



**Final 2013-2014 Academic Year Biennial Survey and Report  
on  
Sexual Harassment and Sexual Assault at the  
United States Merchant Marine Academy**



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Attachment 2 Superintendent Instruction 2013-02, Policy Against Discrimination and Harassment, Including Sexual Harassment, of Midshipmen, dated 4 February 2013	



## Foreword

The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 requires the U.S. Merchant Marine Academy (USMMA or the Academy) to conduct a survey on sexual harassment and sexual assault every other year. A survey was administered by the U.S. Department of Defense's Defense Manpower Data Center (DMDC) to the Midshipmen population in three sessions. The survey could only be administered to a partial contingent of Midshipmen in each session due to the Academy's unique Sea Year construct, in which one-half of the Third Class (sophomore) and one-half of the Second Class (junior) Midshipmen are away from campus and at sea at any one time during the academic year. DMDC administered the survey to a partial contingent of Midshipmen in two sessions in April and August of 2014. The preliminary results from those sittings were delivered to Congress in a Report dated January 12, 2015. The final DMDC results, delivered to the Academy in June 2015, incorporate data from a third administration<sup>1</sup> of the survey to Second Class (junior) and First Class (senior) Midshipmen returning from Sea Year. The difference between the numbers of sexual assaults and sexual harassments reported in the preliminary and final analyses is statistically insignificant. During the 2013-2014 Academic Year, a weighted estimate of 19 to 28 women and a weighted estimate of 8 to 24 men were sexually assaulted and an estimated 63 percent of women and 11 percent of men experienced sexual harassment. The Academy had three sexual assaults reported to Academy officials, which while more than were reported in previous years, still requires significant improvement.

The Academy also conducted a Faculty and Staff Sexual Harassment and Sexual Assault Survey in June and July 2014, the first such survey given since 2010. There were no reported sexual assaults, but three faculty and staff members revealed that they had been victims of sexual harassment. One faculty or staff member said that he or she reported the sexual harassment to the Equal Employment Opportunity office, but the office has no record of such a report being made.

These results are unsatisfactory to me, to the leadership of the Academy, the Maritime Administration (MARAD) and the U.S. Department of Transportation (DOT). We will take every necessary measure to put a stop to this egregious behavior and to ensure that Midshipmen have a safe and supportive environment on campus and during their Sea Year training.

Appendix C details the comprehensive Plan of Action the Academy maintains to prevent and respond to sexual harassment and sexual assault. In November 2014, the Academy hired a new Sexual Assault Prevention and Response Coordinator (SARC) to replace the previous SARC who resigned earlier in the year. In addition, the Academy has established an oversight framework for its Sexual Assault Prevention and Response (SAPR) program, which includes the following: (1) goals by which the Academy's progress can be assessed; (2) continuing education requirements for the SARC position; (3) performance metrics for the SAPR program and its sexual harassment prevention activities; (4) a plan with assigned responsibilities and deadlines

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<sup>1</sup> An extra session was held in August 2014 to survey 125 members of the Class of 2015 who had returned from sea early.

by which annual reports and action plans on sexual assault and harassment are delivered to Congress; (5) standard operating procedures related to the SARC's responsibilities and the execution of the program; and (6) a systematic recordkeeping system for sexual assault and sexual harassment incidents, reports and related training.

We also continue to upgrade our safety and security systems. The campus 24/7 Command and Control Center was fully operational in January 2014 and an electronic access system for the barracks was activated in May 2014. Further upgrades are planned through Fiscal Year 2016, including the establishment of a Public Safety Local Area Network, increased video surveillance, installation of additional call-boxes and implementation of a campus entry point screening system.

In addition, DOT has delegated oversight responsibility for USMMA's SAPR program to the Maritime Administration (MARAD) who *clarified lines of reporting and defined the position requirements* for the SARC. DOT and MARAD continue to involve their senior leaders involved in the execution of the Academy's SAPR program.

DMDC has completed Midshipmen Focus Group sessions for the 2014-2015 Academic Program Year and the Academy is waiting for the results. We will use the focus group results to corroborate the SAGR Survey data and to obtain more specificity on Midshipmen perceptions of the program. The 2014 SAGR Survey and 2015 focus group sessions results taken together will be useful in guiding us on additional steps we must take to fully implement an effective "Zero-Tolerance" Sexual Assault Prevention and Response Program at the Academy.

The American people entrust the U.S. Merchant Marine Academy with developing some of America's best young men and women into leaders of exemplary character who proudly serve as officers in the U.S. Merchant Marine and our Armed Forces. DOT, MARAD 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

January 12, 2016

## **Executive Summary**

The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (P.L. 110-417), requires the U.S. Merchant Marine Academy (USMMA or Academy) to prescribe a policy and conduct an assessment during each Academic Year<sup>2</sup> to determine the effectiveness of its policies, training and procedures with respect to sexual harassment and sexual assault prevention. For each Academic Year beginning in an odd-numbered year, the Academy also must administer a survey.

Three official reports of sexual assault were made to the Academy in the 2013-2014 Academic Year. Four assaults were reported in the previous academic year. No assaults were reported in the two years before that, even though the Midshipmen survey for those years indicated that sexual harassment and assaults were about as prevalent then as in the most recent Academic Year. The SAGR Survey results show that from 2012 to 2014, increased percentages of men and women trusted the academy to protect their privacy and ensure their safety (see Table 3). Despite this, the number of incidents officially reported to the Academy is still only a fraction of all the incidents of harassment and assaults that occurred, based on the information the Midshipmen provided in U.S. Department of Defense's Defense Manpower Data Center's (DMDC) anonymous survey. As the Plan of Action in Appendix C shows, the Academy leadership is continuing to work on establishing an environment in which Midshipmen feel safe reporting incidents, as an important step towards reducing and eliminating assaults and harassment.

Nonetheless, these final results are still highly disturbing. The Midshipmen at the Academy deserve an environment that is entirely free of sexual harassment and sexual assault. Of concern, it is clear both from the three official reports of sexual assault and the survey results outlined below that these behaviors continue to occur at the Academy. It is the responsibility of the Academy leadership, the Maritime Administration (MARAD), and the U.S. Department of Transportation (DOT) to address this culture at the Academy and effect meaningful change that results in a climate where there is zero tolerance for these behaviors. DOT and MARAD will continue to involve senior leaders in the execution of the Academy's Sexual Assault Prevention and Response (SAPR) program, and this survey provide the data points to be used to tailor training effort to affect this change on campus.

As in the 2011-2012 Academic Year, the Academy contracted with DMDC to administer its confidential Service Academy Gender Relations sexual harassment and sexual assault survey (SAGR Survey).<sup>3</sup> 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 service academies, (2) it provided professional compilation and analysis of results, and (3) it gave the Academy the ability to compare results with other Federal service academies.

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<sup>2</sup> An Academic Year at the Academy begins on July 1 of each year and ends on June 30 the following year.

<sup>3</sup> 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.



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.<sup>4</sup> This means that the Survey provides estimated percentages of the overall population rather than actual numbers of Midshipmen meaning that there is a potential for selection bias in the results. 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 2012 SAGR Survey provided the Academy with an opportunity to baseline its SAPR program. The 2014 final results now being reported will provide Academy leadership with its first data points in assessing the progress of the program. The Academy's SAPR program began in earnest with the hiring of the first Sexual Assault Prevention and Response Coordinator (SARC) in April 2012, but because the majority of Midshipmen took that year's SAGR Survey the same April, the new program had little or no influence on Midshipmen responses. As a result, the 2012 SAGR results can be considered a true baseline. The 2014 SAGR Survey offers a first look at Midshipmen perceptions after two years of exposure to the SAPR program.

The 2014 SAGR Survey presents results for a Midshipman population of 936 based on 761 eligible respondents to the Survey. Eligible respondents fell into two categories: Eligible, complete respondents, who returned the survey with critical items completed and at least 50 percent of items completed (537 Midshipmen); and eligible, incomplete respondents, who returned the survey with critical items not completed or at least 50 percent of items not completed (224 Midshipmen). Only eligible, complete respondents were considered in DMDC's calculation of response rate. There were 537 eligible, complete respondents out of the Midshipman population of 936, for a response rate of 57 percent. There were an additional 137 students who checked in to the Survey session but failed to turn in a Survey and another 38 students who failed to check in at all; these students were considered non-eligible. Per DMDC policy, foreign nationals and students who leave the Academy are excluded from the Survey. In 2014, the Academy had five foreign national students from Malaysia, Republic of Korea, Republic of Panama and the Northern Marianas Islands. These students were not included in the 936 total for Midshipman population.

The SAGR Survey is a product developed specifically for Federal service academy students and cannot be administered to Academy faculty or staff. No survey of the faculty or staff was conducted in 2012; the Academy developed and administered its own Faculty and Staff Sexual Harassment and Sexual Assault Survey in 2014, the first such survey given since 2010. There were no reported sexual assaults from Academy faculty or staff, but three of them revealed that they had been victims of sexual harassment. One faculty or staff member said that he or she

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<sup>4</sup> As with the other service academies, Midshipmen are encouraged but not required to complete the survey, thus the reason for the weighting formula. DMDC methodology uses complex sampling and weighting procedures to ensure accuracy of estimation to the full student population at each service academy.



reported the sexual harassment to the Equal Employment Opportunity office, but the office has no record of such a report being made.

The 2014 SAGR Survey was given to Midshipmen in three separate sessions<sup>5</sup> – in April, August and November 2014 – to members of the Classes of 2014 through 2017.<sup>6</sup> A total of 663 Midshipmen sat for the April Survey. An additional session was held in August 2014 to survey 125 members of the Class of 2015 who had returned from sea early. DMDC conducted the August session in an effort to collect and analyze as much data as possible to assist the Academy in providing the fullest possible snapshot by the Congressionally-mandated January 2015 deadline date for the Report. A third session was conducted in November, which is the normal timing, and the Academy received DMDC's complete analysis of all three sessions on June 30, 2015. This Report amends the preliminary Report submitted in January to reflect the results of DMDC's final data analysis.

The difference between the numbers of sexual assaults and sexual harassments reported in the preliminary and final data analyses is statistically insignificant. The Survey results show that a weighted estimated of 19 to 28 female Midshipmen and 8 to 24 male Midshipmen were sexually assaulted (subject to behaviors ranging from unwanted touching to forced sexual acts). Of these, more than half (60%) of female Midshipmen indicated that the location of the "one situation"<sup>7</sup> that had the greatest effect on them was on Academy grounds in dormitory/living area and more than one-third (37%) indicated the incident occurred while on Sea Year training. Of the 19 to 28 women who were assaulted, 11 percent said that they reported the situation to an authority or organization. This approximates the number of actual reports received by the Academy's acting SARC. Of the 8 to 24 men who were assaulted, virtually none (a statistically insignificant number) said that they reported the assault. Nor did the Academy receive any actual reports from men who had been sexually assaulted.

An estimated 63 percent of women reported that they had been sexually harassed compared to 57 percent in the 2012 Survey. An estimated 11 percent of men reported that they had been sexually harassed compared to 8 percent in the 2012 Survey. The survey's definition of sexual harassment includes acts of sexist behavior, crude and/or offensive behavior, unwanted sexual attention and sexual coercion.<sup>8</sup> The Survey also asked if the Midshipman considered any of the selected behaviors to be sexual harassment.

In a distinct increase from the 2012 survey, the SAGR Survey showed that an estimated 78 percent of female Midshipmen believe that senior leadership (defined as the Superintendent, Deputy Superintendent, Academic Dean, Commandant, and Vice/Deputy Commandant) makes

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<sup>5</sup> Normally, DMDC conducts two survey sessions at the Academy because approximately half of the Second and Third Class Midshipmen are away from campus on Sea Year training during the first administration in the spring. A second survey session must be held in November after these Midshipmen return to campus.

<sup>6</sup> For reporting results: Senior (First Class) – 2014, Junior (Second Class) – 2015, Sophomore (Third Class) – 2016 and Freshman (Fourth Class or Plebe) – 2017

<sup>7</sup> In order to understand the details surrounding unwanted sexual contact, while balancing the need to reduce unnecessary burden on respondents who may have experienced multiple incidents, the 2014 SAGR asked Midshipmen for details on the "one situation" that had the greatest effect on them.

<sup>8</sup> Definitions appear in question 15 of the Survey instrument.

honest attempts to stop sexual harassment and sexual assault. In the 2012 Survey, 67 percent of female Midshipmen reported that they believed that senior leadership had created a climate in which “to a large extent” sexual harassment and sexual assault were not tolerated. The 2014 Survey results also showed that, compared to the 2012 Survey, higher percentages of female Midshipmen believed that Midshipmen leaders (79 percent in 2014 versus 67 percent in 2012), uniformed academic faculty (70 percent in 2014 versus 57 percent in 2012), civilian academic faculty (73 percent in 2014 versus 58 percent in 2012) and athletic staff (72 percent in 2014 versus 57 percent in 2012) would make honest and reasonable efforts to stop sexual harassment and sexual assault.

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. Based on the preliminary survey results, we have identified the following seven areas as requiring attention:

- Working toward a “zero tolerance and full reporting” climate;
- Working with industry to continue to address the climate aboard commercial vessels;
- Improving *intervention and prevention training among faculty, staff and senior leadership*;
- Intensifying awareness, prevention and bystander training among midshipmen;
- Improving the variety and quantity of after-class activities to reduce the draw of alcohol-fueled entertainments;
- Developing self-assessment tools; and
- Increasing gender diversity in Academy employees and the Regiment of Midshipmen.

## **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 (Act) (Appendix B). The Act requires an annual assessment at the U.S. Merchant Marine Academy (USMMA or 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 third survey since implementation of the requirements of the Duncan Hunter Act.

## **2013-2014 Academic Year Survey Development and Methodology**

In 2004, the U.S. Military Academy, U.S. Naval Academy and U.S. Air Force Academy began to follow a sexual harassment and sexual assault program assessment cycle that consisted of alternating surveys and focus groups.<sup>9</sup> The first assessment in the series was conducted by the Department of Defense Inspector General. Responsibility for subsequent assessments was transferred to DMDC, which conducted surveys in 2005, 2006, 2008, 2010 and 2012 and Focus Groups in 2007, 2009, 2011 and 2013. U.S. Merchant Marine 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 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 will tailor survey specifics to aspects unique to each service academy; for the U.S. Merchant Marine Academy, this has meant adding questions to address the Midshipman Sea Year experience.

The DMDC administered the SAGR Survey in April, August and November 2014 to the Academy's Midshipmen in the Classes of 2014 through 2017. The Academic student population consisted of 936 students (136 female and 800 male Midshipmen). Even though the Survey was completed by only a portion of the total onboard population, the total Midshipman population number is important because data from respondents is weighted by DMDC analysts so that the results are reflective of the entire population. Three administrations of the Survey were necessary because approximately half of the Third Class (sophomore) and Second Class (junior) Midshipmen were away from campus on Sea Year training during the first administration in

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<sup>9</sup> As codified in Title 10 of the U.S., as amended by Section 532 of the John Warner National Defense Authorization Act for Fiscal Year 2007.



April. The second session was held in August to capture responses from Midshipmen who had returned to campus in late July after completing their Sea Year training and to facilitate submission of the preliminary Report in accordance with the Congressionally-mandated deadline in January 2015. The third session was held in November to capture responses from Midshipmen who departed for Sea Year in March and did not return until mid-November.

The SAGR Survey also was administered at the Nation's other four military service academies. The same survey and analytical procedures were used at all academies producing comparable results with one caution – the USMMA results include a longer timeframe as a reference for some of the questions (June 2013 to November 2014 as opposed to June 2013 to May 2014) for those Midshipmen who were surveyed in November. Prevalence rates might be slightly higher due to the 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 include rates of unwanted sexual contact, unwanted gender-related behaviors, and stalking-related behaviors experienced during the Academic Year 2013-2014 (defined in the questions as June 2013 through the date of the survey administration in April, August and November 2014). Future administrations of the SAGR Survey will allow trend comparisons of rates across survey years.

Respondents were provided with the following definitions of 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.

### **Survey Administration**

Data was collected in April, August and November 2014 from Academy Midshipmen in Classes 2014 through 2017. 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 936 students based on student rosters provided by the Academy. The number 936 was achieved after excluding 5 foreign nationals, who were not considered part of the sample population per DMDC policy. Of those 936 students, 38 did not complete the Survey because they were sick, on leave or otherwise unable to be present. Of the remaining students, 137 chose not to complete any of the Survey and 224 turned in incomplete Surveys (considered eligible, incomplete respondents). Surveys were completed by 537 students (considered eligible, complete respondents). Table 1 shows the Midshipman population, number of Survey respondents, number of completed Surveys submitted and response rates. Overall, the Survey had a 57 percent weighted response rate, with 54 percent of male Midshipmen participating and 79 percent of female Midshipmen participating. This represents a two (2) percent increase across the board in survey participation compared to 2012.

Table 1. Midshipmen Response Rates By Gender				
Gender/Class	Midshipmen Population	Survey Respondents <sup>10</sup>	Completed Surveys	Response Rate (%)
Male	800	639	429	54
Female	136	122	108	79
Total	936	761	537	57

The population of interest for the 2014 SAGR Survey consisted of all students at the Academy in class years 2014 through 2017, with the exception of visiting students and foreign nationals. Because the Survey was voluntary, not all students responded to the Survey, and some students who did take the Survey did not answer all of the questions. Because of this, DMDC applies a weighting algorithm to produce estimates of population totals, proportions and means (as well as other statistics) that are representative of their respective populations. The weighting process consists of the following steps:

- Adjustment for selection probability – sample selection arises when the observed sample is not a random draw from the population of interest. Failure to take this selection into account can potentially lead to inconsistent and biased estimates. DMDC typically adjusts for selection probability, but in the case of the Academy, the entire population was chosen for sampling. Thus, the selection probability is 100 percent and the base weights are calculated to be zero.
- Adjustments for non-response<sup>11</sup> – Non-response bias is the possibility that the results of the Survey are incorrect because some categories of students had a much lower response

<sup>10</sup> Survey respondents include the number of surveys returned, that are considered eligible or ineligible, but exclude surveys returned blank.



rate 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.

DMDC adjusts for non-response in creating population estimates by first calculating the base weights as the reciprocal of the probability of selection, then adjusts the base weights for those who did not respond to the survey, and finally adjusts for those who started the Survey but did not complete it.<sup>12</sup>

- Adjustment to known population values – DMDC typically adjusts the weights in the previous step so selected demographic variables conform to actual known values in the population; this accounts for any remaining bias. In the case of the 2014 SAGR, the weights in the previous step were adjusted to known population values using the three known demographic variables (Academy, class year and gender). The post-stratification adjustments have a value of one because the three demographic variables were already accounted for in the previous step.

Because of the weighting, conventional formulas for calculating margins of error will overstate the reliability of the estimate. For this report, DMDC used variance estimates to construct margins of error of percentages and means based on 95 percent confidence intervals.

## **Midshipmen Perceptions**

### Training

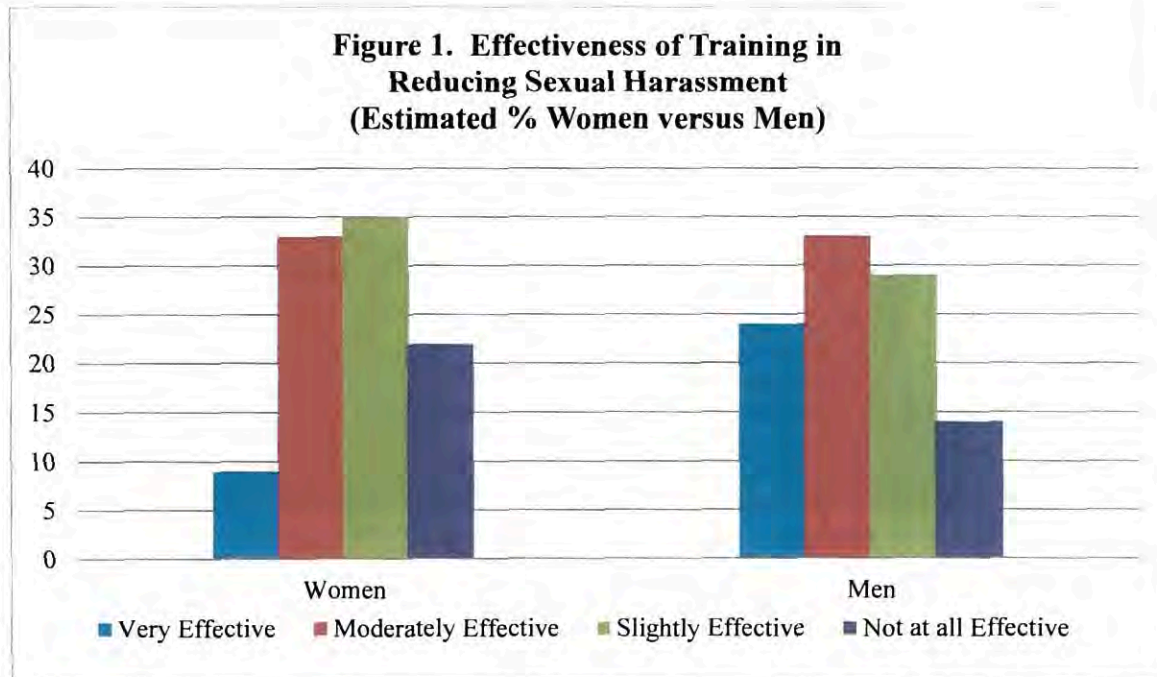
Survey results show that the Academy has been successful in training nearly 100 percent of the Regiment of Midshipmen (student body) in sexual assault harassment and sexual assault prevention and response. A vast majority (98 percent) of women indicated that they had attended training sessions in sexual assault and sexual harassment since June 2013. This is a significant increase over 2012, when the Survey showed that 89 percent of women had received training in both topics. Similarly, a majority of men (96 percent) indicated that they had received both sexual assault and sexual harassment training since June 2013. This is also an increase over 2012, when 89 percent of men indicated that they had received training in both topics.

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<sup>11</sup> While a thorough analysis of non-response bias has not been conducted for this Survey, DMDC has in the past performed such an analysis for the similar surveys that it has conducted for active duty military personnel (Defense Manpower Data Center, *2012 Workplace and Gender Relations Survey of Active Duty Members: Nonresponse Bias Analysis Report*, Alexandria, Virginia, January 2014). In its 2012 study, DMDC concluded that the level of non-response bias appeared to be modest, and that the amount of non-response bias seemed more likely to understate the rate of unwanted sexual contact (USC) rather than to overstate it. It 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.”

<sup>12</sup> “Completed” is defined as answering 50% or more of the questions asked of all participants, at least one sub-item in Question (Q) 12a through s and a valid response to Q21.

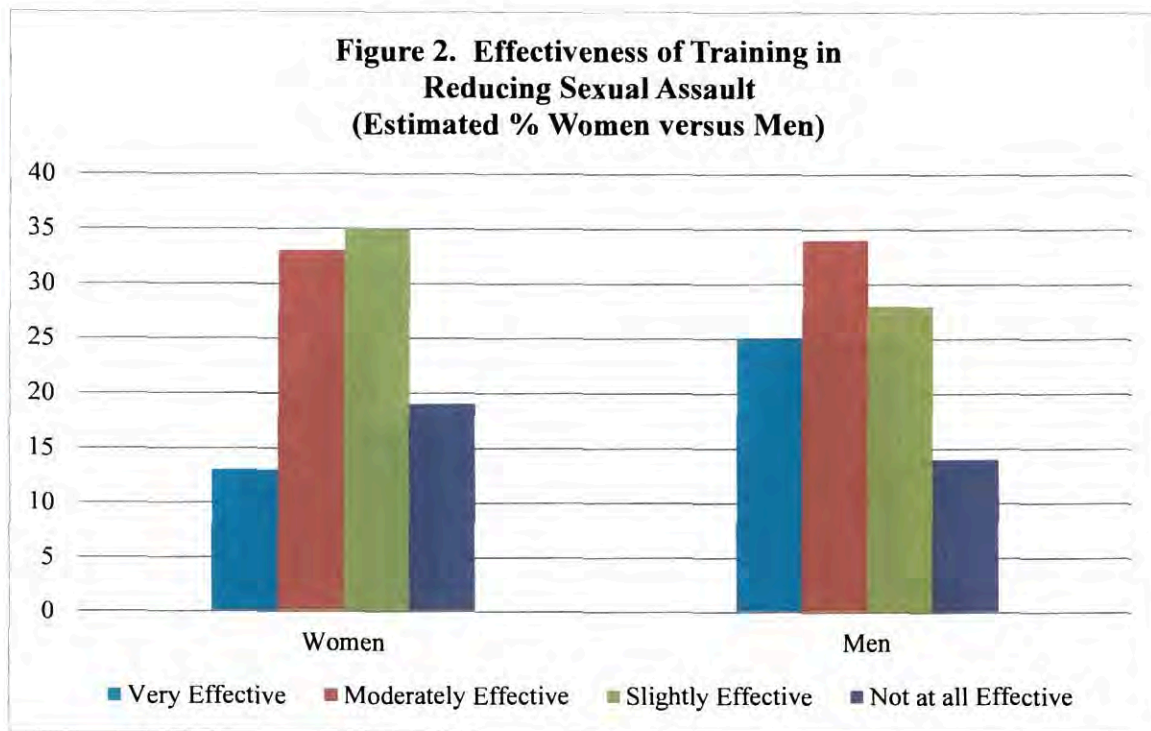
## Effectiveness of Training



When asked to evaluate the Academy's Midshipmen training program in terms of its effectiveness in reducing sexual harassment, an estimated 42 percent of women and 57 percent of men felt that it was very effective or moderately effective (Figure 1). This compares unfavorably with the 57 percent of women who thought it was only slightly effective or not at all effective. Training was perceived somewhat better by men, in that only 43 percent thought the training was only slightly effective or not at all effective. These results show that while Academic Year 2013-2014 training was meaningful to a majority of male Midshipmen, it still failed to meet the expectations of female Midshipmen that the delivery and content of the training would actually reduce sexual harassment.

When asked to evaluate the Academy's training program in terms of its effectiveness in reducing sexual assault, an estimated 46 percent of women and 59 percent of men felt that it was very effective or moderately effective (Figure 2). This compares unfavorably with the 54 percent of women who thought it was only slightly or not at all effective. Only 42 percent of men thought the training was only slightly or not at all effective. These results show that more than half of female Midshipmen thought that training conducted in Academic Year 2013-2014 failed to meet their expectations that the delivery and content of the training would actually reduce sexual assault.





As reflected in Table 2, the Survey results show that generally training has helped both male and female Midshipman to understand how to report sexual harassment and sexual assault. They were less familiar, however, with the dynamics of the investigatory process and very weak in their understanding of bystander intervention and self-help techniques. It is clear that more training in these topics would be of benefit to both male and female Midshipmen.

<b>Table 2. Training Helped Midshipmen to: (Estimated % of Respondents)</b>		
	<b>Male</b>	<b>Female</b>
Understand how to report sexual harassment	83	86
Understand how to report assault	82	85
Understand the investigative process associated with reporting sexual assault	78	79
Intervene to prevent sexual assault	44	52
Intervene to prevent sexual harassment	38	33
Stop someone from harassing them	28	27
Stop someone from attempting to sexually assault them	27	24
<i>Margins of Error</i>	$\pm 4\text{-}5\%$	$\pm 4\text{-}7\%$

#### Confidence in Reporting/Outcomes of Reporting

The 2014 SAGR Survey asked Midshipmen that, if they were to experience sexual assault in the future, would they trust the Academy to safeguard their privacy, ensure their safety, and treat them with dignity and respect. This question was reworded from the 2012 Survey, which asked



if “Midshipmen would be likely to trust the system”. The 2014 SAGR Survey asked if “Midshipmen would be likely to trust the Academy” in order to more clearly focus Midshipmen on the Academy instead of the military or other providers. Although DMDC warns that, because of this, comparison to the 2012 SAGR Survey should be made cautiously, they nevertheless conclude that in 2014, male and female Midshipmen were generally more likely to trust the Academy to protect their privacy, ensure their safety and treat them with dignity and respect than they were in 2012. Overall, females expressed much less confidence than males that the Academy would protect their privacy, ensure their safety and treat them with dignity and respect.

**Table 3. If He or She Experienced Sexual Assault in the Future,  
a Midshipman Would be Likely to:  
(Estimated % of Respondents)**

	Male				Female			
	Total		Fourth Class		Total		Fourth Class	
	2012	2014	2012	2014	2012	2014	2012	2014
Trust Academy to Protect Privacy	37	58	46	72	32	44	43	45
Trust Academy to Ensure Safety	45	71	50	81	37	43	43	52
Trust Academy to Treat You with Dignity/Respect	48	70	60	78	49	46	52	41
<i>Margins of Error</i>	$\pm 4\%$	$\pm 4\%$	$\pm 5-9\%$	$\pm 5-9\%$	$\pm 6-7\%$	$\pm 6-7\%$	$\pm 9-10\%$	$\pm 9-10\%$

The Academy has put many initiatives in place to increase confidence in the system. The reporting system produced three formal sexual assault reports by Midshipmen that otherwise might not have been made had they not had some level of trust in the Academy. The Academy has written and implemented Standard Operating Procedures (SOPs) - Investigating an Unrestricted Report of Sexual Assault, Processing a Restricted Report of Sexual Assault and Maintenance of Restricted and Unrestricted Reports, and posted these procedures in a shared drive on the Academy network so that they can be accessed by anyone in the campus community. Leadership has provided visible support to the Human Relations Officers (formerly the Students Against Sexual Assault (SASA) Club) and the SARC and Human Relations Officers executed a rigorous program for the April 2015 Sexual Assault Awareness Month. In addition, the Academy activated its barracks access control system in May 2014, restricting building entry to only those who have authorization.

Further initiatives are planned to encourage Midshipmen to have more confidence in the Academy that they can confidentially report sexual harassment and sexual assault incidents. These will continue to build upon a plan to have investigators outside of the Commandant's Department conduct inquiries into sexual assaults. The Academy has discontinued the practice of using Midshipmen to serve as Sexual Assault Victim Advocates (SAVAs) due to discomfort on the part of the SAVAs in taking peer restricted reports.<sup>13</sup> A new contingent, called simply

<sup>13</sup> Per Academy policy, only a report made to a SAVA, the SARC, Chaplain or Medical Provider is considered restricted. A report made to anyone other than those four individuals is considered unrestricted. Unrestricted



Victim Advocates (VAs), will include trusted faculty and staff members; the SARC felt that it was important to provide Midshipmen with restricted reporting options beyond the four sources traditionally charged to receive restricted reports. Midshipmen interact with faculty and some staff members on a frequent basis and develop relationships of trust with them that they do not have with their peers. Midshipmen Human Relations Officers (HROs) will continue to take unrestricted reports and will serve as peer trainers in sexual harassment and sexual assault prevention and response. Peer trainers are essential in driving home the concept that sexual harassment and sexual assault are Regimental problems and that the Midshipmen themselves bear responsibility for fixing this problem within their ranks.

Additional campus security upgrades are contemplated through Fiscal Year 2016, including the establishment of a Public Safety Local Area Network, increased video surveillance, installation of additional call-boxes and implementation of a campus entry point screening system. We also look forward to the ideas and input of the SARC in helping us to build Midshipmen confidence and trust in the Academy's ability to process reports of sexual assault.

#### Person to Whom Midshipmen Would be Willing to Report Sexual Assault

The 2012 SAGR Survey asked Midshipmen that if they experienced a sexual assault, would they be likely to discuss the incident with the SARC, a victim advocate, a peer advocate or a friend. In the 2014 SAGR Survey, this question was changed to ask whom students would prefer to report to within the Academy, particularly for restricted reports. To measure this, students were asked, if they were to experience sexual assault in the future and chose to make a restricted report, to whom they would feel most comfortable making that report. Students were asked to write down the answer to the question rather than pick from a list. Table 4 lists the results. The majority of females (26%) indicated that they would feel most comfortable reporting an experience of sexual assault to a SAVA, with 17 percent males indicating the same (for males, SAVA was the second most preferred recipient of such a report). This gives the Academy added incentive to get selected faculty and staff members designated and trained as VAs, with October 2015 set as the target qualification month.

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reports trigger law enforcement investigation, but a restricted report does not. Under both restricted and unrestricted reporting, a victim has access to medical, legal and counseling services.

<b>Table 4. Preferred Recipient of a Restricted Report (Estimated % of Respondents)</b>		
	<b>Male</b>	<b>Female</b>
Sexual Assault Victim Advocate (SAVA)	17	26
Military Staff	19	13
Medical	11	11
Chaplain	12	9
Sexual Assault Response Coordinator (SARC)	13	9
No one	3	7
Company Human Relations Officer (HRO)	3	5
Teacher/Mentor	2	5
Civilian	2	3
Midshipman Leadership	7	2
Coach	2	2
Family	2	1
Commandant	3	1
External Affairs	0	1
Equal Employment Opportunity	1	1
Police/Lawyer	1	0

These results also show that many male and female Midshipmen said they would be comfortable making a restricted report to preferred recipients who are not able to take restricted reports in accordance with Academy policy. In particular, the majority of males (19 percent) said they would be comfortable making a restricted report to “military staff members.” Regrettably, the Survey is not clear in defining a “military staff member,” and the term could refer to active duty Navy members of the Academy’s Naval Science Department, to reservists on active duty within the Commandant’s Department, or to various military liaison members stationed at the Academy. The Academy will work with DMDC to determine if it could define “military staff member” for the next Survey so that the Academy can identify the cohort of choice with an eye to choosing select members of that group to serve as VAs.

#### Deterrents to Reporting Sexual Assault

Since mid-2012, the Academy has been proactively training Midshipmen with a more robust program about sexual assault prevention and response, emphasizing the importance of reporting even in the face of challenging consequences. During each session, Midshipmen are asked to consider how sexual assault affects victims. The training has also stressed the importance of reporting sexual assault, since reporting enables the Academy to ensure that Midshipmen are receiving necessary support services and maintain an accounting for these incidents. Midshipmen are informed 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 continues to be a challenge to alleviate the fears of Midshipmen that they will be stigmatized by members of the Regiment of Midshipmen or punished for a



separate offense connected with the assault, such as under-age alcohol consumption. To attempt to understand why Midshipmen are reluctant to report sexual assault, the 2014 SAGR Survey asked them for their perceptions about various factors that might influence one's decision to report. These factors, and the extent to which they deter Midshipmen from reporting, are depicted for males in Table 5 and females in Table 6.

**Table 5. Factors That, to a Large Extent, May Deter Male Midshipmen From Reporting Sexual Assault  
(Estimated % of Respondents)**

	Total		Fourth Class		<i>Margins of Error</i>
	2012	2014	2012	2014	
High profile cases of sexual assault	15	14	15	12	<i>Range from <math>\pm 3</math>-11%</i>
Media scrutiny	20	17	26	19	<i>Range from <math>\pm 3</math>-11%</i>
Negative Peer Reaction	32	26	33	18	<i>Range from <math>\pm 3</math>-11%</i>
Victim will be blamed for the assault	24	19	19	22	<i>Range from <math>\pm 3</math>-11%</i>
Impact on victim's reputation on credibility	46	40	49	44	<i>Range from <math>\pm 3</math>-11%</i>

**Table 6. Factors That, To a Large Extent, May Deter Female Midshipmen From Reporting Sexual Assault  
(Estimated % of Respondents)**

	Total		Fourth Class		<i>Margins of Error</i>
	2012	2014	2012	2014	
High profile cases of sexual assault	38	32	21	25	<i>Range from <math>\pm 1</math>-20%</i>
Media scrutiny	41	36	34	19	<i>Range from <math>\pm 1</math>-21%</i>
Negative Peer Reaction	74	57	83	25	<i>Range from <math>\pm 1</math>-21%</i>
Victim will be blamed for the assault	52	49	48	25	<i>Range from <math>\pm 1</math>-21%</i>
Impact on victim's reputation on credibility	79	71	83	44	<i>Range from <math>\pm 1</math>-21%</i>

Both male and female Midshipmen felt that the most significant deterrent to reporting sexual assault would be the reaction of the Regiment. A majority of women (71%) and less than half of men (40%) indicated that the reputation of a victim has a strong bearing on his or her credibility. This is important because it could lead survivors of sexual assault who are not generally liked by their peers or who have reported sexual assault in the past to feel that they are less credible in the eyes of their peers. A victim of sexual assault may be deterred from reporting if he or she thinks



that peers will not believe the claim of sexual assault or the victim may not report if he or she feels less credible than the offender.

Females (57%) felt to a larger extent than males (26%) that potential negative reaction from Academy peers makes victims less likely to report sexual assault. While nearly half of female Midshipmen (49 percent) believe that the victim will be blamed for contributing to or “inviting” the assault as a result of his or her dress or behavior compared to only 19 percent of men who believe the victim will be blamed. A victim who fears that he or she will be blamed for causing his or her own assault will most likely not report the assault.

It is somewhat encouraging that, in general, from 2012 to 2014, a decreasing percentage of Midshipmen saw these factors as deterrents to reporting. However, work must be done within the Regiment of Midshipmen to reduce negative peer reaction, victim blaming and the undue influence of reputation upon a victim’s credibility. Efforts are already underway to develop Midshipmen leadership courses to teach responsibility and accountability so that student leaders can better impact Regimental culture. The SARC also intends to address sexual assault as a continuum of behavior starting with the sexist attitudes that lead to victim blaming and shaming. The Academy will strive to transform its culture to one in which student leaders tamp down sexist attitudes and behaviors, and victims of assault are treated with empathy and support.

### 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, professional and safe environment. Different cohorts were identified as having particular influence over the Regiment of Midshipmen: members of senior leadership, uniformed and civilian academic faculty, athletic staff, uniformed officers and Midshipmen in leadership positions. Members of senior leadership set the overall tone for the Academy while the academic faculty sets the tone within the classroom and the athletic staff sets the tone on the playing field. Midshipmen leaders are responsible for day-to-day oversight of the Regiment of Midshipmen and set the tone within barracks living spaces. The SAGR Survey asked Midshipmen whether they believed that these cohorts make honest efforts to stop sexual harassment and sexual assault. Their answers speak to the effectiveness of the Academy effort to create a climate where sexual harassment, sexual assault and sexist behavior will not be tolerated.

The Survey results (Table 7) showed that three quarters or more of all Midshipmen respondents believe that senior leadership, Midshipmen leaders and uniformed officers are making honest efforts to stop sexual harassment and sexual assault. This is a large increase from 2012, especially with female Midshipmen; in 2012 only 67 percent of female Midshipmen indicated that they believed that Midshipmen leaders would make honest efforts to stop sexual harassment and sexual assault compared to 79 percent in 2014. Midshipmen leaders and senior leadership received the highest votes of confidence overall in 2014, while confidence in athletic staff (for males) and Midshipmen not in leadership positions (for females) was the lowest. Compared to males, the female cohort was less confident overall than males that any cohort would make honest efforts to stop sexual harassment and sexual assault. Clearly, the Academy must work

harder to create a culture where female Midshipmen are confident that the leadership team is committed to non-tolerance for sexual harassment and sexual assault.

**Table 7. Do Academy Leadership, Faculty and Company Staff  
Make Honest Efforts to Stop Sexual Harassment and Sexual Assault?  
(Estimated % of Respondents)**

	Male				Female			
	Total		Fourth Class		Total		Fourth Class	
	2012	2014	2012	2014	2012	2014	2012	2014
Midshipmen leaders	75	86	73	91	67	79	69	78
Academy senior leaders	80	82	82	90	67	78	79	81
Uniformed officers in charge of their unit	77	79	76	82	67	75	79	75
Civilian academic faculty	67	77	66	76	58	73	46	69
Athletic staff	71	75	66	77	57	72	54	69
Uniformed academic faculty	70	79	69	80	57	70	54	69
Midshipmen not in leadership positions	61	79	58	83	46	58	41	63
<i>Margins of Error</i>	$\pm 3\text{-}4\%$	$\pm 3\text{-}4\%$	$\pm 4\text{-}9\%$	$\pm 4\text{-}9\%$	$\pm 4\text{-}6\%$	$\pm 4\text{-}6\%$	$\pm 8\text{-}9\%$	$\pm 8\text{-}9\%$

## Incidents of Midshipman Sexual Harassment and Sexual Assault

### Incidents of Sexual Assault

In the SAGR Survey, each Midshipman was asked whether, since June 2013, 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.”

Table 8 shows that 17.1 percent (approximately 19 to 28<sup>14</sup>) of women and 2 percent (approximately 8 to 24) men responded that they had experienced at least one incident of sexual assault during the reporting period. Although these percentages represent an increase compared

<sup>14</sup>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, have in some places been converted to produce actual number of Midshipmen. As in any survey, these estimates are subject to both sampling error and rounding error.



to 2012, DMDC considers the increase to be “statistically insignificant.”<sup>15</sup> An estimated three women responded that they had reported the assault through the Academy’s formal reporting procedures. This total approximates the number of formal reports received by the Academy. Since June 2013, the Academy has received one restricted and three unrestricted reports of sexual assault.

Table 8. Incidents of Sexual Assaults* on Midshipmen (Estimated % of Respondents)								
	Male				Female			
	Total		Fourth Class		Total		Fourth Class	
	2012	2014	2012	2014	2012	2014	2012	2014
Incidents of sexual assault	1.3	2.0	1.1	3.4	14.4	17.1	6.9	6.3
Margins of Error	Range from $\pm 0.1$ to 5.8%				Range from $\pm 0.1$ to $\pm 20.7\%$			
*Includes sexual touching, attempted or completed sexual intercourse, oral sex, anal sex or penetration by a finger or object.								

### Academy Sexual Assault Cases

Table 9 provides data on the three unrestricted cases of sexual assault reported to Academy officials. Two of three officially reported cases of sexual assaults against female Midshipmen were perpetrated by other Midshipmen. These figures corroborate with the results of the 2012 and 2014 Surveys, which show that the majority of incidents were perpetrated by other Midshipmen. One officially reported incident of sexual assault against a female Midshipman was perpetrated by a ship’s crew member, which corroborates previous survey analysis that some portion of Academy women are experiencing sexual assault during their Sea Year deployment (the 2012 SAGR Survey estimated that 10 women were sexually assaulted during Sea Year and the 2014 Survey estimated that 6 to 9 women were sexually assaulted during Sea Year).

<b>Table 9. Disposition of Unrestricted Officially Reported Cases of Sexual Assault During the 2013-2014 Academic Year</b>				
<b>Incident</b>	<b>Victim</b>	<b>Subject</b>	<b>Investigation</b>	<b>Result</b>
1	Midshipman	Midshipman	None	Restricted report
2	Midshipman	Ship crew member	Conducted by Military Sealift Command	Investigator recommended discipline for offender
3	Midshipman	Midshipman	Referred	Perpetrator dis-enrolled
Note: See footnote 13 for a description of the difference between restricted and unrestricted reporting.				

### Sources of Sexual Assault: Offenders, Location and Timing

Academy students who experience sexual assault often indicate that they have had multiple incidents during the reporting period. The 2014 Survey asks students who have experienced

<sup>15</sup> (Defense Manpower Data Center, 2014 U.S. Merchant Marine Academy Gender Relations Survey Overview Report, Alexandria, Virginia, June 2015).



multiple incidents to identify the “one situation” that had the greatest effect on them and to use that “one situation” in answering the remaining questions in that section. (See footnote 7 for DMDC explanation of the “one situation.”) The value of this is to move beyond answers to hypothetical questions and to ascertain what really did happen after a student experienced sexual assault. The analysis<sup>16</sup> that follows is only for the “one situation” that had the greatest impact on a victim and should not be construed as concrete estimates for all situations experienced at the Academy.

The Survey reports that of the 17.1 percent of women who reported being assaulted, 76 percent knew their assailant from class or another activity. Further, the Survey shows that in the “one situation” that had the greatest impact on a victim, the sexual assault was committed by another Midshipman, and that the majority of those were committed by a fellow Academy Midshipmen in the same class year as the victim (58 percent). The data in Tables 9 and 10 appear to match national statistics showing that approximately two-thirds of rapes were committed by someone known to the victim.<sup>17</sup>

<b>Table 10. Incidents of Sexual Assault* on Midshipmen by Source (Estimated % of Respondents)</b>				
	<b>Male</b>		<b>Female</b>	
	<b>Total</b>	<b>Fourth Class</b>	<b>Total</b>	<b>Fourth Class</b>
Fellow Academy student in a higher class year	NR**	NR	23	NR
Fellow Academy student in the same class year	NR	NR	58	NR
Fellow Academy student in a lower class year	NR	NR	23	NR
Fellow Academy student higher in the Midshipman chain of command	NR	NR	12	NR
Academy uniformed faculty or staff	NR	NR	7	NR
Civilian faculty or staff	NR	NR	<1	NR
DoD/DHS/DOT person not affiliated with the Academy	NR	NR	7	NR
Person not affiliated with DoD/DHS/DOT	NR	NR	12	NR
<i>Margins of Error</i>	--	--	±<1-13%	--
*Includes sexual touching, attempted or completed sexual intercourse, oral sex, anal sex or penetration by a finger or object. **Not Reportable due to low reliability.				

Table 11 shows that the majority of the sexual assaults experienced by females in the “one situation” were located on Academy grounds, followed by assaults experienced off Academy grounds during a summer experience, training opportunity or Sea Year. While it appears that the number of assaults occurring on Academy grounds increased significantly from 2012 to 2014, DMDC considers the 2014 figure to be statistically unchanged from 2012.

<sup>16</sup> Although students were asked who the offender was for the situation that had the most impact on them, respondents could select multiple response options to represent multiple offenders or overlapping categories, so total percentages will not always sum to 100. Moreover, when interpreting characteristics of the offender, the reader should understand this to be at least one of the offenders, as there were multiple offenders for some respondents.

<sup>17</sup> U.S. Department of Justice, 2005 National Crime Victimization Study, 2005.



<b>Table 11. Women Who Experienced Sexual Assaults by Location (Estimated % of Respondents)</b>			
	<b>Survey Year</b>	<b>Total</b>	<b>Fourth Class</b>
On Academy grounds in dormitory/living area	2014	60	NR
	2012	49	NR
On Academy grounds not in dormitory/living area	2014	30	NR
	2012	7	NR
Off Academy grounds at a social event	2014	13	NR
	2012	19	NR
Off Academy grounds at an Academy sponsored event	2014	<1	NR
	2012	7	NR
Off Academy grounds during summer experience/training/sea duty	2014	33	NR
	2012	***	***
Off Academy grounds while on leave	2014	11	NR
	2012	***	***
Off Academy grounds at some other location	2014	30	NR
	2012	44	NR
<i>Margins of Error</i>		±<1-16%	--
*Includes sexual touching, attempted or completed sexual intercourse, oral sex, anal sex, or penetration by a finger or object. **Not Reportable due to low reliability. ***These questions were not asked in the 2012 survey.			

Table 12 shows that of the 17.1 percent women who were sexually assaulted, more than half (62 percent) indicated that the “one situation” that had the greatest effect on them occurred after duty hours not on a weekend or holiday, less than half (42 percent) indicated the incident occurred after duty hours on a weekend or holiday and less than one-third (27 percent) said the incident occurred during normal duty hours. Although the Survey timing data in Table 12 was not correlated to the location data in Table 11, the high percentages of women experiencing sexual assaults on Academy grounds in 2012 and 2014, and during evenings, weekends or holidays, suggest that the campus and off-duty hours are when women are most vulnerable. The evenings, weekends and holidays are also periods when the Academy is most lightly staffed. The Academy’s secondary problem with sexual assault is during Sea Year; of the 17.1 percent of women who were sexually assaulted, about one-third indicated that the “one situation” that had the most effect on them occurred during the summer experience, training or Sea Year.

<b>Table 12. Women Who Experienced Sexual Assault by When the Incident Occurred (Estimated % of Respondents)</b>		
	<b>Total</b>	<b>Fourth Class</b>
During normal duty hours	27	NR*
After duty hours not on a weekend or holiday	62	NR
After duty hours on a weekend or holiday	42	NR
While on leave	23	NR
During summer experience/training/sea duty	37	NR
While on exchange to another Academy	<1	NR
<i>Margins of Error</i>	$\pm <1-16\%$	--
*Not Reportable due to low reliability.		

### Use of Force

Both men and women reported that, in the “one situation” that had the greatest effect on them, the offender used a variety of tactics to get the victim to comply, including threats to ruin the victim’s reputation, threats to harm the victim, and use of physical force. As Table 13 shows, of the 17.1 percent of women reporting that they had been sexually assaulted, in more than half (56 percent) of the incidents, the offender used physical force. In a little more than a quarter of the incidents (28 percent), the offender threatened to ruin the victim’s reputation, and in a little more than one-tenth (11 percent) of the incidents, the offender threatened to harm the victim if the victim did not consent.

Of the 2 percent of men who reported sexual assault, a little more than one-tenth (11 percent) said that in the “one situation” that had the greatest effect on them, the offender threatened to ruin the victim’s reputation if they did not consent, threatened to harm the victim if they did not consent, and/or used physical force.

<b>Table 13. Use of Threats and Force (Estimated % of Respondents)</b>					
	<b>Survey Year</b>	<b>Male</b>		<b>Female</b>	
		<b>Total</b>	<b>Fourth Class</b>	<b>Total</b>	<b>Fourth Class</b>
Threatened to ruin victim’s reputation if did not consent	2014	11	NR	28	NR
	2012	NR*	NR	25	NR
Threatened to harm victim if did not consent	2014	11	NR	11	NR
	2012	NR	NR	<1	NR
Used physical force	2014	11	NR	56	NR
	2012	NR	NR	71	NR
<i>Margins of Error</i>		$\pm 22\%$	--	$\pm <1-18\%$	--
*Not Reportable due to low reliability.					



## Role of Alcohol in Sexual Assaults

In the three of the unrestricted official reports of sexual assault received by the Academy (Table 9), either one or both individuals involved in the incident had been drinking. The 2014 Survey shows that of the 17.1 percent of women who experienced sexual assault, a little more than half (51 percent) indicated that in the “one situation” that had the greatest effect on them, either the offender or they had been drinking. Alcohol continues to play a role in sexual assaults at the Academy.

## Sexual Harassment, Stalking or Sexual Assault in Relation to the “One Situation”

If the Academy is to address sexual assault by considering it the most extreme on a continuum of behaviors, it is appropriate to ask Midshipmen if, in the “one situation” that had the greatest impact on them, they experienced any behaviors on the continuum leading up to the assault. Table 14 shows that of those Midshipmen experiencing sexual assault, many were sexually harassed, stalked or assaulted before the “one incident” occurred. Of the 17.1 percent of women who experienced sexual assault, more than half (58 percent) were sexually harassed before the incident and nearly half (49 percent) were sexually harassed after the incident. Of the 2 percent of men who experienced sexual assault, about one-tenth (11 percent) were sexually harassed and/or stalked before the incident. DMDC cites research from Begany & Milburn, 2002, and Turchik & Wilson, 2010, showing that organizational tolerance of sexual harassment and stalking is likely to create a permissive climate for sexual assault to occur. Given this research, and the fact that Academy Midshipmen who have been assaulted have experienced behavior on the continuum of harm, leadership must continue to stress – and enforce – a policy of zero tolerance for sexist behavior, sexual harassment and stalking.

**Table 14. Sexual Harassment, Stalking, and Sexual Assault  
Before and/or After the Incident  
(Estimated % of Respondents)**

	Survey Year	Male		Female	
		Total	Fourth Class	Total	Fourth Class
Offender sexually harassed the victim before the incident	2014	11	NR	58	NR
	2012	NR*	NR	63	NR
Offender stalked the victim before the incident	2014	11	NR	5	NR
	2012	NR	NR	14	NR
Offender sexually assaulted the victim before the incident	2014	NR	NR	24	NR
Offender sexually harassed the victim after the incident	2014	NR	NR	49	NR
	2012	NR	NR	51	NR
Offender stalked the victim after the incident	2014	NR	NR	9	NR
	2012	NR	NR	7	NR
Offender sexually assaulted the victim after the incident	2014	NR	NR	27	NR
<i>Margins of Error</i>		±22%	--	±<1-18%	--
*Not Reportable due to low reliability.					



### Use of Formal Reporting Procedures

The Academy received three unrestricted official Midshipmen reports of sexual assault in the 2013-2014 Academic Year; this is substantiated by the Survey, which shows that of the 17.1 percent of women assaulted, a little more than one-tenth (11 percent) reported the incident to authorities. The other 89 percent of Midshipmen – the majority – chose not to report it to authorities. In the 2012 SAGR Survey, 92 percent of the females who were sexually assaulted said that they did not report the assault because they did not want to be the subject of gossip and an equal percentage feared that their reputation and standing would be damaged. Table 15 shows that in the 2014 Survey, 68 percent of women who said they were sexual assaulted said that they chose not to report because they did not want people talking or gossiping about them. (The results of this question were not reportable for men due to low reliability.) While encouraging that the 2014 numbers for reasons not reporting are trending downward from 2012, there are still too many women who felt that they needed to take care of the problem themselves, felt uncomfortable making a report, did not think their report would be kept confidential, or thought they would be blamed for the assault. These numbers must continue to trend downward as the Academy continues to build trust and to promote an active sexual assault response program.

**Table 15. Women Who Experienced Sexual Assault and Did Not Report, by Most Frequently Selected Reasons for Not Reporting  
(Estimated % of Respondents)**

	<b>Survey Year</b>	<b>Total</b>	<b>Fourth Class</b>
Took care of the problem themselves by forgetting about it and moving on	2014	80	NR*
	2012	94	NR
Felt uncomfortable making a report	2014	78	NR
	2012	80	NR
Did not think their report would be kept confidential	2014	71	NR
	2012	67	NR
Thought they would be blamed for the assault	2014	69	NR
	2012	47	NR
Did not want people talking or gossiping about them	2014	68	NR
	2012	92	NR
<i>Margins of Error</i>		±4-17%	--

\*Not Reportable due to low reliability.

### Incidents of Sexual Harassment

DMDC uses three component measures to assess sexual harassment incidence rates: crude and/or offensive behavior, unwanted sexual attention, and sexual coercion. These terms are defined in Table 16. In order to be included in the sexual harassment incidence rate, respondents must have indicated that they experienced one of the component measures since June 2013 and that they considered the behavior to be sexual harassment. This means that the victim's perspective is



taken into account in any determination of sexual harassment and opens up the possibility that the incidence rate may not include some behaviors that may legally be considered sexually harassing, or may reflect some behaviors that the victim considers harassing but are not considered legally so.

Table 16 shows sexual harassment behaviors indicated by type. Crude and/or offensive behavior was experienced by the majority of men (33 percent) and women (86 percent), followed by unwanted sexual attention (12 percent for men and 61 percent for women), and sexual coercion (6 percent for men and 31 percent for women). Although all of these numbers have trended downward since 2012, the rates, particularly for females, remain unacceptably high.

Table 16. Sexual Harassment of Midshipmen by Type (Estimated % of Respondents)					
	Survey Year	Male		Female	
		Total	Fourth Class	Total	Fourth Class
Crude and/or offensive behavior*	2014	33	32	86	76
	2012	42	32	91	93
Margins of Error		Range from $\pm 4$ -10%		Range from $\pm 1$ -21%	
Unwanted sexual attention**	2014	12	10	61	47
	2012	15	8	65	59
Margins of Error		Range from $\pm 3$ -10%		Range from $\pm 1$ -21%	
Sexual coercion***	2014	6	3	31	19
	2012	8	5	34	28
Margins of Error		Range from $\pm 3$ -10%		Range from $\pm 1$ -21%	
*Defined as verbal and nonverbal behaviors of a sexual nature that were offensive or embarrassing.					
**Defined as attempts to establish a sexual relationship.					
***Defined as classic quid pro quo, instances of special treatment or favoritism conditional on sexual cooperation.					

The 2014 Survey reports that nearly two-thirds (63 percent) of women indicated experiencing at least one of the types of behavior listed in Table 16, and also indicated that they considered the behavior to be sexual harassment.

DMDC considers this statistically unchanged since 2012, when 57 percent of women reported experiencing sexual harassment. A little more than one-tenth of men (11 percent) indicated experiencing sexual harassment in 2014, while 8 percent indicated experiencing sexual harassment in 2012. DMDC also considers this statistically unchanged.

### Sources of Harassment

Table 17 shows that as with sexual assault, much of the sexual harassment at the Academy is being perpetrated by Midshipmen against other Midshipmen. More than two-thirds (79 percent) of women and a little less than half (45 percent) of men experienced sexual harassment from a fellow Academy student in the same class year, and one-quarter (25 percent) of men and about



one-quarter (26 percent) of women experienced sexual harassment from a fellow Academy student in a higher class year. Both male and female Fourth Class Midshipmen (freshman) experienced sexual harassment at rates generally higher than those of the total population.

<b>Table 17. Incidents of Midshipmen Sexual Harassment by Source</b> (Estimated % of Respondents)				
	<b>Male</b>		<b>Female</b>	
	<b>Total</b>	<b>Fourth Class</b>	<b>Total</b>	<b>Fourth Class</b>
Fellow Academy student in the same class year	45	65	79	86
Fellow Academy student in a higher class year	25	41	26	24
Fellow Academy student higher in the Midshipman chain of command	11	11	22	7
Fellow Academy student in a lower class year	13	3	17	3
Academy uniformed faculty or staff	12	8	12	14
DoD/DHS/DOT person not affiliated with the Academy	12	5	11	7
Civilian faculty or staff	15	8	9	10
An unknown person	4	3	8	3
Person not affiliated with DoD/DHS/DOT	10	8	5	3
<i>Margins of Error</i>	±3-7%	±6-10%	±3-5%	±6-9%

## Conclusions

The 2014 SAGR Survey reveals mixed results for the state of the Academy's Sexual Assault Prevention and Response Program. The Academy can be encouraged that training has reached nearly 100 percent of Midshipmen and that the training has informed Midshipmen how to report sexual assault. Compared to 2012, more students in general are inclined to trust the Academy to protect their privacy, ensure their safety and treat them with dignity and respect. More Midshipmen indicated in 2014 that they are inclined to believe that Midshipmen leaders, senior leaders and uniformed officers make honest efforts to stop sexual harassment and assault. Even the Survey response rate improved, from 51 percent in 2012, to 60 percent in 2014, indicating that more Midshipmen are willing to share information on a topic that frequently elicits fear and shame.

On the other hand, less than half of female Midshipmen thought that training was effective in reducing sexual harassment and sexual assault. And while training has helped Midshipmen know how to report sexual assault, it has not helped them to understand the investigatory process, learn intervention techniques, or know how to protect themselves from becoming a victim of sexual harassment or sexual assault. Academy training is falling short in providing Midshipmen with all the information they need to know to prevent sexual assault and to understand the response to sexual assault after it has been reported.

The focus of Academy sexual assault training during the 2013-2014 Academic Program Year was on sexual harassment and sexual assault prevention and response definitions, policies and reporting procedures. The SARC provided the bulk of in-house training, but professional



speakers were used to provide Midshipmen with different perspectives and approaches to preventing sexual assault and sexual harassment. The Academy implemented online sexual assault and alcohol prevention training; these programs were required of selected class years to supplement normally scheduled training. For the first time, the SARC held small group discussion sessions of 20-30 upperclassmen, which were intended to be more interactive than previous large lecture sessions in which students were far less participatory.

The Academy has also provided targeted training on sexual assault and sexual harassment to all Midshipmen preparing to embark on Sea Year. A special program for female Midshipmen features a female Academy graduate who returns to the school to brief deploying women on what to expect in their experiences 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 in order to provide them to Midshipmen for situational awareness. Of the shipping companies that embark Midshipmen on their ships for Sea Year training, 39 out of 40 have provided their policies to the Academy, or make them publicly available. The Academy is working to secure the policies of the remaining company before any more Midshipmen are assigned on board that company's vessels.

In the 2014-2015 Academic Year, instructors started to venture beyond the basics and began to teach Midshipmen 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 if they witness other students in these situations. Entry training for Fourth Class Midshipmen (freshmen) was held in nine different scenario-driven sessions with the Superintendent or Deputy Superintendent attending every session. The former SARC initiated meetings for the first time with women from the senior class to solicit their ideas and comments for improving their training. The new SARC is institutionalizing this program. Going forward, the Academy must continue to tailor content to address deficient areas of understanding and be open to the feedback of female Midshipmen regarding the quality of training.

The 2014 Survey helps the Academy draw a profile of sexual assault victims. Of the 17.1 percent of women experiencing sexual assault, 60 percent indicated the incident occurred on Academy grounds in the dormitory or living area and 33 percent indicated that the incident occurred off Academy grounds during the summer experience, training or sea duty. Of the women reporting assaults, the majority (77 percent) indicated the incident involved only one offender, 94 percent indicated the offender was male, 86 percent indicated the offender was affiliated with the Academy, and 58 percent indicated that the offender was in the same class year as them. Of the women reporting assaults, more than half (51 percent) indicated that either they or the offender were drinking and 56 percent indicated some degree of force was involved. More than half (58 percent) of the women reporting assaults indicated that the offender sexually harassed, stalked or sexually assaulted them before the incident. As a result of the sexual assault incident, 40 percent of women considered requesting a transfer to another company, 54 percent thought about leaving the Academy, and 54 percent indicated their academic performance suffered.

For the 2.0 percent of men who experienced sexual assault, the profile is not so clear. Data on location, offender and alcohol use was so sparse that it was not reportable due to low reliability. A little more than one-tenth (11 percent) of men who were assaulted indicated that some degree of force was involved in the incident, and the same percent indicated that the offender sexually harassed or stalked them before the incident. As a result of the sexual assault incident, 11 percent of men considered leaving the Academy and the same percent indicated their academic performance suffered.

Based upon these profiles, the Academy should focus inward, and try to bring about a broad transformation in the attitudes and sexual bias that currently exist on campus. This will require a change in the core thinking of Midshipmen so that they see each other as a gender-neutral team working toward a common cause, where each person is a valued member of the community and worthy of being protected. In parallel, the Academy is continuing to evaluate and improve its leadership development and training, and we expect that the process of creating leaders will align well with the theme of caring for and protecting others. A new SARC, hired in November 2014, has already made an impact on the prevention and response program by introducing Green Dot, a bystander intervention program, and by challenging Midshipmen to eliminate within their ranks the sexism and sexist thinking that are the root causes of sexual harassment and assault.

Academy leadership must continue to create a climate of respect, trust, adherence to core values, and a culture that is intolerant of sexual harassment and sexual assault, those who commit it, and anyone who stands idly by while it occurs. Leaders must promote dialogue that encourages awareness and intervention and removes any barriers to reporting, and this must include engagement with industry to find ways to promote awareness and practice bystander intervention for companies that host Midshipmen for the Sea Year experience. Any partnership with industry should also examine ways in which Midshipmen can be made to feel more comfortable in reporting sexual harassment and sexual assault if it does occur.

The Academy feels that it is heading in the right direction with its SAPR Program. There is much work to do and bringing about a culture change will not be easy. However, changing the culture is the right thing to do for our Nation's future human capital, the young men and women who will one day serve as leaders in the U.S. Merchant Marine or Armed Forces. The Academy remains committed to eliminating sexual harassment and sexual assault.

### **Staff Response Rates**

The Academy also self-administered a survey of its own Faculty and Staff in 2014, the first since 2010. Tables 18 and 19 detail the demographics of the 118 faculty and staff respondents. There was about equal participation between faculty and staff in the survey. Although the tables reflect an overall response rate of 41 percent, it should be noted that not every faculty or staff member answered every question. When fewer than 118 faculty or staff members responded to a particular question, the associated table is annotated to indicate the number of members who did respond.



<b>Table 18. Faculty and Staff Response Rates by Gender</b>			
<b>Gender</b>	<b>On-Campus Population</b>	<b>Number of Responses</b>	<b>Response Rate (%)</b>
Male	214	88	41
Female	70	30	43
Total	284	118	41

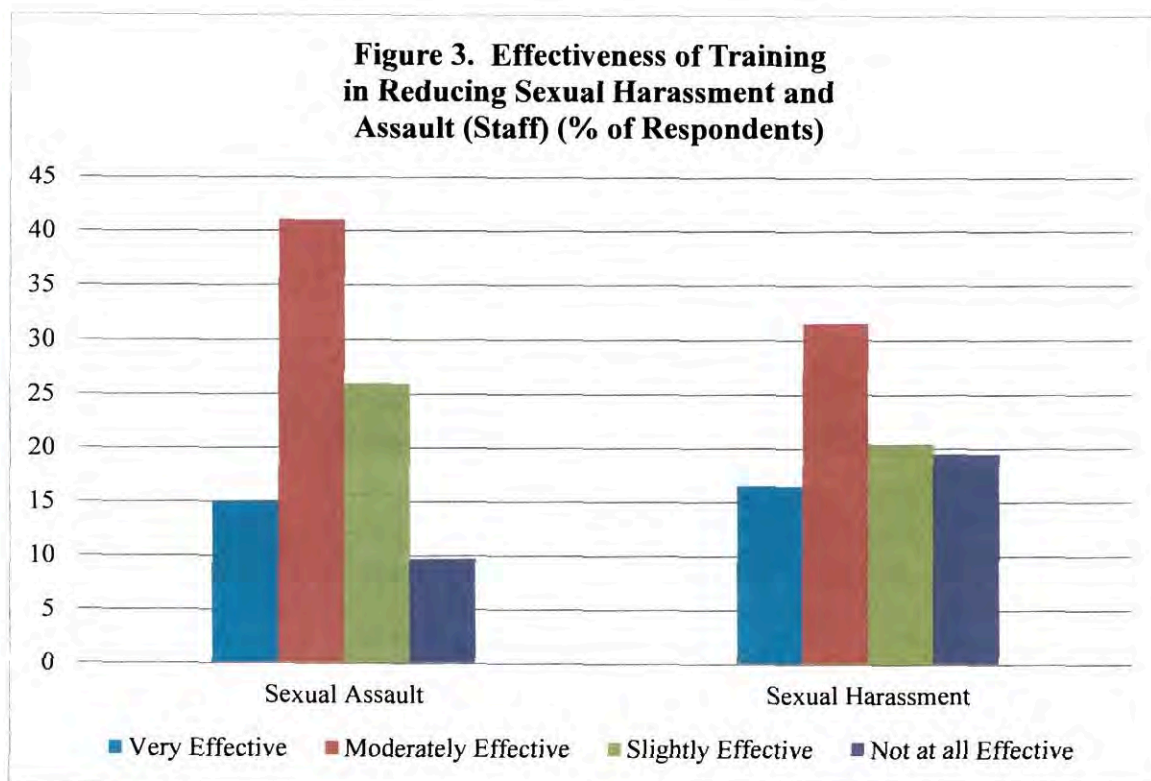
<b>Table 19. Faculty and Staff Response Rates by Position</b>			
<b>Position</b>	<b>On-Campus Population</b>	<b>Number of Responses</b>	<b>Response Rate (%)</b>
Faculty	130	61	47
Staff	154	57	37
Total	284	118	41

### **Staff Perceptions**

#### Training

Eighty-seven percent of the respondents reported that they had received Equal Employment Opportunity (EEO) training on sexual harassment; 85 percent reported that they had received EEO training on sexual assault.

Seventeen percent of faculty and staff reported that the training they had received was very effective in reducing sexual harassment, while 15 percent reported that training was very effective in reducing sexual assault. For the majority of respondents, training was only moderately effective (Figure 3).



Staff and faculty members who answered that sexual harassment and sexual assault training were “not at all” effective were asked to comment on why they thought the training was ineffective. A majority of respondents said that they had no data or metrics by which to measure the effectiveness of training. Several individuals stated that the training focused on reporting sexual harassment and not on preventing it. Others said that they had learned nothing that they did not know already.

<b>Topic</b>	<b>Very Large Extent</b>	<b>Large Extent</b>	<b>Moderate Extent</b>	<b>Small Extent</b>	<b>Not At All</b>
Sexual harassment vs. sexual assault	69	28	0	0	0
Restricted vs. unrestricted reporting	56	29	13	0	0
Academy’s sexual harassment policy	46	34	16	0	0
Academy’s sexual assault policy	49	35	12	0	0

\*There were 115 respondents to this question. ^ Percentages do not sum due to rounding error.



With respect to the Academy's sexual harassment and sexual assault policies and procedures, 80 percent or more reported that to a "very large extent" or "large extent" they understood the difference between sexual harassment and sexual assault, knew the difference between restricted and unrestricted reporting, and they understood the Academy's sexual harassment and sexual assault policies (Table 20).

### Outcomes of Reporting

When faculty and staff were asked about likely consequences of reporting or bringing charges of sexual harassment<sup>18</sup> against an Academy employee, more than 60 percent thought it was "very likely" or "likely" that there would be a fair investigation and that the harassment would stop (Table 21). This is an improvement compared to the 2010 Faculty and Staff Survey<sup>19</sup>, when fewer than 40 percent of the respondents thought it "very likely" or "likely" percent that there would be a fair investigation and that the harassment would stop. In 2014, 48 percent of faculty and staff reported they thought that the harasser would be punished, compared to 2010, when fewer than 40 percent of respondents thought the harasser would be punished. This indicates that faculty and staff confidence in the outcomes of reporting is trending in the right direction.

<b>Table 21. Consequences of Reporting and Bringing Charges Of Sexual Harassment Against an Academy Employee (% of Respondents)*^</b>					
<b>Consequence</b>	<b>Very Likely</b>	<b>Likely</b>	<b>Neutral</b>	<b>Unlikely</b>	<b>Very Unlikely</b>
A fair investigation would take place	30	32	20	14	0
Harassment by the accused would stop	19	47	24	1	0
Harassers would be punished	17	31	31	15	0
Alleged perpetrator's career would be ruined	1	30	38	18	1
Victim's (accuser's) career would be ruined	1	20	40	27	1
Accuser would be labeled a troublemaker	1	25	37	26	1
Accuser would be shunned by co-workers	1	14	39	32	1
*There were 114 respondents to this question. ^ Percentages do not sum due to rounding error.					

<sup>18</sup> The faculty and staff survey did not include a question about the consequences of reporting or bringing a charge of sexual assault against an Academy employee.

<sup>19</sup> The Faculty and Staff survey conducted in 2010 asked similar questions and was administered similarly to the 2014 Faculty and Staff Survey. As such, we can make comparisons between the results of each.

## Organizational Climate

More than 60 percent of faculty and staff believe that their supervisors and senior leadership are creating a climate, which to a “very large extent” or “large extent,” does not tolerate sexual harassment or sexual assault (Table 22). Faculty and staff members believed that their supervisors would be more likely than senior leadership to create a climate in which workers were encouraged to report sexual harassment and sexual assault. Faculty and staff members thought that supervisors and senior leadership were generally equal in providing adequate information to employees about policies, procedures and the consequences of committing sexual harassment and sexual assault.

<b>Table 22. Extent Supervisors and Senior Leadership Create a Climate in Which ... (% of Respondents)*^</b>										
	<b>Supervisor</b>					<b>Senior Leadership</b>				
	<b>Very Large Extent</b>	<b>Large Extent</b>	<b>Moderate Extent</b>	<b>Small Extent</b>	<b>Not At All</b>	<b>Very Large Extent</b>	<b>Large Extent</b>	<b>Moderate Extent</b>	<b>Small Extent</b>	<b>Not At All</b>
Sexual harassment is not tolerated	43	32	15	1	0	35	28	27	0	0
Workers encouraged to report sexual harassment	38	32	21	0	0	32	27	29	1	0
Provides adequate info about harassment policies	32	27	32	1	0	30	27	33	0	0
Sexual assault is not tolerated	49	27	15	1	0	37	33	23	1	0
Workers encourage to report sexual assault	38	33	17	1	0	32	27	29	1	0
Provides adequate info about assault policies	31	30	28	0	1	30	33	30	0	0
*There were 109 respondents to this question ^ Percentages do not sum due to rounding error.										



### Persons to Whom Faculty and Staff Would be Willing to Report Sexual Harassment or Assault

Faculty and staff members were asked to whom they would be willing to report a personal experience of sexual harassment or sexual assault. Respondents could make multiple selections. The majority (64 percent) of respondents indicated that they would be willing to report the incident to the SARC (Table 23). Other trusted agents included civilian law enforcement (62 percent), a supervisor (59 percent) and Academy security (51 percent). In 2010, when the Faculty and Staff Survey was last administered, the Academy did not have a SARC, so the most trusted agents were a supervisor (70 percent), civilian law enforcement (60 percent) and a spouse or boyfriend/girlfriend (57 percent).

<b>Table 23. Faculty and Staff Preferences in Reporting an Incident of Sexual Harassment or Sexual Assault (% of Respondents)*</b>	
<b>Willing to Report to:</b>	<b>Total</b>
Sexual Assault Response Coordinator	64
Civilian Law Enforcement	62
Your Supervisor	59
Academy Security	51
Civil Rights Director	37
Another Academy Official	36
Local Crisis Center or Victim's Hotline	34
An Academy Clergy Member	33
A Co-Worker	32
A MARAD Or DOT Official	22
No One	4
*There were 114 respondents to this question	

### Assistance to Midshipmen

We were interested in determining whether members of the faculty or staff would know how to assist a Midshipman who had confided in them an instance of sexual harassment or sexual assault.

Faculty members interact with Midshipmen on a frequent basis and develop relationships such that a Midshipman might report an incident of sexual harassment or sexual assault to a trusted faculty member. Some staff members work with Midshipmen on a closer basis than others, and might develop similar trusted relationships. From the faculty and staff survey, 18 percent of faculty and staff reported that a Midshipman had confided in them an incident of sexual assault.

While Table 24 is reassuring in that the majority of faculty and staff appear knowledgeable and able to help a Midshipman, more work is needed. Nearly 30 percent of faculty and staff do not understand how to provide advice and guidance to Midshipman victims of sexual assault and this shortcoming must be remedied. In addition, it appears that faculty and staff are concerned about

whether Midshipmen are receiving adequate sexual harassment and sexual assault training, particularly in the area of bystander intervention.

### **Incidents of Staff Sexual Harassment and Sexual Assault**

Three faculty or staff members reported in the survey that they had experienced at least one incident of sexual harassment during the 2013-2014 Academic Program Year. However, there were no reports of sexual assault. All three incidents of harassment were categorized as unwanted whistles, sexual remarks, looks or gestures. Two faculty or staff members reported that the sexual harassment was perpetrated by a staff member and one faculty or staff member reported that the harasser was an individual not related to the Academy. None of the victims reported being under the influence of alcohol or drugs, but at least one of the three perpetrators had been drinking alcohol when the harassment occurred. One of the respondents reported the sexual harassment incident through formal EEO channels and indicated that the EEO procedures helped to a moderate extent. When determining to report or not report the sexual harassment incident, all three victims considered that they did not want to be the subject of gossip. Two victims said they did not think anything would be done about the sexual harassment and that Academy administration would not solve the problem. One person said that the incident was not important enough to report. Additional reasons for not reporting included, "I wanted to handle it myself," "I thought people would not believe me," "I feared some form of retaliation," "I felt shame or embarrassment," "I feared ostracism, harassment, or ridicule by peers," and "I was negatively pressured by someone in a position of authority."

<b>Table 24. Would a Faculty or Staff Member Understand . . . (% of Respondents)*</b>		
	<b>Yes</b>	<b>No</b>
How a Midshipman should report sexual harassment	80	20
How a Midshipman should report sexual assault	88	12
How to provide advice and guidance if a Midshipman confided in you an incident of sexual assault	70	29
If the Academy provides adequate sexual harassment and sexual assault training to the Regiment of Midshipmen	65	35
If Midshipmen understand the concept of bystander intervention	45	55
*There were 115 respondents to this question. ^ Percentages do not sum due to rounding error.		

### **Conclusions**

The Faculty and Staff Survey shows mixed results for employee Civil Rights/Equal Employment Opportunity sexual harassment and sexual assault training and awareness. While a majority of the faculty and staff report that they have received the training, the training was thought by most to be only moderately effective in reducing sexual harassment and sexual assault. Faculty and staff demonstrated weak knowledge of the Academy's Sexual Assault Prevention and Response Program, with fewer than half (46 percent) indicating that they understood the Academy's policies on sexual harassment and sexual assault. Only slightly more than one-half said that they understood the difference between restricted and unrestricted reporting. It is clear that gaps exist



in faculty and staff sexual assault and sexual harassment training, both for themselves and for how they understand policies that apply to Midshipmen. Given this feedback, the Civil Rights/Equal Employment Opportunity officer will need to review and strengthen training materials and delivery. The SARC will need to conduct training sessions to include review of Academy policies as well as scenario-driven sessions illustrating bystander intervention techniques. The faculty and staff could also benefit from a brief of SAGR Survey procedures and results as well as a brief on the Faculty and Staff Survey results.

It is encouraging that there were no reports of faculty or staff sexual assault, although there were three reports of sexual harassment. Only one incident of sexual harassment appears to have been reported, although 2014 Survey results report a vast improvement over 2012 in faculty and staff confidence in outcomes of reporting. More than 60 percent of faculty and staff said that it was “very likely” or “likely” that an incident of sexual harassment would receive a fair investigation and nearly half (48 percent) said they thought it “very likely” or “likely” that the perpetrator would be punished. Faculty and staff generally appear to have confidence that supervisors and senior leaders are creating a climate in which sexual harassment and sexual assault are not tolerated.

As with the Midshipmen learning and living environment, Academy leadership must create a work climate of respect, trust, adherence to core values, and a culture that is intolerant of sexual harassment and sexual assault, those who commit it, and anyone who stands idly by while it occurs. The Academy feels that it is heading in the right direction with faculty and staff training and confidence, but there still is much work to do. The Academy is committed to eliminating sexual harassment and sexual assault for our employees.

## **Appendix A: Sexual Assault Prevention and Response (SAPR) Program Accomplishments**

For Academic Program Year 2013-2014, the Academy took major steps in the prevention of sexual assault and sexual harassment. The Academy implemented numerous actions while modifying existing policies to meet the program's goals and objectives. Below are key actions that were implemented or modified to prevent sexual assault and sexual harassment.

### **Prevention Training**

- Provided scenario-based sexual assault prevention and response training to the incoming freshmen class within the first two weeks of Indoctrination training.
- Trained initial and subsequent student Sexual Assault Victim Advocates (SAVA).
- Continued online sexual assault prevention training.
- Provided sexual assault prevention training to all students by class in small group settings.
- Created the "Sea Year" survey to enable anonymous Midshipman feedback regarding the Sea Year experience.

### **Victim Advocacy**

- Appointed an interim Sexual Assault Response Coordinator (SARC) when the previous employee resigned.
- Hired a new permanent SARC.
- Participated in "White House Task Force on Sexual Assault" webinars.

### **System Accountability**

- DOT delegated oversight authority for the SAPR program to MARAD.
- Clarified lines of reporting for the Academy SARC and the Civil Rights Director.
- Reviewed and updated the position description for the SARC.
- Established continuing education requirements for the SARC.
- Established an oversight framework for the SAPR and sexual harassment awareness and prevention programs.
- Developed performance metrics for the SAPR program and sexual harassment prevention activities along with an internal mechanism to measure progress in meeting established program goals.
- Developed a plan with milestones, assigned responsibilities and deadlines by which annual reports and action plans on sexual harassment and sexual assault are delivered to Congress.
- Wrote standard operating procedure for processing a restricted report of sexual assault.
- Wrote standard operating procedure for investigating an unrestricted report of sexual assault.
- Wrote standard operating procedure for maintenance of restricted and unrestricted reports.
- Held monthly teleconferences among senior staff at the Academy, MARAD and DOT to discuss the Academy's progress on the Sexual Assault and Sexual Harassment Prevention Action Plan.
- Worked with the Defense Manpower Data Center to obtain preliminary Service Academy Gender Relations Survey data in order to write a preliminary Report to Congress that would meet a Congressionally-mandated deadline.



- Continued monthly Sexual Assault Review Board comprised of senior Academy personnel with the goal of addressing systemic issues surrounding sexual assault prevention, and victim advocacy issues. The Board is chaired by the Superintendent or the Deputy Superintendent.
- Participated in quarterly Service Academy teleconference with the intent to obtain and share valuable information in the campaign against sexual assault.
- Activated card reader access system for the barracks.

#### **Awareness**

- Facilitated weekly meetings with SAVAs to provide them with updates on Academy activities aimed at sexual harassment and sexual assault prevention.
- Distributed laminated pocket-sized business cards to Fourth Class Midshipmen outlining reporting options and providing important phone numbers.
- Allowed students to wear jeans in lieu of uniforms to the evening meal to promote “Denim Day”, a world-wide awareness campaign that debunks myths about rape.
- Coordinated with student leaders to promote the use of the “Circle of 6” phone application.

**Appendix B: 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-forcibly; 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 C. Sexual Harassment and Sexual Assault Prevention Action Plan<sup>20</sup>

January 15, 2014-04 November 2015

<b>DMDC Focus Group Sessions</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
DMDC Focus Groups	SARC	Complete	4-May-15	100%
<b>2013-2014 Academic Year REPORT TO CONGRESS Update</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Update to the Report to Congress	SARC, Deputy Superintendent	Final results were received June 30 <sup>th</sup> . The update is nearly through the review process.	July-15	75%
<b>CLIMATE</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Conduct sessions for faculty to: a) gauge their trust in the reporting system for students to report incidents and b) to obtain their view of barriers to report student incidents of sexual assault or sexual harassment.	SARC, Civil Rights & Dean	I have conducted session with: -Regiment -Department of Marine Transportation -Naval Science -Athletics -Administration -waterfront -Humanities -Patten  I have meetings planned with: -Humanities -Engineering -Math and science	31-Dec-14	100%
Conduct an organizational climate assessment for faculty and staff.	Civil Rights	DEOMI FEOCS report briefed to Senior Management; recommendations committee in development	30-Sep-14	100%
<b>INCIDENT REPORTING</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Conduct quarterly small-group sessions to midshipmen to gauge improvement in reporting system.	SARC & Civil Rights	Small group sessions have been set for February and March to train and gather feedback from m/n regarding SA/SH training.	31-Mar-15	100%
Develop an SOP for criminal investigations of sexual assaults.	SARC, DPS, DHS	Not needed; criminal investigations are reported by Dept. of Public Safety to FBI. FBI conducts the investigation.		100%
Develop an SOP for restricted reports of sexual assault.	SARC	Complete	30-Jun-14	100%
Develop an SOP for administrative investigations of sexual assaults.	Deputy Superintendent, Counsel	Complete	30-Jun-14	100%
Review and adjust current approaches for communicating key incident protocols to address midshipmen fears that punishment for an offense will be worse than reporting an assault.	Superintendent, Deputy Superintendent, Commandant	Ongoing-A topic that needs to be addressed regularly to create a safe reporting environment. <sup>21</sup>	31-Dec-14	100%

<sup>20</sup> The decision to tie the Plan of Action to the Academic Year was made after the end of the 2014-2015 Academic Year, thus this Plan of Action reflects completed actions through 04 November 2015. This Plan of Action is updated compared to the Plan of Action in the interim Report to Congress.

<sup>21</sup> Yellow shading indicates an action item that repeats from year to year.



Provide female midshipmen a chance to voice individual concerns about reporting.	SARC, senior females	Ongoing opportunities to meet with Female Midshipmen re: concerns about reporting. 1)HRO committee 2)Sea year discussions 3)VA training sessions 4) Focusing on setting meeting times aside specifically for female Mids.	31-Mar-15	100%
<b>AT-SEA PROTOCOLS</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Collect sample sexual assault and sexual harassment policy statements from individual shipping companies and use to prepare midshipmen for Sea Year experience.	PDCS	Statements provided from 80% of shipping companies Academy works with	30-Jun-14	100%
Conduct briefings with shipping companies on the possibility of midshipman-on-midshipman sexual harassment and sexual assault and the steps to respond to an incident in accordance with USMMA policies and procedures.	PDCS		31-Dec-14	100%
Engage with maritime industry to solicit ideas and make recommendations for additional training or policy changes.	SARC, Director of Maritime Workforce Development	SARC to set up meeting with Director of Maritime Workforce Development re: reaching out the maritime industry around issues and training re: SA/SH  -Twice a year representatives come to Kings Point to meet with students and prospective employees. We can use this opportunity as a platform to gender issues and response.	31-Jan-15	20%
<b>MIDSHIPMAN AND STAFF AWARENESS, PREVENTION, AND TRAINING</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Develop and utilize a quiz to gauge midshipmen retention of information.	SARC	Ongoing-Test results have shown that retention is low	31-Mar-15	100%
Provide scenario based training/discussions facilitated by Company Officers, faculty or selected staff members.	SARC & Civil Rights	Ongoing	31-Mar-14	100%
Have faculty or staff members lead off before training with an introduction of the topic and why it is important.	Commandant & Dean	Solicit faculty and staff.	31-Dec-14	100%
Provide training (identification of incidents, intervention strategies and reporting procedures) to faculty in small groups by academic department, i.e., Marine Transportation, Naval Science, Humanities, etc.	SARC	-Athletics -Marine Transportation -Regiment -Naval Science	31-Mar-15	30%
Provide training (identification of incidents, intervention strategies and reporting procedures) to Company Officers	SARC	Ongoing-SARC is currently meeting with the CO's 1-2x month to identify incidents, review intervention strategies and reporting procedures.	31-Mar-15	100%
Conduct small-group training sessions to midshipmen to increase interaction and discussion.	SARC & Civil Rights	Ongoing-	31-Mar-14	100%
Enhance awareness of sexist behavior discussions.	Student Activities Director, Civil Rights	These positions are currently vacant.  USMMA is currently looking to address these issues in the leadership development program via the Commandants	31-Dec-14	50%

Enhance awareness of crude/offensive behaviors discussions.	Student Activities Director, Civil Rights	department. Student Activities Director reported for duty 6/2015	31-Dec-14	50%
Provide awareness of unwanted sexual attention discussions.	Civil Rights	Civil Rights Director hiring is in progress	31-Dec-14	0%
Provide training on preventing domestic violence, partner abuse, and stalking.	SARC	ONGOING  -Part of this training will occur in all hands bystander intervention overview to kick off sexual assault awareness month (SAAM).  -In the process of integrating these issues into the current	31-Mar-15	100%
Enhance Alcohol Awareness training.	Commandant	-Training was scheduled for February 2 <sup>nd</sup> . Due to inclement weather the speaker was unable to make it. Training to be rescheduled for nicer weather. <i>Completed: April 6<sup>th</sup></i>	31-Dec-14	100%
Meet with female midshipmen to ascertain why they feel sexual harassment and sexual assault training is ineffective	SARC, senior females	Ongoing	31-Dec-14	100%
Provide sensitivity training to all Academy personnel.	SARC, Civil Rights	Civil rights position is vacant. SARC will work with MARAD Civil Rights Director to determine current training be available.  Received training from MARAD Civil Rights Director. Will work with interim EEO and the Dean's office to arrange training for staff.	31-Mar-15	50%
<b>SUPPORT NETWORK AND INTERVENTION</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
In coordination with the Midshipmen Council Provide after-class recreational opportunities and local area exploration trips for midshipmen.	Student Activities Director, commandant	Position Filled 5/20/15  Regiment has been providing the Midshipman with recreational activities on and off campus. -Movie night on campus. -Midshipman fundraiser -Polar Bear Plunge -Transportations and tickets to off campus events.	31-Dec-14	100%
Schedule five intramural activities per trimester.	Athletic Director	12 were offered this trimester.	31-Mar-15	100%
<b>PROGRAM EFFECTIVENESS ASSESSMENTS</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Develop and administer a sexual harassment and sexual assault prevention survey to faculty and staff.	SARC, Civil Rights, HR, HRC Chair	Survey and analysis complete	31-May-14	100%
<b>GENDER DIVERSITY</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Increase the gender diversity of incoming classes; increase funding as necessary to achieve the desired goals.	Admissions	Gender diversity for Class of 2018 is at 18.7% (highest ever)	30-Sep-14	100%

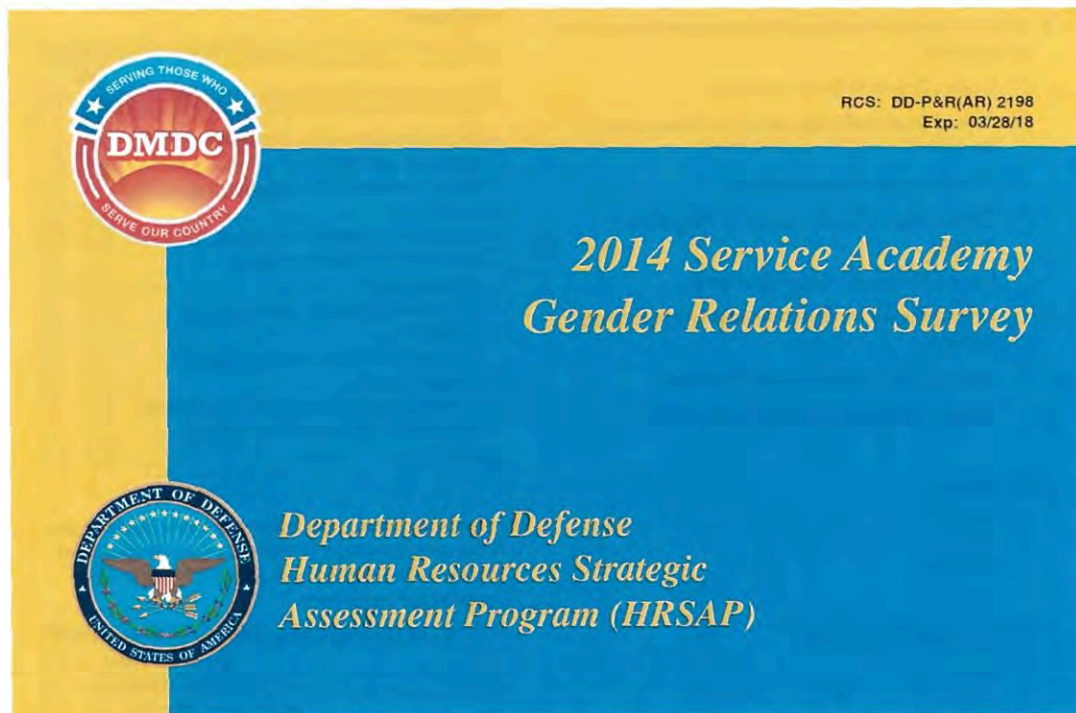


Increase the gender diversity of faculty, coaches and staff.	HR & Civil Rights	Ongoing-Training for supervisors re: recruitment and selection. Vacancy announcements posted on various websites in order to reach a larger applicant pool. EEO manager involved in selection procedures.	31-Mar-15	100%
<b>Focus Group Recommendations</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Engage returning Sea Year midshipmen and reintegrate into Academy Life and professional environment.	Commandant, SARC		30-Sep-14	100%
Conduct a vulnerability assessment and recommend adjustments to reduce risk.	Commandant, DPS		30-Sep-14	100%
Review and adjust team movement safety guidance requirements.	Commandant		30-Sep-14	100%
Review and adjust sea year brief with more emphasis on reporting avenues.	SARC & Civil Rights		30-Jun-14	100%
Highlight medical clinic services to increase trust and usage: 1) conduct a patient satisfaction survey, 2) conduct a survey on student's view of DHS, 3) begin weekly "Did You Know" informational messages, 4) Manage PHI and PHI.	DHS	1) Satisfaction survey complete. 2) Student view survey in development. 3) Health Insurance Portability and Accountability Act "Tip of the Week" is currently provided for all DHS staff.	30-Sep-14	100%
Provide focused training to company officers.	SARC, Civil Rights	Ongoing-training, discussion and best practices are reviewed with CO's monthly.	31-Mar-15	100%
Explore additional confidential reporting options.	Legal Counsel	Confidential reporting candidates identified  Training began for staff VA's July 17th  -SARC working with local crisis center	31-Dec-14	100%
Evaluate computer-based training for effectiveness.	SARC		30-Jun-14	100%
Confer with other service academies and universities to obtain best practices in the prevention strategy.	SARC	Ongoing- SARC has been in contact with all of the other federal service academies.	31-Mar-15	100%
Explore bringing in survivors of sexual assault as professional speakers.	SARC	-Upon reviewing past experience and feedback from the Midshipmen it is the SARC's recommendation that a survivor of sexual assault IS NOT brought in to speak to the entire regiment.  -A professional speaker would be considered for small groups who are interested and engaged in the topic of the impacts of sexual assault and need for sexual assault prevention.	31-Mar-15	100%
<b>Carry over Topics from 2011-2012 CARRY-OVER ITEMS FROM 2009-2010 ACTION PLAN</b>	<b>Responsible</b>	<b>Status</b>	<b>Target</b>	<b>Complete</b>
Convene focus groups for midshipmen.	SARC	Focus Group conducted, draft results provided.		100%

Review outreach and recruitment.	HR, Civil Rights	-Conducting ongoing periodic reviews. -Completed!! Next: plan measurable goals. -2/18/15 Ongoing 1) Training for supervisors re: recruitment and selection. 2) Vacancy announcements posted on various websites in order to reach a larger applicant pool. 3) EEO manager involved in selection procedures.	31-Mar-15	100%
Plan to increase diversity of student body.	Admissions	Plan in place. Next: Plan measurable goals and identify additional funding required.  Admission Office currently down three positions and will work on developing a more in depth plan when they are fully staffed.	31-Mar-15	100%



## Appendix D. 2014 Service Academy Gender Relations Survey Instrument



### PRIVACY ADVISORY

This survey is anonymous, does not collect or use personally identifiable information, and responses are not retrievable by personal identifier. In order to better protect your privacy, do not include information that may identify you when completing write-in responses. 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. Your responses will be aggregated and will provide senior Department of Defense, Department of Homeland Security, or Department of Transportation officials a benchmark to track sexual assault/harassment trends over time. These aggregated findings will also be reported to Congress and may be published by the Defense Manpower Data Center in professional journals or presented at conferences, symposia, or scientific meetings. Completing this survey is voluntary. There will be no attempt to trace responses back to the respondent. There is no penalty for not responding or skipping questions; however, maximum participation is encouraged so that the 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 SA-Survey@mail.mil

### 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
<input type="checkbox"/>	<input type="checkbox"/>
- 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
<input type="checkbox"/>	<input type="checkbox"/>

### BACKGROUND INFORMATION

1. Which Service Academy/Preparatory School do you attend?

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

2. Are you... ?

- ☐ Male
- ☐ Female

3. What is your Class year?

- ☐ 2014
- ☐ 2015
- ☐ 2016
- ☐ 2017
- ☐ 2018

### EDUCATION AND TRAINING

4. In your opinion, how effective was the training you received since June 2013 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? .....
- b. Sexual assault? .....

5. Did the training you received since June 2013 help you personally... *Mark one answer for each item.*

Does not apply/Don't know

No

Yes

a. Stop someone from attempting to sexually assault you? .....

b. Stop someone from sexually harassing you? .....

c. Intervene to prevent a sexual assault? .....

d. Intervene to prevent sexual harassment? .....

e. Understand how to report sexual assault? .....

f. Understand how to report sexual harassment? .....

g. Understand the investigative process associated with reporting sexual assault? .....

6. In your opinion, how effective were each of the following speakers in helping you understand issues related to sexual assault? *Mark one answer for each item.*

Does not apply; I have not heard this speaker

Not at all effective

Slightly effective

Moderately effective

Very effective

a. Sex Signals (Catharsis Productions) .....

b. Hook Up (Catharsis Productions) .....

c. May I Kiss You? (Mike Domitrz) ..

d. No Zebras, No Excuses (Steve Thompson, M.S.) .....

e. One-in-Four (Men's Program) .....

f. Green Dot Program (Dorothy Edwards, Ph.D.) .....

g. Date Rape or Drunk Sex (Brett Sokolow, J.D.) .....

h. Sex Offenders, Service Members, and You: Leadership Beyond the Obvious (Russell Strand – CID Investigator) .....

i. What About You?/You Deserve to be Here (Veraunda Jackson, Esq.) .....

j. The Unknown Conspirator (Anne Munch, J.D.) .....

k. Frank: The Undetected Rapist (David Lisak, Ph.D.) .....

l. Let's Talk About It (Kelly and Becca) .....



### 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

- High-profile cases of sexual assault deter other victims from reporting sexual assault?
- Potential scrutiny by the media makes victims less likely to come forward to report sexual assault?
- Potential negative reaction from Academy peers makes victims less likely to report sexual assault?
- Women "cry rape" to avoid punishment or after making a regrettable decision?
- "Victim blaming" occurs (i.e., holding a victim partly or entirely responsible for a sexual assault)?
- A victim's reputation affects whether Academy peers believe he or she was assaulted?
- The other cadets/midshipmen watch out for each other to prevent sexual assault?
- Your cadet/midshipman leaders enforce rules (such as rules against fraternization and drinking in the dormitory)?
- Your commissioned officers (AOCs, TACs, Company Officers) set good examples in their own behavior and talk?
- Your non-commissioned officers (AMTs, TAC NCOs, SELs) set good examples in their own behavior and talk?

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.

Don't know  
No  
Yes

- Cadet/midshipman leaders
- Cadets/midshipmen not in appointed leadership positions
- Commissioned officers directly in charge of your unit

8. Continued.

Don't know  
No  
Yes

- Non-commissioned officers or senior/ chief petty officers directly in charge of your unit
- Academy senior leadership (e.g., Superintendent, Commandant, Vice/ Deputy Commandant, Dean)
- Military/uniformed academic faculty
- Civilian academic faculty
- Athletic staff (e.g., coaches, trainers)

### STALKING AND/OR OTHER UNWANTED BEHAVIORS

9. Since June 2013, how often has someone assigned to your Academy, including students and military/uniformed/civilian personnel, engaged in the following unwanted and uninvited behaviors? Mark one answer for each item.

Very often  
Fairly often  
Sometimes  
Almost never  
Never

- Followed or spied on you in public areas (e.g., in the library or while off Academy grounds)
- Spied on you in private areas (e.g., watched you while you were changing clothes or showering)
- Showed up at places where you were even though he/she had no reason to be there (e.g., athletic practices)
- Left unwanted items for you to find (e.g., gifts or other items)
- Stood outside or hung around your dorm room or classroom even though he/she had no reason to be there
- Vandalized or tampered with your belongings
- Took personal items that belonged to you
- Took your picture or videotaped you without your consent
- Sent you unsolicited personal messages (e.g., e-mails, text messages, photos, sexting, instant messages, notes, or letters)
- Made unsolicited personal phone calls to you
- Other

10. How many of the behaviors listed in Question 9, which 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 2013, how often have you been in situations involving persons assigned to your Academy, including students and military/uniformed/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? .....					
b. Referred to people of your gender in insulting or offensive terms? ....					
c. Made unwelcome attempts to draw you into a discussion of sexual matters (e.g., attempted to discuss or comment on your sex life)? .....					
d. Treated you "differently" because of your gender (e.g., mistreated, slighted, or ignored you)? .....					
e. Made offensive remarks about your appearance, body, or sexual activities? .....					
f. Made gestures or used body language of a sexual nature that embarrassed or offended you? ....					

12. Continued.

	Very often	Often	Sometimes	Once or twice	Never
g. Made offensive sexist remarks (e.g., suggesting that people of your gender are not suited for the kind of work you do)? .....					
h. Made unwanted attempts to establish a romantic sexual relationship with you despite your efforts to discourage it? .....					
i. Put you down or was condescending to you because of your gender? .....					
j. Continued to ask you for dates, drinks, dinner, etc., even though you said "No"? .....					
k. Made you feel like you were being bribed with some sort of reward or special treatment to engage in sexual behavior? .....					
l. Made you feel threatened with some sort of retaliation for not being sexually cooperative? .....					
m. Touched you in a way that made you feel uncomfortable? .....					
n. Intentionally cornered you or leaned over you in a sexual way? .....					
o. Treated you badly for refusing to have sex? .....					
p. Implied better leadership positions or better treatment if you were sexually cooperative? .....					
q. Displayed images that made you feel uncomfortable (e.g., pornography, gender disparaging cartoons, images on a computer screen/TV)? .....					
r. Directed verbal insults against you as part of hazing or initiation rites? .....					
s. Other unwanted gender-related behavior? .....					



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 21

14. Did the incidents you experienced since June 2013 involve...? **Mark one.**

- ☐ The same offender(s) in all incidents
- ☐ The same offender(s) in some incidents, but not all
- ☐ Different offender(s) in each incident
- ☐ Offender(s) identity was unknown

#### GENDER-RELATED SITUATION WITH THE GREATEST EFFECT

15. If you experienced situations in Question 12 since June 2013, 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.**

	No	Yes
a. <u>Sexist Behavior</u> (e.g., mistreated you 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 romantic sexual 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"/>

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

	No	Yes
a. A fellow Academy student who was in a <u>higher class year</u> than me .....	<input type="checkbox"/>	<input type="checkbox"/>
b. A fellow Academy student who was in the <u>same class year</u> as me .....	<input type="checkbox"/>	<input type="checkbox"/>
c. A fellow Academy student who was in a <u>lower class year</u> than me .....	<input type="checkbox"/>	<input type="checkbox"/>
d. A fellow Academy student who was higher in the cadet/midshipman chain of command than me .....	<input type="checkbox"/>	<input type="checkbox"/>
e. Academy military/uniformed faculty or staff .....	<input type="checkbox"/>	<input type="checkbox"/>
f. Academy civilian faculty or staff .....	<input type="checkbox"/>	<input type="checkbox"/>
g. A DoD/DHS/DOT person not affiliated with the Academy .....	<input type="checkbox"/>	<input type="checkbox"/>
h. A person not affiliated with DoD/DHS/ DOT .....	<input type="checkbox"/>	<input type="checkbox"/>
i. Unknown person .....	<input type="checkbox"/>	<input type="checkbox"/>

17. Did the offender(s) do similar actions to others?

- ☐ Yes
- ☐ No
- ☐ Don't Know

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

- ☐ Yes
- ☐ No → GO TO QUESTION 20

If you responded "Yes," to whom did you discuss/report this situation? Please indicate position or title, not name (e.g., Cadet commander, AOC/TAC/Company Officer, SARC, EO Officer, SHARP Officer).

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

	No	Yes
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 let it go or 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.....	<input type="checkbox"/>	<input type="checkbox"/>
h. Some other action was taken.....	<input type="checkbox"/>	<input type="checkbox"/>
i. I don't know what happened.....	<input type="checkbox"/>	<input type="checkbox"/>

**GO TO QUESTION 21**

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

	No	Yes
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 by <u>avoiding</u> the person who harassed me.....	<input type="checkbox"/>	<input type="checkbox"/>
e. I took care of the problem myself by <u>confronting</u> the person who harassed me.....	<input type="checkbox"/>	<input type="checkbox"/>
f. I took care of the problem myself by <u>forgetting</u> about it and moving on.....	<input type="checkbox"/>	<input type="checkbox"/>
g. I did not think anything would be done.....	<input type="checkbox"/>	<input type="checkbox"/>
h. I thought reporting would take too much time and effort.....	<input type="checkbox"/>	<input type="checkbox"/>
i. I thought I would be labeled a troublemaker.....	<input type="checkbox"/>	<input type="checkbox"/>
j. I thought my evaluations or chances for leadership positions would suffer.....	<input type="checkbox"/>	<input type="checkbox"/>
k. I feared some form of retaliation from the offender or his/her friends.....	<input type="checkbox"/>	<input type="checkbox"/>
l. I did not want people talking or gossiping about me.....	<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. I did not want to bring undue attention or discredit on the Academy.....	<input type="checkbox"/>	<input type="checkbox"/>

**UNWANTED SEXUAL CONTACT**

21. Since June 2013, 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 46

22. Since June 2013, how many separate incidents of each behavior did you experience? Mark the number of incidents for each behavior.

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

23. Did the incidents you experienced since June 2013 involve...? Mark one.

- ☐ The same offender(s) in all incidents
- ☐ The same offender(s) in some incidents, but not all
- ☐ Different offender(s) in each incident



24. Did any of these incidents since June 2013 involve... Mark "Yes" or "No" for each item.

	No	Yes
a. Hazing or some form of initiation rites? ....	<input type="checkbox"/>	<input type="checkbox"/>
b. Horseplay or locker room behavior? .....	<input type="checkbox"/>	<input type="checkbox"/>
c. Someone placing his/her genitalia on you (e.g., "tea-bagging")? .....	<input type="checkbox"/>	<input type="checkbox"/>
d. Someone getting even with you for something you did? .....	<input type="checkbox"/>	<input type="checkbox"/>
e. Someone showing off for others or being dared to do it to you? .....	<input type="checkbox"/>	<input type="checkbox"/>

**UNWANTED SEXUAL CONTACT SITUATION WITH THE GREATEST EFFECT**

25. If you experienced situations or behaviors in Question 21 since June 2013, tell us about the one situation 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. <u>Sexually touched you</u> (e.g., intentional touching of genitalia, breasts, or buttocks) or made you sexually touch them .....	<input type="checkbox"/>	<input type="checkbox"/>
b. <u>Attempted</u> to make you have sexual intercourse, but was not successful .....	<input type="checkbox"/>	<input type="checkbox"/>
c. <u>Made you</u> have sexual intercourse .....	<input type="checkbox"/>	<input type="checkbox"/>
d. <u>Attempted</u> 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. <u>Made you</u> perform or receive oral sex, anal sex, or penetration by a finger or object .....	<input type="checkbox"/>	<input type="checkbox"/>
f. <u>Other</u> .....	<input type="checkbox"/>	<input type="checkbox"/>

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

	No	Yes
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 (e.g., a party) .....	<input type="checkbox"/>	<input type="checkbox"/>
d. Off Academy grounds at an Academy sponsored event (e.g., a sports team trip, conference, or club event) .....	<input type="checkbox"/>	<input type="checkbox"/>
e. Off Academy grounds during summer experience/training/sea duty .....	<input type="checkbox"/>	<input type="checkbox"/>
f. Off Academy grounds while on leave .....	<input type="checkbox"/>	<input type="checkbox"/>
g. Some other location off Academy grounds .....	<input type="checkbox"/>	<input type="checkbox"/>

27. When did the situation occur? Mark "Yes" or "No" for each item.

	No	Yes
a. During normal duty hours .....	<input type="checkbox"/>	<input type="checkbox"/>
b. After duty hours not on a weekend or holiday .....	<input type="checkbox"/>	<input type="checkbox"/>
c. After duty hours on a weekend or holiday .....	<input type="checkbox"/>	<input type="checkbox"/>
d. On leave .....	<input type="checkbox"/>	<input type="checkbox"/>
e. During summer experience/training/sea duty .....	<input type="checkbox"/>	<input type="checkbox"/>
f. On exchange to another Academy .....	<input type="checkbox"/>	<input type="checkbox"/>

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

	No	Yes
a. A fellow Academy student who was in a <u>higher class year</u> than me .....	<input type="checkbox"/>	<input type="checkbox"/>
b. A fellow Academy student who was in the <u>same class year</u> as me .....	<input type="checkbox"/>	<input type="checkbox"/>
c. A fellow Academy student who was in a <u>lower class year</u> than me .....	<input type="checkbox"/>	<input type="checkbox"/>
d. A fellow Academy student who was higher in the cadet/midshipman chain of command than me .....	<input type="checkbox"/>	<input type="checkbox"/>
e. Academy military/uniformed faculty or staff .....	<input type="checkbox"/>	<input type="checkbox"/>
f. Academy civilian faculty or staff .....	<input type="checkbox"/>	<input type="checkbox"/>
g. A DoD/DHS/DOT person not affiliated with the Academy .....	<input type="checkbox"/>	<input type="checkbox"/>
h. A person not affiliated with DoD/DHS/ DOT .....	<input type="checkbox"/>	<input type="checkbox"/>
i. Unknown person .....	<input type="checkbox"/>	<input type="checkbox"/>

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

<input type="checkbox"/> One person (a male)
<input type="checkbox"/> One person (a female)
<input type="checkbox"/> More than one person (all males)
<input type="checkbox"/> More than one person (all females)
<input type="checkbox"/> More than one person (both males and females)
<input type="checkbox"/> Not sure

30. What, if any, was your relationship with the offender(s) in this situation? Mark "Yes" or "No" for each item.

	No	Yes
a. Someone you were currently dating .....	<input type="checkbox"/>	<input type="checkbox"/>
b. Someone you had previously dated .....	<input type="checkbox"/>	<input type="checkbox"/>
c. Someone you had a casual sexual relationship with (e.g., hooked up with) .....	<input type="checkbox"/>	<input type="checkbox"/>
d. Someone you knew from class or other activity .....	<input type="checkbox"/>	<input type="checkbox"/>
e. Someone you had just met .....	<input type="checkbox"/>	<input type="checkbox"/>
f. A stranger .....	<input type="checkbox"/>	<input type="checkbox"/>

31. Did you experience something to make you believe the offender(s) used drugs to knock you out and/or incapacitate you (e.g., date rape drugs, sedatives, etc.)? *Mark one.*

- ☐ Yes  
☐ No  
☐ Not sure

32. Had either you or the offender(s) been drinking alcohol before the assault? *Mark one.*

- ☐ Yes  
☐ No  
☐ Not sure

33. Had either you or the offender(s) been using drugs before the assault? *Mark one.*

- ☐ Yes  
☐ No  
☐ Not sure

34. 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"/>

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

	Yes	No
a. Sexually harass you <u>before</u> this situation? .....	<input type="checkbox"/>	<input type="checkbox"/>
b. Stalk you <u>before</u> this situation? .....	<input type="checkbox"/>	<input type="checkbox"/>
c. Sexually assault you (i.e., sexually touched you, attempted sex, or completed sex) <u>before</u> this situation? .....	<input type="checkbox"/>	<input type="checkbox"/>
d. Sexually harass you <u>after</u> this situation? ..	<input type="checkbox"/>	<input type="checkbox"/>
e. Stalk you <u>after</u> this situation? .....	<input type="checkbox"/>	<input type="checkbox"/>
f. Sexually assault you (i.e., sexually touched you, attempted sex, or completed sex) <u>after</u> this situation? .....	<input type="checkbox"/>	<input type="checkbox"/>

36. 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. You think about leaving your Academy? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Your academic performance suffer? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

- ☐ Yes  
☐ No → GO TO QUESTION 43

If you responded "Yes," to whom did you report this situation? Please indicate position or title, not name (e.g., Cadet commander, AOC/TAC/ Company Officer, SARC, Victims' Advocate, SHARP Officer).

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DoD provides two types of official 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.

38. Did you make an official report? *Mark one.*

- ☐ Yes, I made a restricted report  
☐ Yes, I made an unrestricted report  
☐ Yes, I made a restricted report that was converted to an unrestricted report  
☐ No official report was made  
☐ I don't recall what type of official report I made



39. Did you experience any of the following actions in response to your reporting the incident to a military authority or organization? Mark "Yes" or "No" for each item.

	No	Yes
a. My situation was/is being investigated.....		
b. I was kept informed of what actions were being taken.....		
c. I was encouraged to let it go or tough it out.....		
d. My situation was discounted or not taken seriously.....		
e. I was ridiculed or scorned.....		
f. I experienced professional retaliation from Academy leadership (e.g., loss of privileges, denied promotion).....		
g. I experienced professional retaliation from cadet/midshipman leadership (e.g., loss of respect, resistance to my authority).....		
h. I experienced social retaliation from fellow cadets/midshipmen (e.g., ignored by peers, blamed for the situation).....		
i. I experienced administrative actions (e.g., placed on a medical or legal hold, transferred).....		
j. I experienced discipline for infractions/ violations (e.g., underage drinking, fraternization, or other collateral misconduct).....		

40. 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.....		
b. Stop the offender from hurting me again..		
c. Stop the offender from hurting others.....		
d. Seek justice.....		
e. It was the right thing to do.....		
f. Seek help dealing with an emotional incident.....		
g. Punish the offender.....		
h. Discourage other potential offenders.....		
i. Raise awareness that it occurs at the Academy.....		
j. Identify a fellow cadet/midshipman who is acting inappropriately.....		
k. Seek closure on the incident.....		
l. Seek medical assistance.....		
m. Seek mental health assistance.....		
n. Stop rumors by coming forward.....		
o. Other.....		

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

- ☐ Within 24 hours → GO TO QUESTION 44  
☐ 2 to 3 days  
☐ 4 to 10 days  
☐ 11 to 30 days  
☐ 31 to 365 days  
☐ More than 365 days

42. 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.....		
b. Had to figure out how to report.....		
c. Wanted to think about the situation before deciding to report.....		
d. Wanted to seek advice first from a friend or family member.....		
e. Wanted to seek advice/counseling from a professional (e.g., medical personnel, chaplain, mental health counselor, Safe Helpline) before deciding to report.....		
f. Waited until I felt safe from the offender...		
g. Waited until I could reach a specific authority (e.g., my chaplain, my doctor, my commander).....		
h. Decided to report after receiving training or a briefing on sexual assault.....		
i. Researched sexual assault before deciding to report.....		
j. Was in a location where I could not contact an authority.....		
k. Other.....		

GO TO QUESTION 44

43. 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.....		
b. I did not know how to report.....		
c. I felt uncomfortable making a report.....		
d. I took care of the problem myself by avoiding the person who assaulted me....		
e. I took care of the problem myself by confronting the person who assaulted me.		
f. I took care of the problem myself by forgetting about it and moving on.....		
g. I did not think anything would be done.....		

43. Continued.

	No	Yes
h. I knew what other victims went through when they reported their situation.....		
i. I thought I would not be believed.....		
j. I thought reporting would take too much time and effort.....		
k. I thought I would be labeled a troublemaker.....		
l. I thought my evaluations or chances for leadership positions would suffer.....		
m. I feared some form of retaliation from the offender or his/her friends.....		
n. I did not want people talking or gossiping about me.....		
o. I feared I or others would be punished for infractions/violations, such as underage drinking.....		
p. I felt shame/embarrassment.....		
q. I thought I would be blamed for the assault.....		
r. I thought it would hurt my reputation and standing.....		
s. I did not want to hurt the offender's career.....		
t. I did not want anyone to know.....		
u. I did not think my report would be kept confidential.....		
v. I did not want to bring undue attention or discredit on the Academy.....		
w. I did not want to repeat the details of the incident during the investigation.....		
x. None of the above.....		

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

Yes

No

45. In retrospect, if there is anyone who you would have preferred to discuss the situation with as you were making your decision to report or not, please describe who you would have preferred to consult with in making your decision. Please indicate position or title, not name (e.g., Cadet commander, AOC/TAC/ Company Officer, EO Officer, SHARP Officer).

GO TO QUESTION 48

### REACTION TO SEXUAL ASSAULT AND SEXUAL HARASSMENT

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

	Don't know	No	Yes
a. Trust the Academy to protect your privacy?.....			
b. Trust the Academy to ensure your safety following the incident?.....			
c. Trust the Academy to treat you with dignity and respect?.....			

47. 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.

48. If you were to experience sexual harassment in the future, to whom would you feel most comfortable making that report? Specify the recipient of the report in the box below.

49. Since June 2013 did you observe a situation where you believed sexual assault was occurring or about to occur?

Yes

No → GO TO QUESTION 51



50. Which one of the following actions best describes your response to the situation? **Mark all that apply.**

- ☐ I stepped in and separated the people involved in the situation
- ☐ I asked the person who seemed to be at risk if they needed help
- ☐ I confronted the person who appeared to be causing the situation
- ☐ I created a distraction to cause one or more of the people to disengage from the situation
- ☐ I asked others to step in as a group and diffuse the situation
- ☐ I told someone in a position of authority about the situation
- ☐ I considered intervening in the situation, but I could not safely take any action
- ☐ I decided to not take action

51. 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. Point out to someone that you think they "crossed the line" with gender-related comments or jokes? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### PRIOR EXPERIENCES

52. Prior to June 2013, 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, before entering the Academy or Preparatory School  
 Yes, after entering the Academy or Preparatory School  
 No

53. The Academy has resources available to help people deal with sexual assault. To what extent would you be willing to... **Mark one answer for each item.**

	Not at all/Not applicable	Small extent	Moderate extent	Large extent	Very large extent
a. Read information online about the impact of prior experiences of unwanted sexual behaviors? ...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Participate in an online seminar or discussion group about the impact of prior experiences? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Participate in an in-person seminar or discussion group about the impact of prior experiences? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Meet with a counselor or health care professional? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### HOW ARE WE DOING?

54. In your opinion, has sexual harassment become more or less of a problem at your Academy since you became a student?

- ☐ Less of a problem  
☐ About the same  
☐ More of a problem

55. In your opinion, has sexual assault become more or less of a problem at your Academy since you became a student?

- ☐ Less of a problem  
☐ About the same  
☐ More of a problem

56. In your opinion, what more could the Academy do to improve sexual assault prevention and response?

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### TAKING THE SURVEY

57. The Academy relies on survey information to guide policies and programs. To what extent do you agree or disagree with the following statements? *Mark one answer for each item.*

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree

- a. I have taken other surveys since June 2013 on the same topics as this survey.....  
 b. I would be willing to take this survey online.....


58. 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.

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.
  - ix) 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