the 2013-2014 Academic Year in order to determine if actions taken to date have had an impact on preventing or reporting of sexual assault and sexual harassment.

Staff Response Rates

The SAGR Survey was designed exclusively for Cadets and Midshipmen at the service academies. Accordingly, no survey was administered to faculty or staff this year.

Since the SAGR Survey cannot be used for faculty or staff, the SARC will need to refine an existing self-assessment survey or develop a new one. This action will be part of the Academy's plan going forward. The Academy plans to survey faculty and staff in the 2013-2014 Academic Year.

Plan of Action

The SAGR Survey establishes a baseline in what will be a series of biennial tracking surveys to measure the progress of the Academy in creating an environment intolerant of sexual harassment and sexual assault. As survey data accumulates and trend lines develop, Plans of Action will be further refined. This Plan of Action uses the improvement categories contained in the initial Reports to Congress for Academic Year 2009-2010 and builds upon the improvements made under that plan which, at the time of this survey, were in very early stages of implementation. As such, this plan of action builds upon the Academic Year 2009-2010 Plan as the Academy continues to fully implement key recommendations and actions. Each category summarizes the conclusion that can be derived from the SAGR Survey results, the actions associated with it, and the areas identified on the survey that need attention.

CULTURE (This addresses the need to reinforce a “no tolerance and full reporting” climate and to change the Academy's sexist culture.)

Conclusion: The Academy is not meeting expectations with respect to creating and maintaining a non-sexist, equal opportunity culture. The Academy must take whatever actions are necessary to ensure that the campus is safe and secure, and free from sexual harassment and sexual assault.

Actions: In their words and deeds, the Academy's senior leadership, faculty, staff, Regimental officers, and Midshipmen leadership will emphatically affirm their unwavering commitment to a safe and professional campus environment in which sexist behavior, sexual harassment, and sexual assault are not tolerated. They will accomplish this through frequent communications, prescribed training, and their actions as leaders.

The Academy will develop a plan for engaging midshipman to ascertain why they believe the faculty is not making a reasonable and honest effort to stop sexual harassment and sexual assault. In addition, the Academy will consult with female upperclassmen to pinpoint the factors that, in their view, keep the Academy staff and faculty from meeting their expectations in creating a culture that is non-tolerant of sexist behavior, sexual harassment, and sexual assault.

Based on specifics highlighted by the SAGR Survey and discussed above, the Academy will conduct an assessment of its overall organizational culture. This assessment will address other factors not previously considered that may contribute to sexist behavior, such as low employee morale, poor communication up and down the chain of command, and management dysfunction.

AT-SEA PROTOCOLS (This addresses the need to prevent peer sexual harassment and assault aboard commercial vessels.)

Conclusion: In addition to the Academy's efforts to prevent incidents of sexual harassment and sexual assault committed by ships' crews during Sea Year training, the SAGR Survey indicates that the Academy also must address the incidents of sexual harassment and sexual assault perpetrated by other Midshipmen that occur at sea.

Actions: The SARC will engage directly and maintain active dialogue with the maritime industry to solicit ideas and, as appropriate, make recommendations for additional training or policy changes to address and eliminate cases of sexual harassment and sexual assaults perpetrated by ships' crew members on Midshipmen. The Director of Shipboard Training and Professional Development will continue to collect and review sexual harassment and sexual assault policy statements from individual shipping companies. Through this review, the Academy will ensure key areas of company policy addressing midshipman are incorporated into specific training designed to prepare Midshipmen for the Sea Year training experience. If these policies are inadequate or ambiguous, the SARC will suggest changes to shipping companies.

More importantly, however, prospective Sea Year training Midshipmen must respect their sea partner and other Academy Midshipmen who are assigned to the same ship. This requires a change in the culture on campus. As such, the Director of Shipboard Training and Professional Development will conduct briefings with shipping companies on the possibility of Midshipman-on-Midshipman sexual harassment and sexual assault and the necessary steps to respond to an incident in accordance with USMMA procedures and protocols.

MIDSHIPMAN AND STAFF AWARENESS, PREVENTION, AND TRAINING (This addresses the need to improve intervention and prevention training among faculty, staff, and senior leadership and to intensify awareness, prevention, and training among Midshipmen.)

Conclusion: Academy faculty members have been identified through the survey as the segment of Academy leadership least trusted to set the tone of intolerance of sexual harassment and assault. Moreover, Midshipmen reported on the survey that they do not fully understand the difference between "restricted" and "unrestricted" reporting, and female Midshipmen in particular believe the sexual harassment and sexual assault training program is ineffective.

Actions: Since the survey for this report, the Academy has conducted extensive training for Midshipman on sexual assault prevention and response, including training on the difference between "restricted" and "unrestricted" reporting. However, to improve upon this training and target problem areas identified from the survey, future training sessions administered by the SARC will include quizzes to determine whether Midshipmen have effectively retained key information from previous program lectures. Since individuals learn in different ways, the SARC will offer training in a variety of formats, including online and small-group scenario-based training sessions. These sessions will be facilitated by Company Officers, faculty, or selected staff members so that Midshipmen hear the same message not only from the SARC, but also from the entire leadership.

Based again on survey results, Academy faculty will receive additional targeted training on sexual harassment and assault response, including identification of incidents, intervention strategies, and reporting procedures. Future faculty training will be provided in small group settings by individual academic departments (i.e., Marine Transportation, Naval Science, Humanities, etc.) and will focus on scenario-based discussions and analysis. Faculty will be reminded of key points, such as sexual assault occurs on a continuum of behaviors that start with sexist behavior and sexual harassment, and that setting the correct tone for Midshipmen will go a long way in changing the culture at the Academy. The small group sessions will address sexist and crude/offensive behaviors and enhance awareness of the role of alcohol use in sexual assaults. Formal training will be improved to include preventing unwanted sexual attention. This training will bring the Academy into compliance with the requirement in the Violence Against Women Act to provide training on prevention of domestic violence, partner abuse, and stalking.

Through these changes, the Academy hopes to improve the confidence of the female Midshipmen that the Academy is actively seeking ways to make training more effective. The Academy will also ask female midshipman to explain why they feel Academy sexual harassment and sexual assault training is ineffective. To that end, the SARC, along with senior female leadership, will meet with the women to discuss the highlights and shortcomings of the current training program.

Finally, all Academy personnel will be required to take sensitivity training to help them understand the effects of sexist behavior, sexual harassment, and the trauma of sexual assault. Small group sessions as described above will discuss the damage caused to productivity and human dignity by these sexist behaviors.

INCIDENT REPORTING (This addresses the need to refine Standard Operating Procedures for reporting and investigation.)

Conclusion: Midshipmen do not trust that if they make an “unrestricted” report the system will protect their privacy, ensure their safety, and treat them with dignity and respect. Female Midshipmen in particular are reluctant to report sexual assault because they fear that they will be gossiped about, that their reputations will be hurt, that their career will be damaged, and that reporting will lead to more adverse consequences for them than the perpetrator.

Actions: In addition to focusing on ways to change sexist culture on campus and prevent future incidents of sexual assault, the Academy also will refine its standard operating procedures (SOPs) to delineate how the reporting an incident of sexual assault will be processed, investigated, and closed out. A published SOP for both “unrestricted” and “restricted” reporting could help Midshipmen feel more confident in the system, since it will allow them to see for themselves how an incident will be processed. An SOP also will add transparency to a process for Midshipmen who feel that reporting a sexual assault will take too much time and effort.

Ongoing training, as described above, for the SARC and senior leaders will allow them to provide reassurance to Midshipmen that their privacy, safety, and dignity are of the utmost concern. However, in addition, Senior leaders will adjust current approaches for communicating

key incident protocols to address Midshipmen's fears that reporting an assault will reveal another offense such as fraternization or underage drinking, and will explain how the system will adjudicate those offenses. Senior leaders will reach out to females in separate sessions to allow them to voice their individual concerns about reporting. Further, the newly revised policy will be updated in order to improve safety considerations for victims of sexual assault, including physical separation of victim and offender, use of restraining orders, and emphasis on the consequences of retaliation.

Public safety upgrades that have already been installed should also increase a sense of security on campus. New initiatives that include access control for academic and administrative buildings, additional surveillance cameras, and improved lighting, are planned for Fiscal Year 2014.

Small group discussion sessions will continue to examine the reasons why Midshipmen hesitate to report sexual harassment and sexual assault. The SARC plans to hold these discussion sessions on a quarterly basis.

SUPPORT NETWORK AND INTERVENTION (This addresses the need to improve the variety and quantity of after-class activities.)

Conclusion: The U.S. Merchant Marine Academy campus is located several miles from shops, cinemas, and restaurants where Midshipmen may find healthy alternate forms of recreation. Midshipmen's freedom to leave campus is governed by regimental regulations, and on-campus recreational activities are limited. As a consequence, drinking becomes a default social activity, and most Midshipmen rightly believe that drinking is a factor in many sexual assaults. The faculty and Regimental staff, who see Midshipmen on a daily basis, must be trained in the Academy's sexual harassment and sexual assault policies, and in intervention techniques.

Actions: Every Midshipman will receive alcohol awareness training in conjunction with training to prevent sexual harassment and sexual assault. Training will focus on alcohol as a factor in sexual assault and why both males and females should refrain from excessive use of alcohol in social settings.

The Academy will strive to provide more on-campus recreational opportunities for Midshipmen and schedule more local area exploration and cultural trips. Unfortunately, the Academy's limited manpower and financial resources may limit the number and scope of these events. The Academy will place an increased emphasis on Midshipmen's participation in on-campus clubs and intramural athletics.

Since the faculty interacts with Midshipmen on a continual basis, they are well-positioned to intervene if they suspect a student has been a victim of sexual harassment and sexual assault. The Academy will train the faculty in intervention strategies and ensure they understand the process for "unrestricted" and "restricted" reporting so that they can give advice and guidance if asked or when necessary. Company officers will receive this training as well.

PROGRAM EFFECTIVENESS ASSESSMENTS (This addresses the need to develop self-assessment tools.)

Conclusion: The SAGR Survey is only administered to Federal service academy Cadets and Midshipmen. However, the Academy faculty and staff are an integral part of the school's environment, and what affects faculty and staff often trickles down to Midshipmen. A plan for surveying faculty and staff surveys must be implemented in conjunction with the next campus-wide SAGR survey for Academic Years 2013-2014 in order to assess the academic and administrative perceptions and environment.

Actions: The SARC will develop and administer a sexual harassment and sexual assault prevention and response survey for faculty and staff to coincide with the SAGR survey administered to Midshipmen starting with Academic Year 2013-2014. Responses to the survey will undoubtedly generate items that will be added to future Plans of Action and require updated policies.

GENDER DIVERSITY (This addresses the need to increase gender diversity in Academy employees as well as in the Regiment of Midshipmen.)

Conclusion: The Academy has the lowest percentage of women as compared with the other four service academies, and the Academy is lacking in female faculty, coaching positions, and senior leadership.

Actions: The Academy seeks to mirror the United States Coast Guard Academy in obtaining a critical mass of women, increasing their numbers to at least 25 percent of the student body. The Academy has already made progress on this front; the Class of 2017 had the second highest percentage of females since the Academy began admitting females in 1974. The Academy is in the process of developing a recruiting strategy that will aim to bring more diversity into the student population.

The Academy is also trying to bring more women into faculty, coaching and senior leadership positions. It hired a female Deputy Superintendent in January 2013. The Academy has asked that the Civil Rights Director serve as a member of the selection committee for all new hires with an eye to ensuring that diversity applicants, including women, are fairly evaluated for positions at the Academy. Going forward, the Academy will make a more conscious effort to recruit women for faculty and upper level management roles.

Appendix A: Excerpt from the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (P.L. 110-417)

SEC. 3507. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND VIOLENCE AT THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) **REQUIRED POLICY.**—The Secretary of Transportation shall direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel at the Academy.

(b) **MATTERS TO BE SPECIFIED IN POLICY.**—The policy on sexual harassment and sexual violence prescribed under this section shall include—

(1) a program to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel;

(2) procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual violence, including—

(A) a specification of the person or persons to whom an alleged occurrence of sexual harassment or sexual violence should be reported by a cadet and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault;

(3) a procedure for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel;

(4) any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcibly or non-forcible; and

(5) required training on the policy for all cadets and other Academy personnel, including the specified training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

(c) **ANNUAL ASSESSMENT.**—

(1) The Secretary shall direct the Superintendent to conduct an assessment at the Academy during each Academy program year, to be administered by the Department of Transportation, to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Superintendent shall conduct a survey, to be administered by the Department, of Academy personnel—

(A) to measure—

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

- (B) to assess the perceptions of Academy personnel of—
 - (i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;
 - (ii) the enforcement of such policies;
 - (iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and
 - (iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

(d) ANNUAL REPORT.—

(1) The Secretary shall direct the Superintendent of the Academy to submit to the Secretary a report on sexual harassment and sexual violence involving cadets or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Superintendent and the leadership of the Academy in response to sexual harassment and sexual violence involving cadets or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving cadets or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c) (2).

(4) (A) The Superintendent shall transmit to the Secretary, and to the Board of Visitors of the Academy, each report received by the Superintendent under this subsection, together with the Superintendent's comments on the report.

(B) The Secretary shall transmit each such report, together with the Secretary's comments on the report, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

Appendix B: Action Plan from 2010-2011

In November 2011, the Academy executed the first Sexual Assault and Sexual Harassment Prevention Action Plan Alpha to address the concerns of the survey that was given to Midshipmen, faculty and staff in the summer of 2010. Through June 2013, the Academy completed 28 of 32 items and is in the planning or implementing stages of the remaining four items. A summary follows per focus area and item number:

Climate

The Academy set out to foster a climate of confidence by instituting various practices that mirrored other academies with the main goal of projecting trust so that Midshipmen, faculty and staff can see tangible changes in this critical area.

- Action:** Hire a Sexual Assault Response Coordinator (SARC) to serve as the center of gravity in the prevention of sexual assault at the Academy.
Status: *Complete.* The SARC was hired in February 2012 and has been instrumental in the development of the Sexual Assault Prevention and Response Program.
- Action:** Sexual Assault Response Coordinator (SARC) reports to the Academy.
Status: *Complete.* The SARC reported on 22 April 2012 and has been directly engaged in creating a prevention program that has synchronized efforts and created enhanced capabilities for the Academy.
- Action:** Train, identify and synchronize efforts of Sexual Assault Victim Advocates. The purpose of these advocates is to create capacities to report incidents at multiple points or persons at the Academy.
Status: *Complete.* Since 31 May 2012, the Academy has maintained a group of Midshipman Sexual Assault Victim Advocates who are identified by the Commandant, and trained and led by the SARC. New Midshipmen are trained as replacements yearly to maintain a constant uninterrupted service capability. An additional staff volunteer has been trained and utilized as a Victim Advocate.
- Action:** Form a network of students against sexual assault to further increase visibility and awareness for students by students.
Status: *Complete.* Since 27 August 2012, the Student Against Sexual Assault (SASA) was formed and led by student club president. We awaiting the start of the new Academic Year to identify the next SASA president to lead the club.
- Action:** Leverage the Human Resources Committee (HRC) to address concerns related to sexual assault and sexual harassment.
Status: *Complete.* The HRC has met monthly since April 2012, continuously addressing sexual assault, sexual harassment and issues of gender relations. The HRC serves as yet another venue to discuss systematic issues affecting the Midshipmen campus-wide.

6. **Action:** Recognize Sexual Assault Awareness Month (SAAM) during April.
Status: *Complete.* SAAM was recognized both in 2012 and in 2013 with various activities highlighting and recognizing the special awareness month. Early plans are in progress to bring a professional speaker for SAAM 2014.
7. **Action:** Engage the Ship Operations Cooperative Program about sexual assault and sexual harassment prevention programs.
Status: *Complete.* Since April 2012, the Office of Shipboard Training has engaged this group to highlight the importance of prevention programs, and to further project the Academy's zero tolerance for such incidents.
8. **Action:** Raise sexual assault and sexual harassment awareness through the leverage of the Women on the Water Conference which was rescheduled from October 2012 to October 2013 due to Hurricane Sandy.
Status: *Complete.* The Academy determined that this annual event was not the appropriate venue to raise awareness.

Incident Reporting

In order to ensure that sexual assault and sexual harassment incidents are reported freely and without barrier, the Academy created new capabilities and adjusted current existing procedures as follows:

9. **Action:** Create a dual reporting mechanism for sexual assault incidents similar to the military policy on sexual assault.
Status: *Complete.* A new enhanced Sexual Assault Prevention and Response policy went into effect 30 July 2012. The policy allows for "restricted" reporting which empowers victims to report their incident without initiating an investigation thus providing control to victims and receive services such as medical/counseling.
10. **Action:** Establish a 24/7 sexual assault helpline.
Status: *Complete.* Since 1 May 2012, a local 24/7 sexual assault hotline has been in operation to provide this capability. The hotline number is marketed through wallet-sized cards that are issued to all Midshipmen. The hotline is staffed by the SARC.
11. **Action:** Review investigation procedures for sexual assault.
Status: *Complete.* Since 21 September 2012, the sexual assault investigation procedures were revamped and adjusted to clarify investigatory procedures. The Federal Bureau of Investigation (FBI) is the primary investigative agency for any sexual assault incidents at the Academy that occur on the federal reservation.
12. **Action:** Review Midshipmen honor code, regulations and policies.
Status: *In progress and carry-over to new Plan of Action.* Review of documents was completed on 8 June 2012, revisions are being considered for the regulation and policy updates during the next Academic Year 2013-2014.

13. **Action:** Review of sexual harassment and sexual assault policies.
Status: *Complete.* Both policies were reviewed and revised with major changes. On 30 July 2012, Policy on Sexual Assault Prevention and Response was signed. The Policy Against Discrimination and Harassment, Including Sexual Harassment of Midshipmen was signed on 4 February 2013.

At-Sea Protocols

Midshipmen are required to participate in Sea Year training which assigns them to commercial ships for four or eight months away from the Academy. These sexual assault and sexual harassment policies and procedures must be integrated for Midshipmen to have the same protections and support as are provided on campus.

14. **Action:** Engage the Ship Operations Cooperative Program about sexual assault and sexual harassment prevention programs.
Status: *Complete.* Since April 2012, the Office of Shipboard Training has engaged this group to highlight the importance of prevention programs, and to further project the Academy's zero tolerance for such incidents.
15. **Action:** Review and update the sea-year sexual harassment and sexual assault prevention training.
Status: *Complete.* Since April 2012, Midshipmen have been receiving sea year prevention training on both sexual harassment and sexual assault. Since July 2012, the SARC has been incorporated in delivering a specific training module that is tailored to Sea Year training environment. Additionally, there is a female-only training session that incorporates a briefing by an Academy graduate who is currently working in the industry to provide a realistic training opportunity to the Midshipmen that are about to go out to sea.
16. **Action:** Revise the code word procedure to signal distress to Academy officials when Midshipmen are away on sea year.
Status: *Complete.* Since April 2012, the Academy has updated the code word procedure to ensure that all Midshipmen are aware of the intent, objective and procedure to inform Academy officials of situations needing immediate intervention--specifically sexual assault or sexual harassment incidents. This code word procedure is updated yearly and is briefed to Midshipmen prior to departing for their Sea Year training.
17. **Action:** Update return procedures when Midshipmen are away on Sea Year training.
Status: *Complete.* Since April 2012, Academy officials has updated and enhanced procedures when Midshipmen may have to leave their assigned ship due to emergent situations that involve sexual harassment or sexual assault incidents or situations. These procedures are briefed to all Midshipmen before they depart for Sea Year training.
18. **Action:** Incorporate the Sexual Assault Response Coordinator (SARC) in sea year training, procedures, and capabilities.
Status: *Complete.* Since May 2012, the SARC has been briefing sexual assault prevention for sea year students; briefing concentrates on aspects associated with sailing, ports, and various other related factors of Sea Year training and sexual assault. The SARC's

information along with specific written prevention and reporting procedures were also added to the Sea Year Guide which Midshipmen must take during Sea Year training. The SARC was also listed as a reporting official should Midshipmen report an incident while on sea year. These enhancements have increased the awareness and involvement in further highlighting sexual assault prevention to Midshipmen preparing to go out to sea for four to 10 months at a time.

Midshipmen and Staff Awareness, Prevention, and Training

Prevention training is the critical component of a successful prevention plan that synchronizes the Academy's intent, purpose and objectives in preventing sexual assault and sexual harassment. As such, everyone at the Academy to include Midshipmen, faculty and staff must know what is expected of them in regards to these offenses, and critically important to who are these incidents reported to.

19. **Action:** Develop harassment, sexual harassment and violence training program.
Status: *Complete.* Beginning on 19 June 2012, the Academy embarked on a prevention training strategy to provide prevention training at various recurring timelines. Faculty and staff were required to attend training annually; Midshipmen were required to attend training quarterly; training was supplemented with professional guest speakers; new training capabilities were employed to include on-line training on sexual assault prevention and alcohol abuse prevention training.
20. **Action:** Review the academic program for 2012 to include prevention principles in the academic curricula.
Status: *Complete.* In August 2012, it was determined that including sexual assault and sexual harassment prevention topics in the curricula would duplicate current training efforts and objectives provided by the Regiment staff whose primary mission is to provide professional training development of the Midshipmen.

Support Network and Intervention

Although the primary goal of the prevention strategy is to prevent incidents from happening, of critical importance is the support network to facilitate victims' reporting of incidents. These capabilities provide for victim advocacy that extends to all aspects of Academy life. The intervention levels allow for multiple reporting points, adds legitimacy to the prevention program, and provide for advocacy to ensure victims are not alone throughout the process.

21. **Action:** Sexual Assault Response Coordinator (SARC) serves as the center of gravity in the prevention of sexual assault at the Academy.
Status: *Complete.* The SARC reported 22 April 2012 and has been instrumental in the development of the Sexual Assault Prevention and Response Program. This is the first level of advocacy, all other levels report directly to the SARC as the center of gravity for the program.
22. **Action:** Create a Midshipman network of Sexual Assault Victim Advocates (SAVA).
Status: *Complete.* Since 31 May 2012, the Academy has trained and maintained a group of Midshipmen Sexual Assault Victim Advocates who were identified by the Commandant, and

trained and led by the SARC. SAVAs hold Regimental positions and perform their duties for one year, usually from summer of Second Class year until spring of First Class year. SAVAs are assigned to every company so that this capability is available to each company of Midshipmen. New Midshipmen SAVAs are trained as replacements yearly to maintain a constant uninterrupted service capability. An additional staff volunteer has been trained and utilized as a Victim Advocate. These advocates serve as the second level of advocacy.

23. Action: Form a network of students against sexual assault to further increase visibility and awareness for students by students.

Status: *Complete.* Since 27 August 2012, the Student Against Sexual Assault (SASA) was formed and led by student club president. The SASA club serves as the third level of advocacy and its main mission is to increase awareness through discussions, special events, informational trips and related activities.

24. Action: Review training provided to Company Human Relations Officers (HRO) and one Regimental Human Relations Officer.

Status: *Complete.* The training of the Human Relations Officers was reviewed, adjusted, and executed. Since 9 November 2012, the HROs were trained in seven different topics to include sexual assault and sexual harassment procedures.

Program Effectiveness Assessments

Feedback and assessments are critical in ensuring that the Academy is doing the right things, doing things right and most importantly finding out what is missing in order to maintain forward momentum in eliminating sexual assault and sexual harassment from the Academy.

25. Action: Contract with the Defense Manpower Data Center (DMDC) to carry out future surveys.

Status: *Complete.* DMDC conducted the 2012 Service Academy Gender Relations Survey that is part of this report. All Midshipmen were afforded the opportunity to partake in this survey; two separate blocks of time were allocated to include Midshipmen who were away at sea during the first iteration of the surveys. The Academy intends to continue employing DMDC for biannual surveys and for focus groups on alternating years. The Academy feels confident that this feedback mechanism will ultimately lead to improvement as data is compared for subsequent years.

26. Action: Convene focus groups for Midshipmen.

Status: *In progress and carry-over to new Plan of Action.* In March 2013, DMDC conducted the Gender Relations Focus Groups to various randomly selected Midshipmen, faculty and staff; a total of 108 individuals in 9 different groups participated in these activities. The results are not available as of November 2013 and will be included in the next report to Congress for Academic Program Year 2012-2013.

27. Action: Establish plan to set performance goals, objectives, milestones, and metrics.

Status: *Complete.* Since 1 October 2012, an effectiveness assessment plan was devised with various objectives, milestones and metrics. The Academy feels confident that the plan will

provide for continuous system improvements throughout the Academy and extend to Sea Year training.

Staff Gender Diversity

The Academy values the importance of having a diverse staff that serves as role models and mentors to the Midshipmen. This diversity not only reflects the makeup of the nation but the makeup of the student body thus providing for a welcoming environment where students learn to the fullest.

28. Action: Civil Rights Specialist Hire.

Status: *Complete.* On 4 September 2012 the Civil Rights Director reported to the Academy and has been directly engaged in training of the Midshipmen, faculty and staff.

29. Action: Review Midshipman Human Relations Officers (HRO) performance.

Status: *Complete.* On 27 August 2012 this action was reviewed and determined that Midshipmen are evaluated informally by their respective Company Officers. The HROs are constantly in communication with their Company Officers to address issues that have been brought for resolution. This is an ongoing informal process of professional development.

30. Action: Review outreach and recruitment.

Status: *In progress and carry-over to new Plan of Action.* Since April of 2012 the Academy has completed periodic reviews which are ongoing. The next phase of this action is developing measurable goals.

31. Action: Workforce analysis (twice per year).

Status: *Complete.* Since April 2012 the Academy has completed this recurring workforce analysis which is required twice per year.

32. Action: Plan to increase diversity of student body.

Status: *In progress and carry-over to new Plan of Action.* Plan in place; however program currently not adequately funded. The next phase of this action is to develop measurable goals.

Appendix C: 2012 Service Academy Gender Relations Survey



RCS: DD-P&R(AR) 2198
Exp: 04/30/13

*2012 Service Academy
Gender Relations Survey*



*Department of Defense
Human Resources Strategic
Assessment Program (HRSAP)*

COMPLETION INSTRUCTIONS

- Please take your time and select answers you believe are most appropriate.
- Please PRINT where applicable. Do not make any marks outside of the response and write-in boxes.
- If you need more room for comments, use the back page or ask a survey proctor for a blank piece of paper.
- Place an "X" in the appropriate box or boxes.

RIGHT WRONG

- To change an answer, completely black out the wrong answer and put an "X" in the correct box as shown below.

CORRECT ANSWER INCORRECT ANSWER

PRIVACY NOTICE

This survey is anonymous, does not collect or use personally identifiable information, and data are not retrievable by personal identifier. You are advised not to put information on your form or in comments that would identify you.

AUTHORITY: The authority to solicit the information requested in this survey is contained in 10 U.S. Code as amended by Section 532 of the John Warner National Defense Authorization Act for Fiscal Year 2007. The United States Coast Guard Academy is surveyed under 14 U.S. Code, Section 1. The United States Merchant Marine Academy is surveyed under 46 U.S. Code as amended by Section 3507 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009.

PURPOSE: The purpose of this survey is to determine the extent to which sexual assault/harassment is occurring among cadets/midshipmen at the Service Academies and to evaluate the effectiveness of each Service Academy's sexual assault/harassment policies, training, and procedures. The survey is intended to serve as a benchmark by which senior Department of Defense (DoD), Department of Homeland Security (DHS), and Department of Transportation (DOT) officials can track sexual assault/harassment trends over time. Findings will be used in reports and testimony provided to Congress. Some summary statistical findings may be published by Defense Manpower Data Center (DMDC) in professional journals, or presented at conferences, symposia, and scientific meetings. Briefings and reports on results from these surveys will be posted on the following Web site: <http://www.dmdc.osd.mil/surveys/>

ROUTINE USES: None.

DISCLOSURE: Providing information on this survey is voluntary. There will be no effort to trace any information back to an individual. There is no penalty if you choose not to respond. However, maximum participation is encouraged so that data will be complete and representative.

STATEMENT OF RISK: The data collection procedures are not expected to involve any risk or discomfort to you. The only risk to you is accidental or unintentional disclosure of any identifying data you provide. However, DMDC has a number of policies and procedures to ensure that survey data are kept anonymous and protected. If you have any questions about this survey, please contact SASurvey@osd.pentagon.mil.

BACKGROUND INFORMATION

1. Which Service Academy do you attend?

- United States Military Academy
- United States Naval Academy
- United States Air Force Academy
- United States Coast Guard Academy
- United States Merchant Marine Academy

2. Are you... ?

- Male
- Female

3. What is your Class year?

- 2012
- 2013
- 2014
- 2015

EDUCATION AND TRAINING

4. Do you understand the following? Mark one answer for each item.

	Not sure	No	Yes
a. The difference between <u>sexual harassment</u> and <u>sexual assault</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. How to report <u>sexual harassment</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. How to report <u>sexual assault</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The difference between <u>restricted</u> and <u>unrestricted</u> reporting of sexual assault.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. In your opinion, how effective was the training you received since June 2011 in actually reducing/preventing behaviors that might be seen as... Mark one answer for each item.

	Does not apply; I have not had training	Not at all effective	Slightly effective	Moderately effective	Very effective
a. Sexual harassment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Sexual assault?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. How helpful is it/would it be for your training to cover the following gender-related topics? Mark one answer for each item.

	Not at all helpful	Slightly helpful	Somewhat helpful	Very helpful	Extremely helpful
a. Bystander intervention (e.g., what to do when you witness a potential sexual assault situation involving a fellow student).....	<input type="checkbox"/>				
b. Interpersonal relationships	<input type="checkbox"/>				
c. Personal defense techniques.....	<input type="checkbox"/>				
d. Responsible use of alcohol and its relation to sexual assault.....	<input type="checkbox"/>				
e. Real-life examples of how active duty officers respond to sexual assault among their Service members	<input type="checkbox"/>				
f. Real-life examples of how active duty officers respond to sexual harassment among their Service members	<input type="checkbox"/>				
g. Legal processes followed in prosecuting sexual assault.....	<input type="checkbox"/>				
h. Special events and awareness campaigns (e.g., Sexual Assault Awareness Month)	<input type="checkbox"/>				
i. Issues about sexual assault in small group discussions.....	<input type="checkbox"/>				
j. Other	<input type="checkbox"/>				

Please print.

ACADEMY CULTURE

7. At your Academy, to what extent do you think... Mark one answer for each item.

	Very large extent	Large extent	Moderate extent	Small extent	Not at all
a. Incidents of sexual assault are not reported?.....	<input type="checkbox"/>				
b. High-profile cases of sexual assault deter other victims from reporting sexual assault?	<input type="checkbox"/>				
c. Potential scrutiny by the media makes victims less likely to come forward to report sexual assault?.....	<input type="checkbox"/>				
d. Potential negative reaction from Academy peers makes victims less likely to report sexual assault?	<input type="checkbox"/>				
e. Women "cry rape" to avoid punishment or after making a regrettable decision?.....	<input type="checkbox"/>				
f. "Victim blaming" occurs (i.e., holding a victim partly or entirely responsible for a sexual assault)?.....	<input type="checkbox"/>				
g. A victim's reputation affects whether Academy peers believe he or she was assaulted?	<input type="checkbox"/>				

8. At your Academy, do you think the persons below make honest and reasonable efforts to stop sexual harassment and sexual assault? Mark one answer for each item.

	Yes	No	Don't know
a. Cadet/midshipman leaders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cadets/midshipmen not in appointed leadership positions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Commissioned officers directly in charge of your unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Non-commissioned officers or senior/ chief petty officers directly in charge of your unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Academy senior leadership (e.g., Superintendent, Commandant, Vice/ Deputy Commandant, Dean)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Military academic faculty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Civilian academic faculty.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Athletic staff (e.g., coaches, trainers) ...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BOTHERSOME EXPERIENCES

9. Since June 2011, how often has someone assigned to your Academy, including students and military/civilian personnel, engaged in the following **unwanted and uninvited** behaviors? *Mark one answer for each item.*

	Very often	Fairly often	Sometimes	Almost never	Never
a. Followed or spied on you in public areas (e.g., in the library or while off Academy grounds)	<input type="checkbox"/>				
b. Spied on you in private areas (e.g., watched you while you were changing clothes or showering) ...	<input type="checkbox"/>				
c. Showed up at places where you were even though he/she had no reason to be there (e.g., athletic practices).....	<input type="checkbox"/>				
d. Left unwanted items for you to find (e.g., gifts or other items)	<input type="checkbox"/>				
e. Stood outside or hung around your dorm room or classroom even though he/she had no reason to be there.....	<input type="checkbox"/>				
f. Vandallized or tampered with your belongings.....	<input type="checkbox"/>				
g. Took personal items that belonged to you	<input type="checkbox"/>				
h. Took your picture or videotaped you without your consent	<input type="checkbox"/>				
i. Sent you unsolicited personal messages (e.g., e-mails, text messages, photos, sexting, instant messages, notes, or letters)	<input type="checkbox"/>				
j. Made unsolicited personal phone calls to you	<input type="checkbox"/>				
k. Other	<input type="checkbox"/>				

Please print.

10. How many of the behaviors listed in the previous question, that you marked as **happening to you**, do you consider to have been stalking? *Mark one.*

- None were stalking
 - Some were stalking; some were not stalking
 - All were stalking
 - Does not apply; I marked "Never" to every item
- ⇒ GO TO QUESTION 12

11. Did you feel in danger of physical harm or sexual assault as a result of the behaviors you indicated experiencing in Question 9?

- Yes
- No

GENDER-RELATED EXPERIENCES

12. In this question you are asked about sex/ gender-related talk and/or behavior that was **unwanted, uninvited, and in which you did not participate willingly.**

Since June 2011, how often have you been in situations involving persons assigned to your Academy, including students and military/ civilian personnel, where one or more of these individuals (of either gender)... *Mark one answer for each item.*

	Very often	Often	Sometimes	Once or twice	Never
a. Repeatedly told sexual stories or jokes that were offensive to you? .	<input type="checkbox"/>				
b. Referred to people of your gender in insulting or offensive terms?	<input type="checkbox"/>				
c. Made unwelcome attempts to draw you into a discussion of sexual matters (e.g., attempted to discuss or comment on your sex life)?	<input type="checkbox"/>				
d. Treated you "differently" because of your gender (e.g., mistreated, slighted, or ignored you)?	<input type="checkbox"/>				
e. Made offensive remarks about your appearance, body, or sexual activities?	<input type="checkbox"/>				
f. Made gestures or used body language of a sexual nature that embarrassed or offended you?	<input type="checkbox"/>				
g. Made offensive sexist remarks (e.g., suggesting that people of your gender are not suited for the kind of work you do)?.....	<input type="checkbox"/>				
h. Made unwanted attempts to establish a romantic sexual relationship with you despite your efforts to discourage it?	<input type="checkbox"/>				
i. Put you down or was condescending to you because of your gender?	<input type="checkbox"/>				

12. Continued.

	Very often	Often	Sometimes	Once or twice	Never
j. Continued to ask you for dates, drinks, dinner, etc., even though you said "No"?	<input type="checkbox"/>				
k. Made you feel like you were being bribed with some sort of reward or special treatment to engage in sexual behavior?	<input type="checkbox"/>				
l. Made you feel threatened with some sort of retaliation for not being sexually cooperative?	<input type="checkbox"/>				
m. Touched you in a way that made you feel uncomfortable?	<input type="checkbox"/>				
n. Intentionally cornered you or leaned over you in a sexual way?	<input type="checkbox"/>				
o. Treated you badly for refusing to have sex?	<input type="checkbox"/>				
p. Implied better leadership positions or better treatment if you were sexually cooperative?	<input type="checkbox"/>				
q. Attempted to have sex with you without your consent or against your will, but was not successful?	<input type="checkbox"/>				
r. Had sex with you without your consent or against your will?	<input type="checkbox"/>				
s. Other unwanted gender-related behavior?	<input type="checkbox"/>				

Please print.

13. How many of the behaviors listed in the previous question, that you marked as happening to you, do you consider to have been sexual harassment? **Mark one.**

- None were sexual harassment
- Some were sexual harassment; some were not sexual harassment
- All were sexual harassment
- Does not apply; I marked "Never" to every item ⇒ GO TO QUESTION 19

GENDER-RELATED SITUATION WITH THE GREATEST EFFECT

14. Think about the situation(s) you experienced since June 2011 that involved the behaviors you marked in Question 12a-p. Now pick the **one situation that had the greatest effect on you.** Which of the following categories best describe(s) the behavior(s) in the situation? **Mark "Yes" or "No" for each item below that describes the situation.**

	Yes	No
a. <u>Sexist Behavior</u> (e.g., mistreated you because of your gender or exposed you to language/behaviors that conveyed offensive or condescending gender-based attitudes)	<input type="checkbox"/>	<input type="checkbox"/>
b. <u>Crude/Offensive Behavior</u> (e.g., exposed you to language/behaviors/jokes of a sexual nature that were offensive or embarrassing to you)	<input type="checkbox"/>	<input type="checkbox"/>
c. <u>Unwanted Sexual Attention</u> (e.g., someone attempted to establish a sexual/romantic relationship with you, even though you objected)	<input type="checkbox"/>	<input type="checkbox"/>
d. <u>Sexual Coercion</u> (e.g., bribed or threatened you in exchange for sexual favors/cooperation)	<input type="checkbox"/>	<input type="checkbox"/>
e. <u>Other</u>	<input type="checkbox"/>	<input type="checkbox"/>

Please print.

15. Who was the offender(s) in this situation? **Mark "Yes" or "No" for each item.**

	Yes	No
a. A fellow Academy student	<input type="checkbox"/>	<input type="checkbox"/>
b. Academy military faculty or staff	<input type="checkbox"/>	<input type="checkbox"/>
c. Academy civilian faculty or staff	<input type="checkbox"/>	<input type="checkbox"/>
d. A DoD/DHS/DOT person not affiliated with the Academy	<input type="checkbox"/>	<input type="checkbox"/>
e. A person not affiliated with DoD/DHS/DOT	<input type="checkbox"/>	<input type="checkbox"/>
f. Unknown person	<input type="checkbox"/>	<input type="checkbox"/>

16. Did you discuss/report this situation with/to any authority or organization?

- Yes
- No ⇒ GO TO QUESTION 18

17. What actions were taken in response to your discussing/reporting? Mark "Yes" or "No" for each item.

	Yes	No
a. The situation was corrected.....	<input type="checkbox"/>	<input type="checkbox"/>
b. My situation was/is being investigated.....	<input type="checkbox"/>	<input type="checkbox"/>
c. I was kept informed of what actions were being taken.....	<input type="checkbox"/>	<input type="checkbox"/>
d. I was encouraged to "tough it out".....	<input type="checkbox"/>	<input type="checkbox"/>
e. My situation was discounted or not taken seriously.....	<input type="checkbox"/>	<input type="checkbox"/>
f. Action was taken against me.....	<input type="checkbox"/>	<input type="checkbox"/>
g. I was ridiculed or scorned by others for discussing/reporting the situation.....	<input type="checkbox"/>	<input type="checkbox"/>
h. Some other action was taken.....	<input type="checkbox"/>	<input type="checkbox"/>

Please print.

GO TO QUESTION 19

18. What were your reasons for not discussing/reporting this situation? Mark "Yes" or "No" for each item.

	Yes	No
a. I thought it was not important enough to report.....	<input type="checkbox"/>	<input type="checkbox"/>
b. I did not know how to report.....	<input type="checkbox"/>	<input type="checkbox"/>
c. I felt uncomfortable making a report.....	<input type="checkbox"/>	<input type="checkbox"/>
d. I took care of the problem myself.....	<input type="checkbox"/>	<input type="checkbox"/>
e. I did not think anything would be done.....	<input type="checkbox"/>	<input type="checkbox"/>
f. I thought I would not be believed.....	<input type="checkbox"/>	<input type="checkbox"/>
g. I thought reporting would take too much time and effort.....	<input type="checkbox"/>	<input type="checkbox"/>
h. I thought I would be labeled a troublemaker.....	<input type="checkbox"/>	<input type="checkbox"/>
i. I thought my evaluations or chances for leadership positions would suffer.....	<input type="checkbox"/>	<input type="checkbox"/>
j. I feared some form of retaliation from the offender or his/her friends.....	<input type="checkbox"/>	<input type="checkbox"/>
k. I did not want people talking or gossiping about me.....	<input type="checkbox"/>	<input type="checkbox"/>
l. I feared I or others would be punished for infractions/violations, such as underage drinking.....	<input type="checkbox"/>	<input type="checkbox"/>
m. I thought it would hurt my reputation and standing.....	<input type="checkbox"/>	<input type="checkbox"/>
n. I did not want to hurt the offender's career.....	<input type="checkbox"/>	<input type="checkbox"/>
o. Other.....	<input type="checkbox"/>	<input type="checkbox"/>

UNWANTED SEXUAL CONTACT

19. Since June 2011, have you experienced any of the following intentional sexual contacts that were against your will or which occurred when you did not or could not consent in which someone...

- Sexually touched you (e.g., intentional touching of genitalia, breasts, or buttocks) or made you sexually touch them?
- Attempted to make you have sexual intercourse, but was not successful?
- Made you have sexual intercourse?
- Attempted to make you perform or receive oral sex, anal sex, or penetration by a finger or object, but was not successful?
- Made you perform or receive oral sex, anal sex, or penetration by a finger or object?

- Yes
 No → GO TO QUESTION 40

20. Since June 2011, how many separate incidents of sexual touching, attempted or completed intercourse, oral or anal sex, or penetration by a finger or object did you experience? To indicate nine or more, enter "9".

Incidents

UNWANTED SEXUAL CONTACT SITUATION WITH THE GREATEST EFFECT

21. Think about the situation(s) you experienced since June 2011 that involved the behaviors in Question 19. Tell us about the one event that had the greatest effect on you.

What did the person(s) do during this situation? Mark one answer for each behavior.

	Did this	Did not do this
a. Sexually touched you (e.g., intentional touching of genitalia, breasts, or buttocks) or made you sexually touch them.....	<input type="checkbox"/>	<input type="checkbox"/>
b. Attempted to make you have sexual intercourse, but was not successful.....	<input type="checkbox"/>	<input type="checkbox"/>
c. Made you have sexual intercourse.....	<input type="checkbox"/>	<input type="checkbox"/>
d. Attempted to make you perform or receive oral sex, anal sex, or penetration by a finger or object, but was not successful.....	<input type="checkbox"/>	<input type="checkbox"/>
e. Made you perform or receive oral sex, anal sex, or penetration by a finger or object.....	<input type="checkbox"/>	<input type="checkbox"/>

22. Where did the incident take place? Mark "Yes" or "No" for each item.

	Yes	No
a. On Academy grounds in dormitory/living area.....	<input type="checkbox"/>	<input type="checkbox"/>
b. On Academy grounds not in dormitory/living area.....	<input type="checkbox"/>	<input type="checkbox"/>
c. Off Academy grounds at a social event (such as a party).....	<input type="checkbox"/>	<input type="checkbox"/>
d. Off Academy grounds at an Academy sponsored event.....	<input type="checkbox"/>	<input type="checkbox"/>
e. Off Academy grounds other.....	<input type="checkbox"/>	<input type="checkbox"/>

If you responded "Off Academy grounds other," please describe the general circumstances.

Please print.

23. Did the offense occur during summer experience/training/sea duty?

Yes
 No

24. Who was the offender(s) in this situation? Mark "Yes" or "No" for each item.

	Yes	No
a. A fellow Academy student.....	<input type="checkbox"/>	<input type="checkbox"/>
b. Academy military faculty or staff.....	<input type="checkbox"/>	<input type="checkbox"/>
c. Academy civilian faculty or staff.....	<input type="checkbox"/>	<input type="checkbox"/>
d. A DoD/DHS/DOT person not affiliated with the Academy.....	<input type="checkbox"/>	<input type="checkbox"/>
e. A person not affiliated with DoD/DHS/DOT.....	<input type="checkbox"/>	<input type="checkbox"/>
f. Unknown person.....	<input type="checkbox"/>	<input type="checkbox"/>

25. If the offender was an Academy student, would you describe him/her as a "creeper" (i.e., someone who is socially awkward)? Mark one.

Yes
 No
 Does not apply, the offender was not an Academy student

26. Was the offender(s)...? Mark one.

One person (a male)
 One person (a female)
 More than one person (all males)
 More than one person (all females)
 More than one person (both males and females)
 Not sure

27. Did the offender use drugs to knock you out (e.g., date rape drugs, sedatives, etc.)? Mark one.

Yes
 No
 Not sure

28. Had either you or the offender been drinking alcohol before the assault? Mark one.

No, neither of us had been drinking
 Yes, the offender had been drinking
 Yes, I had been drinking
 Yes, both of us had been drinking

29. Had either you or the offender been using drugs before the assault? Mark one.

No, neither of us had been using drugs
 Yes, the offender had been using drugs
 Yes, I had been using drugs
 Yes, both of us had been using drugs

30. Did the offender(s)... Mark "Yes" or "No" for each item.

	Yes	No
a. Threaten to ruin your reputation if you did not consent?.....	<input type="checkbox"/>	<input type="checkbox"/>
b. Threaten to harm you if you did not consent?.....	<input type="checkbox"/>	<input type="checkbox"/>
c. Use some degree of physical force (e.g., holding you down)?.....	<input type="checkbox"/>	<input type="checkbox"/>

31. Did any of the offender(s)... Mark "Yes" or "No" for each item.

	Yes	No
a. Sexually harass you before the assault?..	<input type="checkbox"/>	<input type="checkbox"/>
b. Stalk you before the assault?	<input type="checkbox"/>	<input type="checkbox"/>
c. Sexually harass you after the assault?	<input type="checkbox"/>	<input type="checkbox"/>
d. Stalk you after the assault?	<input type="checkbox"/>	<input type="checkbox"/>

32. As a result of this situation, to what extent did... Mark one answer for each item.

	Very large extent	Large extent	Moderate extent	Small extent	Not at all
a. You consider requesting a transfer to another company/squadron? ...	<input type="checkbox"/>				
b. You think about leaving your Academy?	<input type="checkbox"/>				
c. Your academic performance suffer?	<input type="checkbox"/>				

33. Did you report this situation to any military authority or organization?

- Yes
- No ⇒ GO TO QUESTION 38

DoD provides two types of reporting of sexual assault. **Unrestricted reporting** is for victims who want medical treatment, counseling, and an official investigation of the assault. **Restricted reporting** is for victims who want information and to receive medical treatment and counseling without prompting an official investigation of the assault.

34. What type of report did you make? *Mark one.*

- Only an **unrestricted** report
- Only a **restricted** report
- A **restricted** report that was converted to an **unrestricted** report

35. What were your reasons for reporting the situation to any military authority or organization? *Mark "Yes" or "No" for each item.*

	No
	Yes
a. Prevent the offender from entering the Service	<input type="checkbox"/>
b. Stop the offender from hurting you again	<input type="checkbox"/>
c. Stop the offender from hurting others	<input type="checkbox"/>
d. Seek justice	<input type="checkbox"/>
e. It was the right thing to do	<input type="checkbox"/>
f. Seek help dealing with an emotional incident	<input type="checkbox"/>
g. Punish the offender	<input type="checkbox"/>
h. Discourage other potential offenders	<input type="checkbox"/>
i. Raise awareness that it occurs at the Academy	<input type="checkbox"/>
j. Identify a fellow cadet/midshipman who is acting inappropriately	<input type="checkbox"/>
k. Seek closure on the incident	<input type="checkbox"/>
l. Seek medical assistance	<input type="checkbox"/>
m. Seek mental health assistance	<input type="checkbox"/>
n. Stop rumors by coming forward	<input type="checkbox"/>
o. Other	<input type="checkbox"/>

Please print.

36. How long after the situation occurred did you report it? *Mark one.*

- Within 24 hours ⇒ GO TO QUESTION 39
- 2 to 3 days
- 4 to 7 days
- 8 to 14 days
- 15 to 30 days
- More than 30 days

37. Why did you delay reporting the situation? *Mark "Yes" or "No" for each item.*

	No
	Yes
a. Did not realize at first that the situation was a crime	<input type="checkbox"/>
b. Had to figure out how to report	<input type="checkbox"/>
c. Wanted to think about the situation before deciding to report	<input type="checkbox"/>
d. Wanted to seek advice first from a friend or family member	<input type="checkbox"/>
e. Wanted to seek advice/counseling from a professional (e.g., medical personnel, chaplain, mental health counselor, Safe Helpline) before deciding to report	<input type="checkbox"/>
f. Waited until you felt safe from the offender	<input type="checkbox"/>
g. Waited until you could reach a specific authority (e.g., my chaplain, my doctor, my commander)	<input type="checkbox"/>
h. Decided to report after receiving training or a briefing on sexual assault	<input type="checkbox"/>
i. Researched sexual assault before deciding to report	<input type="checkbox"/>
j. Was in a location where you could not contact an authority	<input type="checkbox"/>
k. Other	<input type="checkbox"/>

Please print.

GO TO QUESTION 39

38. What were your reasons for not reporting the situation to any authority or organization? *Mark "Yes" or "No" for each item.*

	No
	Yes
a. I thought it was not important enough to report	<input type="checkbox"/>
b. I did not know how to report	<input type="checkbox"/>
c. I felt uncomfortable making a report	<input type="checkbox"/>
d. I took care of it myself	<input type="checkbox"/>
e. I did not think anything would be done	<input type="checkbox"/>
f. I knew what other victims went through when they reported their situation	<input type="checkbox"/>
g. I thought I would not be believed	<input type="checkbox"/>
h. I thought reporting would take too much time and effort	<input type="checkbox"/>
i. I thought I would be labeled a troublemaker	<input type="checkbox"/>
j. I thought my evaluations or chances for leadership positions would suffer	<input type="checkbox"/>
k. I feared some form of retaliation from the offender or his/her friends	<input type="checkbox"/>

38. Continued.

	Yes	No
l. I did not want people talking or gossiping about me	<input type="checkbox"/>	<input type="checkbox"/>
m. I feared I or others would be punished for infractions/violations, such as underage drinking	<input type="checkbox"/>	<input type="checkbox"/>
n. I felt shame/embarrassment	<input type="checkbox"/>	<input type="checkbox"/>
o. I thought I would be blamed for the assault.....	<input type="checkbox"/>	<input type="checkbox"/>
p. I thought it would hurt my reputation and standing.....	<input type="checkbox"/>	<input type="checkbox"/>
q. I did not want to hurt the offender's career	<input type="checkbox"/>	<input type="checkbox"/>
r. I did not want anyone to know	<input type="checkbox"/>	<input type="checkbox"/>
s. I did not think my report would be kept confidential	<input type="checkbox"/>	<input type="checkbox"/>
t. Other	<input type="checkbox"/>	<input type="checkbox"/>

Please print.

39. In retrospect, would you make the same decision about reporting if you could do it over?

- Yes → GO TO QUESTION 44
- No

If you responded "No," what would you have changed about your reporting decision?

Please print.

GO TO QUESTION 44

REACTION TO SEXUAL ASSAULT AND SEXUAL HARASSMENT

40. If you were to experience sexual assault in the future, would you be likely to... *Mark one answer for each item.*

	Yes	Don't know	No
a. Seek counseling?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Discuss the incident with the Sexual Assault Response Coordinator (SARC)?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Discuss the incident with a Victims' Advocate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Make a <u>restricted report</u> (i.e., a report that will not prompt an official investigation)?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Make an <u>unrestricted report</u> (i.e., a report that will prompt an official investigation)?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Seek medical attention?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Discuss the incident with a student serving as a PEER, SAVI, or CASA representative?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Discuss the incident with a friend?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Consider leaving the Academy to avoid embarrassment or shame?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Trust the system to protect your privacy?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Trust the system to ensure your safety following the incident?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Trust the system to treat you with dignity and respect?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Take action yourself against the offender?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

41. If you were to experience sexual assault in the future, to what extent would you hesitate from making an unrestricted report (i.e., a report that will prompt an official investigation) out of concern for... *Mark one answer for each item.*

	Very large extent	Large extent	Moderate extent	Small extent	Not at all
a. What your parents might think? ...	<input type="checkbox"/>				
b. Your reputation and standing within your Academy?	<input type="checkbox"/>				
c. Punishment for infractions, such as fraternization or underage drinking?.....	<input type="checkbox"/>				
d. Damage that might occur to your Academy's reputation?.....	<input type="checkbox"/>				

42. If you were to experience sexual assault in the future, and you chose to make an **UNRESTRICTED REPORT**, to whom would you feel most comfortable making that report? **Unrestricted reporting** is for victims who want medical treatment, counselling, and an official investigation of the assault. *Specify the recipient of the report in the box below.*

Please print.

43. If you were to experience sexual assault in the future, and you chose to make a **RESTRICTED REPORT**, to whom would you feel most comfortable making that report? **Restricted reporting** is for victims who want information and to receive medical treatment and counseling without prompting an official investigation of the assault. *Specify the recipient of the report in the box below.*

Please print.

44. Suppose you see a female cadet/midshipman, who you do not know very well, getting drunk at a party. Someone tells you that a guy from your company/squadron is going to take her to a back room to have sex. What are you most likely to do in this kind of situation? *Mark one.*

- Nothing ⇒ GO TO QUESTION 45
- Leave the party to avoid any kind of trouble ⇒ GO TO QUESTION 45
- Find someone who knows the woman and can help her ⇒ GO TO QUESTION 46
- Talk to the woman/try to get her out of the situation ⇒ GO TO QUESTION 46
- Stop the guy from leaving with the woman ⇒ GO TO QUESTION 46
- Other action ⇒ GO TO QUESTION 46

45. Which reason below best explains your reaction to the situation in the previous question? *Mark one.*

- I don't see this situation as a problem
- It's none of my business
- I could be picked on or made fun of
- I wouldn't want to become the focus of the guy's attention
- Nothing I could do or say would make a difference
- It is hard to reason with someone who has been drinking
- She probably would not listen to me if she does not know me very well
- She should not have allowed herself to get into this situation in the first place
- People put themselves into this type of situation because they want to drink and have sex
- I could get into trouble myself for being there
- Other reason (please specify)

Please print.

46. To what extent do you feel safe from being **sexually assaulted when you are on Academy grounds compared to when you are...** *Mark one answer for each item.*

	No basis to judge	Not at all	Small extent	Moderate extent	Large extent	Very large extent
a. In the civilian community around the Academy?	<input type="checkbox"/>					
b. In your home town?	<input type="checkbox"/>					
c. Visiting a civilian college/university?	<input type="checkbox"/>					
d. On a military installation other than the Academy?	<input type="checkbox"/>					

47. To what extent do you think... *Mark one answer for each item.*

	Not at all	Small extent	Moderate extent	Large extent	Very large extent
a. Alcohol use contributes to incidents of sexual assault?	<input type="checkbox"/>				
b. Sexual assault offenders are more likely to be "creepers" (i.e., socially awkward students)?	<input type="checkbox"/>				
c. Internet or cyber stalking (e.g., unwanted Facebook or e-mail contacts) is a problem for you?....	<input type="checkbox"/>				
d. Stalking and sexual harassment possibly lead to sexual assault? ..	<input type="checkbox"/>				
e. Social expectations (e.g., sexual favors in return for dinner or gifts) contribute to incidents of sexual assault?	<input type="checkbox"/>				
f. Students regard the Sexual Assault Response Coordinator (SARC) as a valuable resource in helping students deal with issues of sexual assault?	<input type="checkbox"/>				
g. Students regard Victims' Advocates (VAs) as valuable resources in helping students deal with issues of sexual assault?	<input type="checkbox"/>				
h. Students are reluctant to intervene to stop a potential sexual assault situation for fear of getting in trouble themselves? .	<input type="checkbox"/>				
i. Students are reluctant to serve as the designated driver because they fear getting in trouble for letting their friends drink too much?	<input type="checkbox"/>				

48. Are the following statements true or false? *Mark one answer for each item.*

	Don't know	False	True
a. When you are in a social setting, it is your duty to stop a fellow student from doing something potentially harmful to themselves or others.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. If you tell a Sexual Assault Response Coordinator (SARC) or a Victims' Advocate (VA) that you were sexually assaulted, the SARC or VA is not always required to provide your name to your chain of command	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

48. Continued.

	Don't know	False	True
c. If you were to experience unwanted sexual touching, but not rape, you could report your experience to a SARC or VA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. If you were sexually assaulted, you can trust the military reporting system to protect your privacy.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. If you report being sexually assaulted to the military system, you can trust the system to ensure your safety from the offender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. If you report being sexually assaulted to the military system, you can trust the system to treat you with dignity and respect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

49. To what extent are you willing to... *Mark one answer for each item.*

	Not at all	Small extent	Moderate extent	Large extent	Very large extent
a. Seek help from the chain of command in stopping other students who continue to engage in <u>sexual harassment</u> after having been previously spoken to?	<input type="checkbox"/>				
b. Report a <u>sexual assault</u> ?	<input type="checkbox"/>				
c. Point out to someone that you think their experience of unwanted sexual contact was <u>sexual assault</u> ?	<input type="checkbox"/>				
d. Step in and stop a situation that might lead to <u>sexual assault</u> ?	<input type="checkbox"/>				
e. Point out to someone that you think they "crossed the line" with gender-related comments or jokes?	<input type="checkbox"/>				
f. Encourage someone who has experienced <u>sexual assault</u> to report it?	<input type="checkbox"/>				
g. Encourage someone who has experienced <u>sexual assault</u> to seek counseling?	<input type="checkbox"/>				

PRIOR EXPERIENCES

50. Prior to entering the Academy, did you ever experience any of the following intentional sexual contacts that **were against your will or which occurred when you did not or could not consent** in which someone...
- **Sexually touched you** (e.g., intentional touching of genitalia, breasts, or buttocks) or made you sexually touch them?
 - **Attempted** to make you have sexual intercourse, but was not successful?
 - **Made you** have sexual intercourse?
 - **Attempted** to make you perform or receive oral sex, anal sex, or penetration by a finger or object, but was not successful?
 - **Made you** perform or receive oral sex, anal sex, or penetration by a finger or object?
- Yes
 No ⇒ GO TO QUESTION 52

51. Prior to entering the Academy, how many separate incidents of sexual touching, attempted or completed intercourse, oral or anal sex, or penetration by a finger or object did you experience? *To indicate nine or more, enter "9".*

Incidents

HOW ARE WE DOING?

52. As a student at your Academy, how safe do you feel from **sexual assault** compared to civilian colleges/universities?

- Much less safe at my Academy
 Less safe at my Academy
 About the same
 More safe at my Academy
 Much more safe at my Academy
 Don't know

53. In your opinion, how often does **sexual harassment** occur at the Service Academies compared to civilian colleges/universities?

- Much less often at the Academies
 Less often at the Academies
 About the same
 More often at the Academies
 Much more often at the Academies
 Don't know

54. In your opinion, how often does **sexual assault** occur at the Service Academies compared to civilian colleges/universities?

- Much less often at the Academies
 Less often at the Academies
 About the same
 More often at the Academies
 Much more often at the Academies
 Don't know

TAKING THE SURVEY

55. If you have comments or concerns that you were not able to express in answering this survey, please enter them in the space provided. Any comments you make on this questionnaire will be kept confidential, and no follow-up action will be taken in response to any specifics reported. Your feedback is useful and appreciated. You may request additional paper from the survey proctor if you need additional space for your comments.

Please print.

Attachment 1

**Superintendent's Instruction 2012-08, Policy on Sexual Assault
Prevention and Response, dated 30 July 2012**

United States Merchant Marine Academy
Kings Point, New York

30 July 2012

SUPERINTENDENT'S INSTRUCTION 2012-08

Subj: **POLICY ON SEXUAL ASSAULT PREVENTION AND RESPONSE**

References: a) Title VII of the Civil Rights Act of 1964 (as amended); b) Maritime Administration Order 770-713-3; c) and other federal, departmental, agency, or Academy policies governing sexual assault.

1. **Purpose:** To establish policy, assign responsibilities, and set procedures outlining the Academy policy on sexual assault prevention and response involving midshipmen and other Academy personnel.
2. **Applicability:** This policy applies to all Academy personnel, including midshipmen, faculty, staff, and personnel of tenant agencies, whether federal employees, military personnel, NAFI employees or contract employees.
3. **Supersedes:** Superintendent's Instruction 2010-05, "Policy Against Sexual Assault."
4. **Policy:**
 - a) The United States Merchant Marine Academy is committed to maintaining a safe campus at which midshipmen can learn and mature in an environment free of violence, harassment, hazing, and sexual misconduct. In keeping with its mission, the Academy supports and nurtures a campus climate that allows midshipmen, faculty, and staff to perform at their highest abilities, assured of their essential safety and well-being. Each member of the Academy community is responsible for fostering mutual respect, being familiar with this policy, and refraining from conduct that violates this policy. Sexual assault will not be tolerated.
 - b) The Academy will use training, education, and awareness to minimize sexual assault, promote the sensitive handling of victims of sexual assault, offer victim assistance and counseling, hold those who commit sexual assault offenses accountable, provide confidential avenues for reporting, and reinforce a commitment to Academy values.
 - c) This policy applies –
 - i) Both on and off Academy grounds and during duty and non-duty hours.
 - ii) To working, living, and recreational environments (including both at the Academy, off the Academy grounds, and at sea).

- d) The Academy will treat all victims of sexual assault with dignity, fairness, and respect. A victim's rights include the following:
 - i) The right to be treated with fairness and with respect for his or her dignity and privacy;
 - ii) The right to receive immediate and effective medical care and attention, including long-term follow-up treatment, if eligible;
 - iii) The right to be reasonably protected from the accused offender;
 - iv) The right to be notified of court proceedings;
 - v) The right to be present at all public court proceedings related to the offense (unless the court determines otherwise);
 - vi) The right to talk with the attorney for the Government handling the case;
 - vii) The right to restitution, if appropriate;
 - viii) The right to information about the conviction, sentencing, imprisonment, and release of the offender from custody; and
 - ix) The right, if desired, to confidential or restricted reporting of the sexual assault incident.
- e) The Academy will treat every reported sexual assault incident seriously by following proper guidelines. The information and circumstances of the allegations will be disclosed on a need-to-know basis only.

5. **Definition of Sexual Assault:**

Sexual assault, a crime of violence, is defined as intentional touching of a sexual nature against the will (by use of force, physical threat, or abuse of authority), or without the consent of the victim. The victim of sexual assault may be male or female and the perpetrator of the sexual assault may be of the same or opposite sex. Sexual assault includes, but is not limited to the following:

- a) Unwanted kissing, groping, fondling, or other more aggressive physical acts, such as rape, nonconsensual sodomy (oral or anal sex), or attempts to commit these acts;
- b) Sexual contact with someone whom you reasonably should have known was impaired due to the use of alcohol or drugs (including prescription medications);
- c) Sexual contact with someone who is "passed out", sleeping, or otherwise incapacitated;
- d) Sexual contact with someone who is unable to say "no" and/or change their mind due to the presence of coercion or intimidation; and
- e) Sexual contact with someone who is under the age of consent in the jurisdiction in which the sexual assault occurs.

6. **Procedures:**

a) Victims of sexual assault are strongly encouraged to report such assaults as soon as possible, whether the assault took place on or off campus. A victim of sexual assault has the option to make either a restricted or unrestricted report.

b) **Types of Reporting:**

i) **Restricted Reporting:** Restricted reporting allows midshipmen who are sexual assault victims, on a confidential basis, to disclose the details of their assault to specifically identified individuals and receive medical treatment and counseling at a location of the victim's choice (on or off-campus), without triggering the official investigative process. Midshipmen who are sexually assaulted and desire restricted reporting under this policy should report the assault to the Academy's Sexual Assault Response Coordinator (SARC), a Victim Advocate (VA), or an Academy Health Care Provider (HCP), each of whom must immediately forward the report to the SARC. VAs or HCPs who fail to report assaults to the SARC will be held accountable for such failure. Midshipmen may also report the assault to the Academy's chaplain. This policy on restricted reporting is in addition to the current protections afforded privileged communications with a chaplain and does not alter those protections.

Restricted reports cannot be made to anyone other than those identified in this paragraph.

Midshipmen who initially elect to make a restricted report can, at any time after their initial restricted report, decide to pursue unrestricted reporting, which will result in the initiation of criminal and administrative investigatory proceedings. Sexual Assault Forensic Exam evidence kits collected from victims on restricted reports can only be used within 12 months of their initial reporting of the sexual assault.

ii) **Unrestricted Reporting:** Unrestricted reporting allows midshipmen who are sexually assaulted and desire medical treatment, counseling, and an official investigation of their allegations to report their assault to the SARC, law enforcement, through the chain of command (including Company Officers and other Commandant's uniformed staff members), a VA, an Academy HCP, a midshipman Human Relations Officer, or any trusted advisor, faculty, or staff member. A report of sexual

assault made to anyone other than the SARC must immediately be forwarded to the SARC, who will have primary responsibility for handling the report, including notifying the appropriate law enforcement personnel and the Academy staff responsible for the administrative investigation. Individuals who fail to report assaults to the SARC will be held accountable for such failure. Details regarding the incident will be limited to only those personnel who have a legitimate need to know. Use of the unrestricted reporting option is encouraged as it provides for immediate formal criminal and administrative investigations. It is the only option that can lead to accountability (offenders being held accountable) and prevent offenders from re-offending.

- c) Any midshipman or other personnel who has been sexually assaulted or thinks that they may have been sexually assaulted should:
 - i) Get away from the attacker immediately to a safe place.
 - ii) Report the assault as provided above.
 - iii) Preserve all evidence. Do not wash, comb, or clean any part of your body, and do not change clothes if possible.
 - iv) Protect the crime scene: close and lock the door where the crime occurred.
 - v) Seek medical care as soon as possible. Even if there are no visible physical injuries, there may be risk of becoming pregnant or acquiring sexually transmitted diseases.
 - vi) Agree to a sexual assault forensic examination to preserve evidence.
- d) **Requirement to Report:** Allegations of sexual assault received by any Academy Midshipman Officer, faculty member, staff member, contract employee, or other employee must be reported immediately to the SARC or to the VA on duty, who will take appropriate action pursuant to this policy. Individuals who fail to report such allegations will be held accountable for such failure.
- e) **Academy Response in Cases of Imminent Danger:** The Academy will ensure that a sexual assault victim's election between an unrestricted and restricted report is honored to the maximum extent possible. However, disclosure of covered communications is authorized when there is imminent threat to the health or safety of the victim or another person.
- f) **Disciplinary Action for Accused in Unrestricted Reports of Sexual Assault:** In addition to any criminal proceedings that may be instituted by Federal or local law enforcement authorities, the Academy may pursue an administrative investigation and disciplinary proceedings pursuant to the Midshipman Regulations. Other Academy personnel accused of sexual assault may be subject to investigation and discipline pursuant to the

Maritime Administrative Order (MAO) 770-751, Disciplinary and Adverse Actions.

- g) **Prohibition Against Retaliation:** Loyalty to the Academy and its core values must supersede misplaced "loyalty" to someone who has violated the law and betrayed those values. Thus no individual shall be retaliated against in any way by a member of the Academy community for participation in this complaint procedure. Every effort will be made to protect members of the Academy community so that they may use or participate in this complaint procedure without fear of reprisal or retaliatory action. Threats or other forms of intimidation and retaliation against the victim, witnesses, or any other individual implementing or using the complaint procedure are violations of this policy and, thus, may be grounds for disciplinary action. Individuals who believe they have been retaliated against in violation of this policy should immediately notify the SARC. Supervisors, midshipman or commissioned officers, and other personnel in the chain of command will be held accountable for ensuring that such behavior does not occur.
 - h) **Alleged Victim Misconduct:** In any reported case of sexual assault, the Academy will defer adjudication of any alleged misconduct by the victim until the final disposition of the sexual assault case. The chain of command should take into account the trauma to the victim and respond appropriately to encourage reporting of sexual assault and the continued cooperation of the victim.
7. **Education and training:** Sexual assault prevention and response training is the most critical component to the success of the program. The goals of the program are to raise awareness and to train critical stakeholders in their part in the fight against sexual assault. The following training requirements will serve as the minimum standard:
- a) **Plebe Candidates.** Within the first two weeks of reporting to the Academy, midshipmen will receive basic awareness training.
 - b) **All Midshipmen.** Quarterly awareness training (in addition to any other required training, such as Plebe Candidates, pre-Sea Year or post-Sea Year training). Training topics will vary by quarter to actively raise the awareness level.
 - c) **Sea Year Midshipmen.** Pre- and post-sea year training to prepare them for the challenges of sea year, including the need to become familiar with shipping company harassment and assault policies, and to reintegrate them to the Academy.
 - d) **Midshipman Officers.** Semiannual leader training to prepare them to prevent and respond effectively to incidents of sexual assault.

- e) **All Faculty, Administrators, and Staff.** Annual training to raise awareness, advise on available resources to victims and explain how to respond effectively to incidents of sexual assault.
- f) **First Responders.** Chaplains, clinic personnel, legal counsel, law enforcement and emergency medical technicians (EMTs) will receive annual training.
- g) **Victim Advocates.** Annual training on victim support topics to prepare them for their critical roles.

8. **Responsibilities:**

- a) The Superintendent shall:
 - i) Coordinate with the SARC to ensure that all faculty, administrators, and staff receive comprehensive training on sexual assault prevention and response.
 - ii) In accordance with MARAD policies, oversee the appropriate administrative investigatory and disciplinary response for all faculty, administrator, and staff allegations of sexual assault.
 - iii) Ensure that victims of sexual assault receive sensitive care and support and are not subjected to retaliation as a result of reporting the incident.
 - iv) Ensure that all faculty, administrators, and staff are familiar with the provisions of this policy.
 - v) Notify the SARC immediately of sexual assault incidents involving faculty, administrators, and staff whether as victims or subjects.
- b) The Commandant of Midshipmen shall:
 - i) Coordinate with the SARC to insure that all midshipmen receive comprehensive training on sexual assault prevention and response.
 - ii) Oversee the appropriate administrative investigatory and disciplinary response to all midshipmen-related allegations of sexual assault.
 - iii) Ensure that victims of sexual assault receive sensitive care and support and are not subjected to retaliation as a result of reporting the incident.
 - iv) Ensure that all members of the Commandant's staff are familiar with the provisions of this policy.
 - v) Distribute a wallet-sized card containing emergency contact information; cards can be obtained from the SARC.
 - vi) Notify the SARC immediately of sexual assault incidents involving midshipmen whether as victims or subjects.
 - vii) Inform victims of available victim advocacy services.

- viii) In consultation with the SARC, appoint a minimum of one midshipman (2/C or 1/C) as a Victim Advocate per company. Ensure that selection of these Midshipmen takes into account maturity level and ability to handle support in highly charged situations.
 - ix) Ensure sexual assault prevention information (posters, policy, victim advocate posters) are posted on all Company bulletin boards and in other locations deemed appropriate by the Commandant, such as in individual barracks rooms, barracks heads, etc.
 - x) Schedule prevention training for Plebe Candidates within the first two weeks of their Indoctrination training.
 - xi) Require midshipmen to attend quarterly training and other required training as necessary.
- c) The Sexual Assault Response Coordinator shall:
- i) Serve as the center of gravity for any and all actions relating to sexual assault awareness, prevention, training, and victim advocacy.
 - ii) Establish, monitor, and document a comprehensive prevention and education program for all midshipmen and other personnel.
 - iii) Train and oversee the Victim Advocates in the performance of their duties.
 - iv) Ensure victims are properly advised of their options for restricted or unrestricted reporting. Maintain written records for all incidents.
 - v) Notify the Superintendent within 24 hours of any incidents of sexual assault. For the purpose of public safety and command responsibility, on restricted reports, report information concerning sexual assault incidents, without information that could reasonably lead to personal identification of the victim.
 - vi) Serve as the central, confidential repository for all cases involving sexual assault incidents, including informing the Superintendent and/or the Commandant of Midshipmen of any emerging incidents, tracking investigations of cases, and serving as the point of contact for victims.
 - vii) Coordinate and facilitate the monthly Sexual Assault Review Board to discuss systematic issues regarding incidents and to discuss sexual assault prevention strategies and training program goals.
 - viii) Produce materials to market the program such as posters, informational papers, and wallet-sized cards.
 - ix) Coordinate sexual assault awareness events such as guest speakers, professional groups, etc.
 - x) Maintain 24/7 sexual assault hotline capability.

- x) Coordinate and facilitate sexual assault prevention training for the Academy with assistance from Victim Advocates and law enforcement, legal, and appropriate professionals.
 - xi) Develop flowcharts for restricted and unrestricted reports and disseminate to key stakeholders.
- d) Victim Advocates shall:
- i) Be supervised in the performance of their duties by the SARC.
 - ii) Report to and coordinate directly with the SARC when assisting a victim of sexual assault.
 - iii) Provide crisis intervention, referrals, and on-going non-clinical support to sexual assault victims.
 - iv) Inform victims of their options for restricted or unrestricted reporting and explain the scope and limitations of the VA's role as an advocate.
 - v) Be trained and certified by the SARC when all required initial training is complete.
- e) The Head, Department of Professional Development & Career Services shall:
- i) Develop specific appropriate procedures for midshipmen to report incidents of sexual assault during sea year or during internship and incorporate the SARC within those procedures as an added resource for midshipmen. Update Sea Year Guide with new policy procedures and training requirements.
 - ii) Coordinate and schedule appropriate sexual assault prevention training for all midshipmen as part of a requirement to be met before the first sea year, and coordinate training after their sea year to re-integrate midshipmen into the educational setting.
 - iii) Provide expertise to incorporate into the training for midshipmen as part of the required training.
 - iv) Serve as a liaison between the Academy and shipping companies with respect to training and coordination of policies and reporting procedures.
- f) The Head, Department of Health Services shall:
- i) Confirm training of appropriate medical personnel in handling the medical and psychological aspects of assisting sexual assault victims.
 - ii) Initiate or develop, where appropriate, MOUs/MOAs with non-Academy medical treatment and medical support activities to ensure adequate response and treatment in areas of counseling, care for victims, and evidence collection.
 - iii) Notify the SARC when a midshipman, faculty, or staff reports a sexual assault.

- iv) Identify and appoint a Victim Advocate to further enhance clinic capabilities in support of victims of sexual assault.
- g) The Head, Department of Public Safety shall:
 - i) Provide sensitivity training in responding to victims of sexual assault, as well as training on victim assistance, available resources, and related law enforcement responses.
 - ii) Partner with the local FBI office and the Nassau County Police Department, as appropriate, to create response procedures when incidents of sexual assault are reported.
 - iii) Notify the SARC of all instances of sexual assault reports.
- h) The Command Chaplain shall:
 - i) Provide pastoral and spiritual support to victims of sexual assault, as requested, by the victim.
 - ii) Encourage the victim to seek appropriate assistance and counseling.
 - iii) Report incidents of sexual assault to the SARC when the victim consents, and maintain confidentiality and privileged communication at the request of the victim.
- i) All Academy Midshipmen Officers, staff members, faculty members and contract employees or other employees shall:
 - i) Adhere to the provisions of this Instruction at all times.
 - ii) Report incidents of sexual assault to the SARC or to the VA on duty.
 - iii) Respond to allegations of sexual assault promptly and professionally.
 - iv) Midshipmen and other personnel appointed as Victim Advocates will follow reporting guidelines afforded to them under those duties and be held accountable for them.

9. **Expiration:** This Superintendent's Instruction is effective until superseded or rescinded.


JAMES A. HELIS
Rear Admiral, USMS
Superintendent

Dist. Via Email

Attachment 2

Superintendent Instruction 2013-02, Policy Against Discrimination and Harassment, Including Sexual Harassment of Midshipmen, dated 4 February 2013

Superintendent Instruction 2013-02

UNITED STATES MERCHANT MARINE ACADEMY KINGS POINT, NEW YORK

February 4, 2013

Superintendent Instruction 2013-02

Subj: **Policy against Discrimination and Harassment, Including Sexual Harassment, of Midshipmen**

References: a) Title IX of the Education Amendments of 1972 (20 USC 1681-1688);
b) Superintendent's Instruction 2012-08, Policy on Sexual Assault Prevention and Response; and c) other federal, departmental, agency or Academy policies governing personal conduct, discrimination, and harassment.

1. **Purpose:**

To establish policy, assign responsibilities, and set procedures outlining the Academy policy against discrimination or harassment, including sexual harassment, of Midshipmen.

2. **Applicability:**

This policy applies to all Academy Midshipmen.

3. **Supersedes:**

Superintendent's Instruction 2006-08, "Policy against Harassment, Discrimination or Sexual Harassment."

4. **Policy:**

- a) The Academy will not tolerate discrimination or harassment on the basis of race, national origin, color, religion, gender, age, sexual orientation, disability, marital status, genetic information or any other status protected by law. Whenever an alleged violation of this policy is brought to the Academy's attention, an investigation will be undertaken and, if a violation is found, prompt and effective corrective action will be taken.
- b) The Academy will use training, education and awareness to minimize discrimination and harassment, will offer assistance and counseling to victims of discrimination and harassment and will hold those who violate this policy accountable.
- c) This policy applies –
 - i) Both on and off the Academy and during duty and non-duty hours.
 - ii) To working, living and recreational environments (including at the Academy, off the Academy at Academy events and at sea).

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- d) The Academy will treat all victims of discrimination and harassment with dignity, fairness and respect. A victim's rights include the following:
 - i) The right to be treated with fairness and with respect for his or her dignity and privacy.
 - ii) The right to have his or her complaint fully and fairly investigated and, if a violation of the policy is found, the right to expect appropriate corrective action is taken.
 - iii) The right to receive any required medical care or mental health support.
- e) The Academy will treat every reported incident of discrimination and harassment seriously by following proper guidelines. The information and circumstances of the allegations will be disclosed on a need-to-know basis only.

5. Definitions:

- a) **Discrimination and Harassment:** Generally, discrimination is unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class because of race, national origin, color, religion, gender, age, sexual orientation, disability, marital status or any other status protected by law. Harassment, whether verbal, physical or visual, that is based on any of the protected classes, is a form of discrimination. This includes harassing conduct that unreasonably interferes with an individual's academic performance or creates what a reasonable person would perceive is an intimidating, hostile or offensive environment.
 - i) Examples of discrimination and harassment include, but are not limited to, the following:
 - a) Basing a grade or other academic decision on stereotypes or assumptions about a person's protected status;
 - b) Jokes or epithets about another person's protected status;
 - c) Repeated suggestions, comments, teasing or joking directed at a person based on his or her protected status;
 - d) Displaying, sharing or circulating written materials or pictures that degrade a person or group based on protected status; and
 - e) Verbal abuse or insults about, directed at, or made in the presence of an individual or group of individuals in a protected group
- b) **Sexual Harassment:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature or conduct directed at a person because of his or her gender, including, but not limited to, when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of status in a course, program or activity, including Regimental duties, or
 - Submission to or rejection of such conduct is used as a basis for an academic or Regimental decision affecting the individual, or for a decision regarding an individual's status in a course, program or activity, including Regimental duties, or
 - Such conduct has the purpose or effect, when judged from the perspective of a reasonable person in the position of the complaining

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individual, of substantially interfering with an individual's academic or Regimental performance, or

- Such conduct has the purpose or effect, when judged from the perspective of a reasonable person in the position of the complaining individual, of creating an intimidating, hostile or offensive learning environment.
- i) **Quid pro quo sexual harassment** is the conditioning of academic or Regimental benefits on an individual's submission to unwelcome sexual conduct.
- ii) **Hostile environment sexual harassment** is unwelcome sexual conduct or conduct directed at an individual because of his or her gender that is sufficiently severe or pervasive to create an intimidating, hostile or offensive academic or Regimental environment.
- iii) Examples of sexual harassment include, but are not limited to, the following:
 - a) Unwanted flirtation, advances or propositions of a sexual nature;
 - b) Insults, humor, jokes or anecdotes that belittle or demean an individual's or a group's gender or sexuality;
 - c) Unwelcome sexual comments about an individual's body or clothing;
 - d) Displays of sexually suggestive objects or pictures;
 - e) Unwelcome touching, such as patting, pinching, hugging or brushing against an individual's body; or
 - f) Sexual assault (see Superintendent's Instruction 2012-08).

6. Procedures:

- a) Midshipmen may report instances of discrimination, harassment or sexual harassment (with the exception of sexual assault, which must be reported pursuant to Superintendent's Instruction 2012-08) through their chains-of-command; company officers and other Commandant's uniformed staff members; chaplains; Midshipmen counselors; Midshipmen Human Relations Officers; or any trusted advisor, coach, or faculty or staff member. After-hours, 24/7, reports may be made to the Command Duty Officer (CDO) and the Duty Chaplain.
- b) **Requirement to Report:** Staff members, Midshipmen officers, and Midshipmen Human Relations Officers receiving reports of harassment, sexual harassment, or discrimination are responsible for forwarding the information to the Commandant or the Deputy Commandant to stop the harassing behavior, for investigative and possible disciplinary action, and to provide for the safety and support of alleged victims. Individuals who fail to report such allegations will be held accountable for such failure.
- c) **Prohibition against Retaliation:** Loyalty to our core values and to our Academy must supersede misplaced "loyalty" to someone who has violated

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the law and betrayed our values. Thus, no individual shall be retaliated against in any way by a member of the Academy community for participation in this complaint procedure. Every effort will be made to protect members of the Academy community so that they may use or participate in this complaint procedure without fear of reprisal or retaliatory action. Threats or other forms of intimidation, and retaliation against the victim, witnesses or any other individual implementing or using the complaint procedure are a violation of this policy and, thus, may be grounds for disciplinary action. Individuals who believe they have been retaliated against in violation of this policy should immediately notify their chain of command. Supervisors, Midshipmen or commissioned officers and other personnel in the chain of command will be held accountable for ensuring that such behavior does not occur.

- d) **Alleged Victim Misconduct:** In any reported case of discrimination, harassment or sexual harassment, the Academy will defer adjudication of any alleged misconduct by the victim until the final disposition of the case.
- e) **Privacy and Confidentiality:** See Superintendent's Instruction 2006-10 Privacy and Confidentiality.
- f) **Education and Training:** Training is required for all Midshipmen, faculty, administrators and staff. Specific attention will be paid to the education of all Midshipmen regarding preventing and reporting instances of discrimination, harassment or sexual harassment of them or their fellow Midshipmen

7. Roles and Responsibilities:

- a) The Commandant of Midshipmen shall:
 - i) Establish, monitor and document a comprehensive annual education and training program for all Midshipmen.
 - ii) Oversee the appropriate investigative and disciplinary response to all Midshipmen-related allegations of discrimination, harassment or sexual harassment.
 - iii) Ensure the safety, dignity, and necessary support of alleged Midshipmen victims of discrimination, harassment or sexual harassment, as well as the fair and professional treatment of alleged Midshipmen perpetrators.
 - iv) Ensure that all members of the Commandant's staff are familiar with the provisions of this policy.
 - v) Shall establish procedures and guidelines for reporting instances of harassment, sexual harassment, or discrimination made through the chain-of-command.
 - vi) Shall offer the assistance of an advocate to the victim.
- b) The Head, Department of Professional Development & Career Services shall:
 - i) Develop appropriate procedures for Midshipmen to report incidents of discrimination, harassment, or sexual harassment during sea year training or during an internship.
 - ii) Provide appropriate training in responding to incidents of discrimination, harassment or sexual harassment during sea year training or during an internship, including reporting the incident and seeking guidance from vessel personnel, shipping company personnel, or the Academy.

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- iii) Obtain and disseminate to Midshipmen the discrimination and harassment policies of the shipping and internship companies to which Midshipmen are assigned.
- c) The Deputy Superintendent shall:
 - i) Establish, monitor and document a comprehensive annual education and training program for all faculty, administrators and staff.
 - ii) In collaboration with the Commandant, oversee the appropriate investigative and disciplinary response to all Midshipmen-related allegations of discrimination, harassment or sexual harassment made against a faculty member, administrator or staff member.
- d) The Director of Civil Rights shall:
 - i) In collaboration with the Deputy Superintendent, develop and provide training to Midshipmen on cultural diversity, discrimination and harassment, including sexual harassment.
 - ii) Provide advisory service to faculty, administrators, staff and Midshipmen on discrimination and harassment.
- e) All Academy Midshipmen, staff, faculty and employees of tenant agencies shall:
 - i) Adhere to the provisions of this Instruction at all times.
 - ii) Report incidents of harassment, sexual harassment, or discrimination to a superior officer, supervisor, or other appropriate authority or agency.
 - iii) Respond to allegations of harassment, sexual harassment, or discrimination promptly and professionally.

8. Effective Date:

This policy shall go into effect immediately and shall remain in force until superseded or revoked.


JAMES A. HELIS
Rear Admiral, USMS
Superintendent

Dist. via Email

Responsible Official: Commandant