

Dedicated to Support!



415th BSB Sexual Misconduct Briefing

Agenda

Dedicated to Support!

❖ Presentations

➤ CID, Kaiserslautern Detachment

Mr. Fogger

❖ Medical

SSGT Marks

➤ 415th BSB Chaplain

LTC Wootten

➤ SJA, 21st TSC

Mr. Kane

❖ Question & Answer Session Panel

All Presenters

MP Telephone Numbers

Dedicated to Support!

**Kaiserslautern MP Desk
CIV**

**DSN 489-6060/7070
0631 536 6060/7070**

**Mannheim MP Desk
CIV**

**DSN 385-3359
0621-730-3359**

**Heidelberg MP Desk
CIV**

**DSN 388-2222
06221 678 2222**

**Darmstadt MP Desk
CIV**

**DSN 348-7351
06151-69-7351**

5th Military Police Bn (CID)
Dedicated to Support!



***RAPE PREVENTION
BRIEFING***

Kaiserslautern CID Office

Mr. Carl T. Fogger

**5th MP Bn (CID)
“Professional Always”**

5th Military Police Bn (CID)

Dedicated to Support!



OBJECTIVES

Define Rape/Sexual Assault

Rape Facts & Fiction

Investigative Process

Victim's Rights

Reducing the Risk

Sources of Help

5th MP Bn (CID)
"Professional Always"

5th Military Police Bn (CID)

Dedicated to Support!

DEFINITION OF SEXUAL ASSAULT

- ✓ *Refers to several offenses of a sexual nature, committed without the lawful consent of the victim, that are punishable as crimes under the Uniform Code of Military Justice.*
- ✓ *The offenses included within the term “sexual assault” include rape and carnal knowledge (Article 120, UCMJ), forcible sodomy (Article 125), and assault with intent to commit rape or sodomy, indecent assault, or an attempt to commit any of these offenses.*

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)
Dedicated to Support!



DEFINITION OF INDECENT ASSAULT

Any person who attempts or offers with unlawful force or violence to do bodily harm to another person, whether or not the attempt or offer is consummated, to gratify his or her sexual desires.

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!



DEFINITION OF RAPE

Article 120; UCMJ

- a. Any person who commits an act of sexual intercourse by force and without consent***
- b. Penetration, however, slight, is sufficient to complete the offense***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)
Dedicated to Support!

TYPES OF RAPE

Stranger

Statutory (Carnal Knowledge)

Acquaintance “Date Rape”

Group Rape

Spousal Rape

**** Date rape is considered to be the most commonly reported rape***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

USAREUR SPECIFIC RAPE TRENDS

- ✓ **Single soldiers**
- ✓ **Living in barracks**
- ✓ **Alcohol-related**
- ✓ **Possible illicit drug use**
- ✓ **High operational tempo overseas
(deployments/re-deployments)**
- ✓ **Lack of control regarding barracks visitations**
- ✓ **Lack of community rape prevention**

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

PUNISHMENT

(According to the UCMJ)



***Article 120, UCMJ; Rape:
Punishable by death or any such
other punishment as a court martial
may direct***

**5th MP Bn (CID)
“Professional Always”**

5th Military Police Bn (CID)

Dedicated to Support!

RAPE FACTS & FICTION

There is no “typical” rapist or victim

They come from:

- all age, ethnic and economic groups***
- both sexes***
- all sexual orientations***

Rapists can be strangers, friends, family, acquaintances or dates

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

-continued-

FACTS:

- ✓ ***Rape is a violent crime***
- ✓ ***Rapes occur anywhere, at all times of the day***
- ✓ ***Most rapes are committed by someone the victim knows***
- ✓ ***Most rape victims are females, but males can also be raped***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!



-continued-

FACTS:

- ✓ ***Rape is an act of power, not strictly sexual desire***
- ✓ ***Most rapes go unreported because the victim feels ashamed or afraid no one will believe them***
- ✓ ***“No” means “no” and nothing less***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

-continued-

FICTION:

- ✓ ***A rapist only wants sexual satisfaction***
- ✓ ***People who wear seductive clothing are only asking to be raped***
- ✓ ***Most woman falsely report rapes to get back at men***
- ✓ ***Women often say “no” when they really mean “yes”***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!



INVESTIGATIVE PROCESS

Initial complaint to USACIDC

Crime scene processing

Medical examinations

Victim interview

Suspect interview/processing

Other Activities

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!



INITIAL COMPLAINT

- ✓ ***Report the rape immediately***
- ✓ ***Do not wash or shower (destroys evidence!!!)***
- ✓ ***Keep detailed account of incident and show police injuries from attack***
- ✓ ***Keep medical/physical evidence intact and do not disturb scene of assault (preserves evidence!!!)***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

CRIME SCENE PROCESSING

- ✓ ***Identification of potential evidence, i.e. sheets, clothing, fluids, letters, etc***
- ✓ ***Collection of evidence***
- ✓ ***Crime Scene photography***
- ✓ ***Canvass interviews (potential witnesses!!!)***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

MEDICAL EXAMINATIONS

- ✓ *Doctor looks at history/evidence of injury*
- ✓ *Collection of evidence, I.e. fibers, hair, bodily fluids, SADK, all clothing (DNA Evidence!!!)*
- ✓ *Physical exam, I.e. cuts, bruises, bite marks, tears, pelvic exams, STD's*
- ✓ *Blood for STD, pregnancy, and alcohol level/urinalysis if requested*
- ✓ *Photograph of injuries and collection of evidence by USACIDC*

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!



VICTIM INTERVIEW

- ✓ ***Complete account of details***
- ✓ ***Be candid/precise***
- ✓ ***Do not leave out any details, potentially embarrassing details included***
- ✓ ***Before and after details***
- ✓ ***Victim provided DD Form 2701 (Victim/Witness Assistance Form)***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

SUSPECT INTERVIEW/PROCESSING

- ✓ *Right's advisement*
- ✓ *Medical examinations*
- ✓ *Collection of evidence and DNA*
- ✓ *Photograph/fingerprints*
- ✓ *Criminal history checks*
- ✓ *USACIDC SSI Report*



5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

OTHER ACTIVITIES

- ✓ ***Possible re-interview of victim/suspect to clear up discrepancies in their accounts (potential polygraph exams???)***
- ✓ ***Track actions of all parties through interviews, I.e. timelines***
- ✓ ***Laboratory examinations of evidence***
- ✓ ***Brief USACIDC channels***
- ✓ ***Brief Unit Commander***
- ✓ ***Brief SJA***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!



VICTIM'S RIGHTS

- ✓ ***DD Form 2701, Victim/Witness Assistance Form***
- ✓ ***Right to be treated professionally, fairly and with sensitivity***
- ✓ ***Right to reasonable protection***
- ✓ ***Right to know information pertaining to court***
- ✓ ***Right to confer with an attorney***
- ✓ ***Right to information about conviction, sentencing, and imprisonment***

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

REDUCING THE RISK

At Home:

- ❑ *Avoid being alone in isolated areas*
- ❑ *Leave your lights out when you leave home*
- ❑ *Install a “peephole” and deadbolt locks*
- ❑ *Keep all entrances and garages well-lit*

On Dates/Social Functions:

- ❑ *Avoid/limit alcohol consumption (impairs judgment!!!)*
- ❑ *Don’t leave your drink unattended especially in establishments (“Date Rape drugs!!!)*
- ❑ *Make your sexual limits clear*
- ❑ *Avoid secluded places*

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!

-continued-

REDUCING THE RISK

Walking:

- Plan your route*
- If followed, go into an area with other people*
- Avoid isolated spots/don't wear headphones*

In your Car:

- Have keys ready when nearing your car*
- Check backseat and underneath before entering*
- Keep your doors locked*
- Consider cellular phone for extra safety*
- Never hitchhike or pick up a hitchhiker!!!*

5th MP Bn (CID)
"Professional Always"

5th Military Police Bn (CID)

Dedicated to Support!

-continued-

REDUCING THE RISK

Public Transportation:

- While waiting for transportation, stand near other people in well lit areas*
- Sit near the driver or conductor*
- Avoid isolated subway cars and bus or train stops*
- When arriving home by taxi or private automobile, ask the driver to wait until you are inside your home*

5th MP Bn (CID)
“Professional Always”

5th Military Police Bn (CID)

Dedicated to Support!



-continued-

REDUCING THE RISK

Unit Prevention:

- Establish unit safety policies to prevent rapes*
- Educate soldiers regarding the hazards of intoxication*
- Encourage SJA and USACIDC Training regarding rape and unit rape prevention*
- Ensure all incoming soldiers and spouses receive initial rape prevention training*
- Report all unwelcome sex to the unit commander, MP's or local CID Office*

5th MP Bn (CID)
"Professional Always"

5th Military Police Bn (CID)

Dedicated to Support!



-continued-

REDUCING THE RISK

If Attacked:

Trust your instincts and act quickly. Depending on the situation, you may decide to:

- Run or scream for help*
- Kick, hit, bite, scratch, etc*

REMEMBER, YOUR GOAL IS SURVIVAL!!! IF YOU BELIEVE RESISTING WOULD PUT YOUR LIFE IN DANGER, COOPERATE. DON'T BLAME YOURSELF LATER FOR WHAT YOU DID -- OR DID NOT DO --

5th MP Bn (CID)
"Professional Always"

5th Military Police Bn (CID)

Dedicated to Support!

SOURCES OF HELP

ACS

SWS

Medical Clinic

Military Police

Unit Chaplains

Mental Health Services

5th MP Bn (CID)
“Professional Always”

415th BSB Sexual Misconduct Briefing

Dedicated to Support!



MEDDAC-Landstuhl

Agenda

Dedicated to Support!

- ❖ **Medical Response to Sexual Assault**
- ❖ **References**
- ❖ **What to expect**
- ❖ **Do's and Don'ts for Survivors**
- ❖ **Points of Contact**
- ❖ **Conclusion**

Purpose

Dedicated to Support!



**Provide overview and guidance for
the process of preservation and
collection of forensic evidence and
services offered to Survivors of
Sexual Assault**

References

Dedicated to Support!

- ❖ AR 600-20 (Army Command Policy), 13 May 02
- ❖ AE Memo 2004-025, Sexual Misconduct Awareness Campaign
- ❖ AE Memo 2004-017, Sexual Assault
- ❖ Color Atlas of Sexual Assault, Garardin, 1997
- ❖ [Http://www.ojp.usdoj.gov/ovc/publications/bulletins/sane_4_2001/welcome.html](http://www.ojp.usdoj.gov/ovc/publications/bulletins/sane_4_2001/welcome.html)

What to Expect

Dedicated to Support!

- ❖ Hospital or Host Nation Emergency Room
- ❖ Triage for medical emergencies
- ❖ Assemble the team
- ❖ Forensic Evidence Collection
- ❖ Aftercare Medications
- ❖ Follow-up Appointment
- ❖ Resources provided

Do's and Don'ts

Dedicated to Support!

Things TO do

- ❖ DO - Report assault immediately
- ❖ DO - Bring an extra set of clothes
- ❖ DO - Contact Social Worker/Victim Advocate

Things NOT to do

- ❖ Do NOT – Delay Reporting
- ❖ Do NOT –Shower
- ❖ Do NOT -Urinate
- ❖ Do NOT -Change Clothes
- ❖ Do NOT -Blame self

Points of Contact

Dedicated to Support!

**Kaiserslautern Social Work Services or
Family Advocacy Program
489-6511 or 0631 536 6511**



**Soon to come - Sexual Assault referral
hotline.**



Conclusion

Dedicated to Support!



NOT in MY ARMY

Don't be a victim of sexual assault!

If you are. . . report, get the medical and emotional assistance you need, and BE A SURVIVOR!

415th BSB Sexual Misconduct Briefing

Dedicated to Support!



415th BSB Command Chaplain

Agenda

Dedicated to Support!

- ❖ Purpose
- ❖ References
- ❖ Some History of Sexual Misconduct
- ❖ Team Concept
- ❖ Religious Support
- ❖ Counseling and Pastoral Care
- ❖ Points of Contact
- ❖ Conclusion

Purpose

Dedicated to Support!

To inform you about the

- ❖ Religious support
- ❖ Counseling and pastoral care

Available in the event of sexual
misconduct

And at other times of personal need

References

Dedicated to Support!

- ❖ AR 165-1, Chaplain Activities in the United States Army, 25 Mar 04
- ❖ AR 600-20, Army Command Policy, 13 May 02
- ❖ FM 1-05, Religious Support, 18 Apr 03
- ❖ TC 16-2, Religious Support to Casualties, Memorial and Funeral Services, 6 Dec 91

Some History of Sexual Misconduct

Dedicated to Support!

- ❖ In ancient paganism, sexual crimes were one-sided
 - Men had instincts; women were objects to take
- ❖ Ancient Greek and Roman laws provided for
 - Hetaerna - husband could take a legal mistress
 - Patria potestas - father had absolute power over women in family, to include violence and death
 - Manus - woman owned by her husband
- ❖ The Church influenced society to outlaw such acts
- ❖ Today's post-modernism defines right as "I can"
- ❖ In the Army, we define right as "Army values"

Team Concept

Dedicated to Support!

- ❖ Army values mean that we treat every person with the respect he or she deserves
- ❖ No one single person or helping organization brings to the table all that is need
- ❖ The team includes the Commander, Supervisor, Chain of Command, EO, IG, Medical, SJA, CID, PMO, any person willing to be a friend, and the Chaplain
- ❖ The Chaplain offers
 - Religious support
 - Counseling and pastoral care

Religious Support

Dedicated to Support!

❖ **Chaplains, and the entire religious support team, care about people as people and offer help, and God's gracious Word of healing and forgiveness**

- **Chapel services, sacraments, studies, fellowship groups, religious counseling, and chapel programs**
- **A high view of personal worth; God's creation**
- **A high view of sexuality, given by God to be shared between one man and one woman in the context of a life-long union of love and commitment**
- **A true culture of freedom and dignity as opposed to today's false culture of selfishness and abuse**
- **Your Chaplain cares and is on point for you**

Counseling and Pastoral Care

Dedicated to Support!

- ❖ Chaplains offer counseling that is
 - Personal
 - Private
 - Oriented toward human development and growth
- ❖ Chaplains offer classes, programs, retreats, and spiritual fitness events that are
 - Grounded in Army values (LDRSHIP)
 - Aim at relationship and life enhancement
- ❖ Your Chaplain cares and is on point for you

Points of Contact

Dedicated to Support!

415th BSB Chaplain

489-6743/6739

**The On-Call Duty Chaplain is always available
After duty hours, call 0170 780 2518**

Ask to have the Duty Chaplain contact you now

233d BSB Chaplain

348-1570/3819

293d BSB Chaplain

380-1570/4128

411th BSB Chaplain

370-1570/8448

26th ASG Chaplain

370-6190/6597



Conclusion

Dedicated to Support!



**The most effective way to ensure
respect among Soldiers was
articulated long ago:**

**“Do unto others as you would have
them do unto you.”**

415th BSB Sexual Misconduct Briefing

Dedicated to Support!



LEGAL ASSISTANCE

Agenda

Dedicated to Support!

- ❖ Purpose
- ❖ References
- ❖ Legal Consequences
- ❖ Victim/Witness Assistance Program
- ❖ Points of Contact
- ❖ Conclusion

Purpose

Dedicated to Support!



To provide information regarding the possible legal consequences for those who commit sexual misconduct and to provide information on the Victim/Witness Assistance Program.

References

Dedicated to Support!

- ❖ NATO Status of Forces Agreement (SOFA).
- ❖ Department of Defense Directive 1030.2 (Victim and Witness Assistance Procedures), 23 Dec 1994.
- ❖ Army Regulation 27-10 (Military Justice), Ch. 18, 6 Sep 2002.
- ❖ USAREUR Regulation 27-9 (Misconduct by Civilians), 21 May 2002.
- ❖ USAREUR Regulation 27-10 (Military Justice), 25 Jan 2002.

Legal Consequences

Dedicated to Support!

- **MILITARY**
 - Administrative (Letters of Reprimand to Administrative Separations)
 - Punitive (Article 15 under the UCMJ to Courts-Martial)
- **CIVILIAN (May apply to both employees and Dependents)**
 - Administrative (Letters of Reprimand, Suspension, Revocation of Individual Logistic Support, Early Return of Dependents, and Bars of Entry to Military Installations)
 - Punitive (Prosecution under Host Nation Laws or Prosecution under the Military Extraterritorial Jurisdiction Act)

Victim/Witness Assistance Program

Dedicated to Support!



- AR 27-10, Chapter 18
 - Implements the Federal Victim/Witness Program into the Army Justice System
 - Establishes policy, designates responsibility, and provides guidance for assisting victims and witnesses
 - Victim
 - Witness
 - Victim/Witness Liaison Officer
 - Victim Advocate
- Rights of Victims
- Victim/Witness Services

Points of Contact

Dedicated to Support!

Mr. Jim Wiley
Legal Center

483-8863
(Kleber)

MAJ John Frost
Trial Counsel

484-8040
(Panzer)

MSG Angela Moore
Victim/Witness Liaison

483-8102
(Kleber)

Conclusion

Dedicated to Support!



- Legal Consequences
- Victim / Witness Assistance Program

415th BSB Sexual Misconduct Briefing

Dedicated to Support!



Question & Answer Session Panel

Points of Contact

Dedicated to Support!

415th BSB EO

SFC Short

489-6038

415th BSB EEO

Mrs. Neal-Green

489-7195

415th BSB Chaplain

LTC Wootten

489-6743/6739

CID, Kaiserslautern Det

Mr. Fogger

493-6073/6020

SJA, 21st TSC

Mr. Kane

484-7449