DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
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NGB-J1 12 JUN 2006

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, PUERTO RICO, THE US VIRGIN ISLANDS, GUAM, AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA

SUBJECT: National Guard Bureau Policy of Sexual Assault Prevention and Response Program (J1-06-014)

1. This memo is guidance for the Joint Force Headquarters – State (JFHQ – State) to implement the DoD Sexual Assault Prevention and Response (SAPR) Program set up by DoDD 6495.01, AR 600-20 (Chapter 8), and the Department of the Air Force Policies and Procedures for the Prevention of and Response to Sexual Assault (AF SAPR Policy).

2. National Guard leaders are to promote a positive command climate where victims have the confidence in their chain of command and civil/military investigators to report sexual assault immediately (see All States Log Number P05-0005). This requires a command focus. Here are some specific ways to demonstrate the importance of this program:

a. TRAINING. Using the NGB-***Staying on Guard*** video, senior unit commanders should lead the training sessions for their units. Complete the initial unit training for your state or territory by 30June06 and report your training numbers to the JFHQ SARC in each state each week until the training is completed. The JFHQ SARC should then provide separate reports for ANG and ARNG training status to the NGB-J1-SAPR Program Coordinator, Ms. Jane Lux. Be sure members are trained before deployments.

b. STAFFING. Your JFHQ-State Sexual Assault Response Coordinator is a key to an effective program. Each state and territory must have a trained JFHQ-State Sexual Assault Response Coordinator. We strongly suggest appointing at least an E-7 or above, a CW2 or above, or an O-3 or above for this position. You need a full time person as the primary SARC even though this is an additional duty. As an alternate JFHQ SARC, you can use another person in the state who has already received the NGB SARC training. The lead SARC represents the Joint Forces and coordinates both the ANG and ARNG SAPR program in the state. That person has sole responsibility for reporting sexual assaults to the NGB-J1-SARC and maintains confidential records of sexual assaults for the state through the new Defense Case Review Management System (DCRMS). The DCRMS is expected to be in use beginning July 1, 2006. Your SARC and Alternate must not have duties that conflict with their SAPR duties. EO,

Chaplains, and legal professionals should not be SARCs because the SARC role conflicts with their other duties. SARCs maintain communication with you to maintain the program in accordance with regulations. They require a cell phone, privacy to conduct their duties, and a budget or funding for the program.

c. CREATE A STATE GUARD LIMITED SEXUAL ASSAULT REPORTING SYSTEM. An important part of DoD's revolutionary SAPR Program is "Restricted Reporting." DoD may not mandate this for the states and DoD was not funded for additional medical benefits for those victimized while in a civilian or state active duty status. Therefore, the specific benefits of "Restricted Reporting" do not apply unless the victim is performing active and inactive duty under US Code Title 10 when assaulted (see DoDD 6495.01, paragraph 2.2, and AF Policy, paragraph 6.3). While "Restricted Reporting" is not always an option, I encourage each of you, your SARCs, and your local SAPR Working Groups to develop your own confidential limited system in accordance with your local laws, rules, and procedures.

d. STATE AND LOCAL PROGRAMS. You and your SARC should establish resources with state agencies, local coalitions, hospitals and victims groups to find resources for your SAPR Program and to give victims accurate advice and as many options as possible.

e. VICTIM PRIVACY. You, your SARC and your commanders must always respect the privacy of sexual assault victims. People should only learn about sexual assaults when they have a "limited need to know" (see DoDD 6495.01, paragraph E3.1.6.1 and E3.1.6.2). Do not provide graphic details or identify the victim. Only report the details if that individual has a legitimate need to know.

f. ESTABLISH A SEXUAL ASSAULT REVIEW BOARD (SARB): This SARB meets monthy to provide recommendations to the Commander on program development and implementation. The SARB also reviews ongoing cases to insure the victim is receiving proper follow-up services and resources. Only unrestricted cases are discussed with identifying details at these meetings. Restricted, or limited, reports may be discussed but only with non-identifying personal information. The SARB should discuss prevention, trends, and future program development. SARB members should include the Commander or his/her Designee, the SARC, a Chaplain, Healthcare Personnel, Law Enforcement, Judge Advocate, and the Victim Advocate, if involved with a case discussed at the SARB meeting.

3. The guidance and the bottom line of my previous memo on this topic remain the same: Prevent sexual assault and fully assist victims if it does occur.

4. The NGB point of contact for this program is Ms. Jane Lux, NGB-J1-SARC, at 703-601-0577, dsn 329-0577, or SARC cell at 571-215-9392. You and your SARCs can also find more information about this program at www.sapr.mil.

H STEVEN BLUM
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