



UNITED STATES MARINE CORPS
MARINE AVIATION DETACHMENT
22401 CEDAR POINT ROAD, BUILDING 102
NAVAL AIR STATION
PATUXENT RIVER, MARYLAND 20670-1188

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MARINE AVIATION DETACHMENT PATUXENT RIVER ORDER 1752.1

From: Commanding Officer
To: Distribution List

Subj: STANDARD OPERATING PROCEDURES (SOP) FOR THE SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM

Ref: (a) MCO 1752.5C
(b) SECNAVINST 1752.4B
(c) MCO 3504.2A, 7 Aug 2013
(d) NAVMC 1752.5, 5 Jun 2019
(e) OPNAVINST 1752.1C, 13 Aug 2015
(f) SECNAVINST 1752.4C, 10 Aug 2018
(f) DoDD 6495.01, 11 Sep 2020
(g) DoDI 6495.02, w/Ch 5, 9 Apr 2021
(h) DoDI 6495.03, 28 Feb 2020

Encl: (1) DD2910 Victim Reporting Preference Statement
(2) Sexual Assault Response Report Flow Chart
(3) Defense Sexual Assault Incident Database (DSAID) Data Form
(4) Exceptions to Restricted Reporting
(5) OPREP-3 SIR Sample Message Sexual Assault
(6) Memorandum of Understanding between VX-31 Air Test Squadron Three One (VX-31) and Marine Aviation Detachment China Lake (MADCL)
(7) Memorandum of Understanding between VX-9 Air Test Squadron Three One (VX-31) and Marine Aviation Detachment China Lake (MADCL)
(8) Memorandum of Understanding between Inspector Instructor Weapons Company 2/23 Port Hueneme, CA and Marine Aviation Detachment China Lake (MADCL)
(9) Commander Checklist for Unrestricted Reports of Sexual Assault
(10) Commander SAPR Revocation Checklist
(11) HRRRT Safety Assessment Tool
(12) Memorandum of Understanding between Naval Health Clinic Patuxent River and St. Mary's Hospital, Leonardtown, MD

1. Situation. References (a) thru (h) provide Department of Defense (DoD) as well as Marine Corps policy and procedural guidance regarding the Sexual Assault Prevention and Response (SAPR) Program. These standard operating procedures (SOP) provide policy and procedural guidance for Command response to sexual assault incidents within the Marine Aviation Detachment (MAD) at Naval Air Station (NAS) Patuxent River, MD and Naval Air Weapons Station (NAWS) China Lake, CA.

a. Sexual Assault. Sexual assault is a criminal act. It is defined by the DoD as intentional sexual contact characterized by the use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. The term sexual assault includes a broad category of sexual offenses, consisting of the following specific UCMJ offenses: rape, sexual

assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), and/or attempts to commit these offenses.

b. Consent. Consent is defined as words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force, or placing another in fear does not constitute consent. A current or previous relationship or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent. There is no consent when the person is sleeping, unconscious, or incapacitated, such as due to age, alcohol or drugs, or mental incapacity.

2. Mission. The MAD is a unique command with many senior Marines, which greatly benefits this command with a high level of leadership and respect. We are Marines. As such, we take care of our own and demonstrate leadership traits that place us beyond reproach and make us the model for the other services. This order provides information, policies, and procedures as it relates to the MAD SAPR program. The order delineates how the command will respond and support personnel involved in sexual assault incidents within the MAD. Situations not covered in this document can be found in more detail within the references.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. Victims of sexual assault will be treated with sensitivity, dignity, and respect. Sexual assault victims shall be given priority, and shall be treated as emergency cases regardless of whether physical injuries are evident. Victims will receive appropriate healthcare (medical, emotional, psychological, spiritual, and social) services unless he/she refuses care. Care will be given to ensure that the identity of a victim of sexual assault is released only to those who have a need to know (e.g. in the case of an unrestricted report, the unit commander, Provost Marshal's Office (PMO), or Naval Criminal Investigative Service (NCIS)). Victim safety is paramount at all times. Victims who choose to make a restricted report in accordance with the references will have that choice honored to the fullest extent. Victims who have the courage to report must feel confident that their personal safety will be protected and that they will be protected from coercion, ostracism, discrimination, or reprisal. In addition, if witnesses, Sexual Assault Response Coordinators (SARC), uniformed SAPR VA's, civilian SAPR Victim Advocates (VAs), responders, bystanders who intervene, or other parties to the crime experience any incidents of reprisal, coercion, or discrimination of any type, they shall immediately report such incidents to the command.

(2) Concept of Operations

a. General. All personnel are encouraged to make complete, unrestricted reports of sexual assault to achieve the objectives contained within the references and enclosures. Regardless of the method of reporting, all sexual assault victims will have access to a civilian or uniformed SAPR VA and will

be provided care, counseling, and advocacy under the guidance of the installation or command SARC.

b. Confidentiality. Sexual assault is a crime and any communication Regarding the sexual assault can be used in the investigative process. If a sexual assault has occurred, all communication is considered confidential and can only be discussed on a need to know basis. Under reference (a), confidentiality applies to all covered communications. Covered communications are oral, written, and electronic communications of personally identifiable information made by a victim to a SARC, SAPR VA, chaplain, healthcare provider, or mental health counselor related to their sexual assault. This communication includes the Victim Reporting Preference Statements (VRPS), enclosure (1), which outlines a victim's reporting options in accordance with the Sexual Assault Response Report Flow Chart, enclosure (2). Additional information will be entered into the Defense Sexual Assault Incident Database (DSAID) via the DSAID Data form, enclosure (3). The Chaplain Corps operates under the clergy-penitent privilege and all communication with the chaplain is held in strict confidence. All involved parties receiving any type of communication must maintain the integrity of the confidentiality policy, except in instances described in enclosure (4).

c. Reporting Victims of sexual assault have two options for reporting a sexual assault: restricted and unrestricted. Although all victims of sexual assault are encouraged to make complete unrestricted reports in order to achieve the objectives and goals of MCO 1752.5C, they will still be provided both reporting options.

(1) Restricted reporting. Restricted reporting is an option that allows sexual assault victims to confidentially disclose the assault to specified individuals (e.g. SARC, SAPR VA, or healthcare personnel). Victims will be able to receive medical treatment, including emergency care and counseling, and be assigned a SARC and SAPR VA, without triggering an investigation. The victim's report provided to healthcare personnel (including the information acquired from a Sexual Assault Forensic Examination (SAFE) Kit), SARCs, or SAPR VAs will not be reported to law enforcement or to the command. Unless a victim consents to release, or an established exception to restricted reporting applies, all information will remain confidential.

(2) Unrestricted reporting. Unrestricted reporting is an option that allows sexual assault victims to disclose sexual assault incidents without requesting confidentiality. Under these circumstances, an unrestricted report provided to healthcare personnel, the SARC, a SAPR VA, chain of command representatives, or third party will be reported to law enforcement and may be used to initiate the official investigative process. Reporting will be in accordance with reference (a) and an OPREP-3 submitted as indicated per reference (c) and the template, enclosure (5).

d. Resources. The MAD uses the installation SARC and several SAPR VAs who can be notified to respond in the event of a sexual assault. In the event that the installation SARC or a MAD SAPR VA is not available, victims may utilize the NAS Patuxent River 24/7 Sexual Assault Helpline at 301-481-1057 or the DoD Safe Helpline at 1-877-995-5247 to obtain support. Through the NAS Patuxent River 24/7 Sexual Assault Helpline, the on-call SAPR VA will be activated to assist military members of NAS Patuxent River who are victims

of sexual assault. Any case established by the on-call SAPR VA will be provided to the installation SARC. A transfer of the case, also known as a "warm handoff" will be performed with the installation SARC if the victim so chooses. Reports of sexual assaults involving Marines assigned to Naval Air Weapons Station China Lake will be handled utilizing SARCs and/or SAPR VAs assigned to that station in accordance with reference (a) and enclosures (6), (7), and (8).

e. Tasks

(1) Commanders

(a) Due to the command's organizational construct, this applies to leaders at all levels, to include, but not limited to program managers, squadron commanding officers, department heads, or detachment small unit leaders. Comply with paragraph 5 of reference (a).

(b) Establish a command climate of prevention and response that is predicated on mutual respect and trust, that recognizes and embraces diversity, and that values the contributions of every member of the command.

(c) Reassure members of your personal commitment to maintaining a healthy environment that is safe and contributes to their well-being and mission accomplishment.

(d) Reiterate the commanding officer's "zero tolerance" policy on sexual assault and the potential consequences for those who violate the law.

(e) Recognize changes in the command climate regarding inappropriate behavior and respond with the appropriate action towards any negative trends that may emerge regarding sexual assault.

(f) Ensure that all Marines and Sailors in your company receive annual training regarding sexual assault facilitated by a Marine Corps assigned SARC or SAPR VA.

(g) If there is an allegation of sexual assault, follow the procedures outlined in enclosure (9).

(h) Ensure that assigned SAPR VAs are not questioned at any time regarding cases of sexual assault.

(i) Collaborate with the SARC to generate the info paper required by the commanding officer to generate an "8-Day Brief" for Marine victims who file unrestricted reports of sexual assault in accordance with reference (a). Reports will be submitted via SAPR GearLocker within eight calendar days. Only the commanding officer may submit. Website for submissions is as follows:

https://hqmportal.hqi.usmc.mil/sites/family/mfb/_layouts/15/FormServer.aspx?XsnLocation=https://hqmportal.hqi.usmc.mil/sites/family/mfb/8DayIncidentReports/Forms/template.xsn&SaveLocation=https%3A%2F%2Fhqmportal%2Ehqi%2Eusmc%2Emil%2Fsites%2Ffamily%2Fmfb%2F8DayIncidentReports&ClientInstalled=true&DefaultItemOpen=1&Source=https%3A%2F%2Fhqmportal%2Ehqi%2Eusmc%2Emil%2Fsites%2Ffamily%2Fmfb%2F8DayIncidentReports%2FForms%2FAll%2520Documents%2Easpx

(j) Notify Marine Forces SAPR within 24 hours of having knowledge of a situation where a certified SARC or SAPR VA has been accused of a violation, named in a complaint, or is the subject of any UCMJ investigations in accordance with Chapter 3 of reference (d). Such violations may include, but are not limited to UCMJ Art 120 - rape and sexual assault generally; UCMJ Art 125 - kidnapping; any complaint alleging activities and conduct as defined by MCO 5354.1E ADMIN CH, Marine Corps Prohibited Activities and Response Policy. A more detailed checklist for revocation may be found in enclosure (10).

- i. Initiate a command investigation into the allegations.
- ii. Report any allegation of sexual assault by SAPR personnel to NCIS.
- iii. Complete a commander's critical information requirements (CCIR) report.
- iv. Using the template in NAVMC 1752.5, Ch. 3, encl (1) notify the named SAPR personnel of suspension/revocation and submit the signed letter to HQMC SAPR. "Suspension/Revocation of Duties" Notification will be submitted via SAPR GearLocker with subject line "FOUO Suspension/Revocation." A copy will be sent to HQMC SAPR Office via email. This serves as official notification to HQMC SAPR.
- v. Collect the DoD Sexual Assault Advocate Certification Program (D-SAACP) certification, wallet ID card, official phone, etc. from suspended/revoked personnel and conduct any required contingency plans.
- vi. Within 72 hours of receipt of the investigation results, notify the suspended/revoked personnel of the outcome and recommendation to reinstate, maintain current suspension, or revoke D-SAACP certification.
- vii. If reinstatement is required, submit an email request to HQMC SAPR Office with subject line "Recommendation for Reinstatement." If reinstated, sign a new appointment letter.

(k) Stand up a High-Risk Response Team (HRRT) if a victim of sexual assault is determined to be in a high-risk situation to assess and develop an immediate plan to eliminate the risk in accordance with Chapter 4 of reference (d). Utilize HRRT Safety Screening Tool, enclosure (11). Specific steps listed as follows.

- i. Convene immediately, if the SARC (or CMG Chair) assess the victim to be in a high-risk situation.
- ii. Chair weekly, at minimum, by the victim's immediate CO and includes the following personnel: victim's CO, SARC/SAPR VA, Victim Legal Counsel (VLC), Victim Witness Assistance Coordinator (VWAC), Judge Advocate, NCIS Investigator, any health/mental healthcare providers, personnel conducting the safety assessment, alleged offender's immediate CO, or anyone else deemed necessary and need to know.

iii. First report made to the case management group (CMG) chairs within 24 hours of activation.

iv. Weekly reports made to the CMG chairs while the victim is high-risk.

v. Final report made to the CMG chairs once victim is no longer high-risk.

(l) Attend monthly Case Management Group (CMG) meetings for however long the case remains open. After each CMG, the CO will update the victim of case status with 72 hours and ensure victims are notified upon adjudication of military justice proceedings. This is a non-delegable commander duty. In the event the CO can not attend the CMG, the CO must provide an acting letter for any delegate attending in lieu of the commander.

(m) Assist victims or family members who feel safe, but uncomfortable, to recover by moving to a new location via the expedited transfer process. Procedures are located in Chapters 1 and 2 of reference (d).

i. Available for (unrestricted report) active duty and eligible dependent victims.

ii. HRRT will utilize the Safety Screening Tool to determine safety status.

iii. Supporting SARC is the POC between command and HQMC SAPR.

iv. Victim makes an expedited transfer (ET) request to the CO using the template in NAVMC 1752.5.

v. CO has 72 hours to approve/disapprove the request and notify the victim in writing of the decision, using the template in NAVMC 1752.5.

vi. The SARC forwards the approved request to HQMC SAPR.

vii. HQMC SAPR coordinates with the Manpower Management Branch for orders.

viii. The request may be rescinded, prior to orders being assigned. HQMC SAPR must be notified immediately of this decision.

ix. Once ET orders are assigned, the Marine must execute the ET orders.

(n) The command SARC will maintain primary responsibility of ensuring overlapping coverage is present. If the MAD SARC or SAPR VAs are unavailable due to personnel leave, or vacant billets, request immediate victim assistance from:

i. Pax River Installation SARC, 301-580-8212/Civilian VA,
540-376-8858

ii. China Lake Installation SARC, 760-382-4008/Civilian VA,

760-218-9031

iii. Naval Base Ventura Co SARC, 805-207-5309/Civilian VA,
805-746-1538

(2) Executive Officer

(a) If there is an allegation of a sexual assault reported to the command, draft and ensure submission of an OPREP-3/SIR per the commanding officer's guidance, reference (c), and enclosure (4).

(b) Coordinate with the NAS Patuxent River/Quantico Staff Judge Advocate (SJA) to determine what information to provide to an alleged offender of a sexual assault, if member is in the command. Information should pertain to the investigative and legal processes involved in an unrestricted case of sexual assault.

(3) SARC

(a) Operate under confidentiality in all cases, except in those where a statutory or regulatory exception to confidentiality applies.

(b) Ensure a copy of the commanding officer's policy statement on sexual assault is posted throughout the Command on section read boards in line with MAD protocol, information may be posted on the command's website.

(c) Ensure SAPR VA posters with photographs are posted in the unit's common areas along with contact information. Locations are to include detachment read boards, section read boards, and male and female heads of all buildings under MAD cognizance. In line with MAD protocol, these posters may be posted on the command's website.

(d) Ensure that all duty personnel have the SAPR VA and SARC contact information in the event a victim of sexual assault needs assistance. All new joins will be provided SAPR VA and SARC contact information at the new join brief and will be given handouts regarding reporting sexual assaults.

(e) If an uniformed SARC, notify the installation SARC/Quantico SARC, via phone call or encrypted email, of all sexual assaults within 24 hours of filing a report.

(f) Collaborate weekly with the SAPR VA to maintain current victim care information (i.e. referrals/requests) and case review if there are active cases.

(g) Track/report sexual assault data to the installation SARC/Quantico SARC.

(h) Track the disposition of all military sexual assault cases in Defense Sexual Assault Incident Database (DSAID) to allow for HQMC generation of monthly, quarterly, and annual reports. Updates are to be performed after each month's CMG meeting.

(i) Provide regular updates to the commanding officer on the status of all unrestricted sexual assault cases.

(j) In coordination with S-3, implement a SAPR training plan and ensure all SAPR training requirements are met based on the fiscal year requirement.

(k) If there is an allegation of sexual assault, follow procedures as per reference (e). Third party reporting is only mandatory if a sexual assault is directly witnessed or if the member is in the chain of command.

(l) Assign SAPR VAs to cases, supervise the SAPR VAs in the performance of advocacy duties, and ensure SAPR VAs are providing appropriate care and referrals.

(m) Ensure SAPR VAs complete the DD-2910 Victim Reporting Preference Statement (VRPS) enclosure (1) and the DSAID Form DD 2965 for all sexual cases and provide it to the installation SARC within 24 hours of a sexual assault. Ensure all required information to open a case in DSAID is entered within 24 hours. Provide a DD 2910 VRPS copy to the victim and the original to the SARC to be stored under double lock and key for 50 years. To maintain privacy, any communication of victim information will be communicated to installation SARC via telephone or in person (restricted) or to the CO via in-person/telephone (unrestricted). Any email transmissions will be encrypted and only those required official need-to-know will receive access. Ensure DD-2910s and other pertinent paperwork are retained and maintained under double-lock storage for a period not less than 50 years.

(n) Accompany the commanding officer during monthly CMG meetings or HRRT meetings in accordance with references (d), (f), and (g), if deemed necessary.

(o) Maintain a roster of SAPR VA credentials, training, appointments, and transfer date information. Monitor continuing education units (CEUs) to ensure compliance with 16 units per year.

(p) Coordinate with and notify, in writing, the HQMC SAPR Staff, the installation SARC, and the National Organization for Victim Assistance of any SARC or SAPR VA pending personnel changes, selections, credentialing, appointments, or revocations.

(q) Maintain copies of appointment letters for all assigned SAPR VAs and SARCs on file with S-1 file and in the SARC file. Copies of previous appointment letters are to be kept on file for a period of five years in the historical binder.

(r) Ensure all duty watch stander personnel have the SAPR VA and SARC's point-of-contact information in the event a sexual assault victim needs assistance.

(s) In the process of managing the SAPR program, conduct periodic, ongoing, and continuous programmatic reviews of programmatic elements. Participate as subject matter expert for internal inspections or other SAPR-related issues.

(4) Sexual Assault Prevention Response Victim Advocates

(a) Ensure that accurate up-to-date information about victim support services, POCs of local resources (e.g. where the SAFE is performed, Military One Source, Marine and Family Services (MFS), NCIS, DoD Safe Support Line, Military Treatment Facilities (MTF), local crisis centers, VWAP representatives, Chaplain, and VLC are made available to provide appropriate referrals to victims of sexual assault. In the event of a sexual assault, follow procedures per SAPR VA training and reference (a).

(b) Post your photograph in the unit's common areas, such as company/section read boards, male and female bathrooms within appropriate office locations, along with contact information, reporting options, and exceptions to confidentiality. Provide the SARC with a list of where all posters are located. In line with MAD protocol, these posters may be posted on the command's website. Conduct and document a quarterly quality assurance check of all poster locations. Ensure all SAPR VA administrative requirements are adhered to per reference (a).

(c) Notify the SARC via phone or encrypted email immediately of all sexual assault pertaining to command personnel who filed a sexual assault report. Initial contact information for DSAID and results of the Safety Assessment Toll shall be provided via encrypted email or in person within 24 hours or as soon as practical of a filed sexual assault. Coordinate local resources, such as NCIS [location/contact information]; local hospitals where SAFE is performed, i.e. [location/contact information]; and counseling services, if applicable. Notify the SARC immediately via phone or encrypted email of all expedited transfer requests. Properly complete required fields on the DD Form 2965 to open sexual assault case, and provide all information to the command SARC within 24 hours in order to establish a DSAID case.

(d) Conduct SAPR-related training for all Marines of the command in accordance with reference (a), as deemed necessary. Training includes SAPR annual, pre/post deployment, Take-A-Stand (Noncommissioned Officers), Step-Up (Junior Marines), Staff NCO training, and other trainings as directed by HQMC SAPR. Maintain and ensure a copy of the sign-in roster is provided to S-3 for Marine Corps Training Information Systems (MCTIMS) input. Track and ensure the correct code is posted. Conduct new join briefs and sign check in/out sheets.

(e) Maintain a copy of all required documentation and provide a copy to the supporting SARC to be maintained in the command SAPR turnover binder. Ensure completion of required continuing education to maintain credentialing status. Provide the SARC with copies of completed training certificates. The SAPR VA/SARC shall be included on the command's check-in/out sheet.

(f) Attend the monthly CMG meeting and provide updated information to the victim. Notify the SARC via phone or face to face in cases of PCS/EAS, and coordinate with the SARC a warm handoff if working with a victim.

(5) Installation Surgeon

(a) Ensure that all NAS Patuxent River medical personnel are aware of the policies for providing services to victims of a sexual assault.

(b) Be prepared to provide support to the SAPR VAs and/or SARC in case of a sexual assault and facilitate the use of the SAFE kit; the SAFE kit will be used in collaboration with the Naval Branch Health Clinic NAS Patuxent River or Saint Mary's Hospital, Leonardtown, MD, as outlined per MOU, enclosure (12).

(c) Provide routine care and follow-up for victims who request medical services and referrals related to the sexual assault.

(6) Security Clearance Specialists

(a) The MAD does not have a single source for intelligence and security matters. These matters are handled under various commands where MAD Marines may be assigned.

(b) If there is an allegation of a sexual assault, the commanding officer will not automatically suspend or recommend revocation of a member's security clearance. Unless deemed a threat to national security, victims and alleged offenders will maintain their security clearance classification until review of the investigation and legal proceeding results.

(c) Be prepared to make recommendations to the commanding officer for final determination of security clearance status based upon established national security standards, per DOD Regulation 5210.42-R.

(7) Public Affairs Officers (PAO)

(a) The MAD does not have a single source for public affairs matters. These matters are handled under various commands where MAD Marines may be assigned.

(b) For all allegations of sexual assault reported to the command that will generate media interest, the MAD will coordinate with the PAO under which the Marines are attached. That PAO will notify higher level PAOs and follow all appropriate protocols.

(b) Assist the SARC in maintaining SAPR current general and support information on the command's webpage.

(8) Chaplain

(a) Ensure that all NAS Patuxent River Military Religious Service personnel have completed SAPR training in accordance to reference (a).

(b) Be prepared to provide support to victims and alleged offenders within the command if there is an allegation of sexual assault.

4. Administration and Logistics. Recommendations concerning the contents of this order should be submitted to the commanding officer via the NAS Patuxent River installation SARC, command SARC, or SAPR VAs.

5. Command and Signal

a. Command.

(1) While acting as a SAPR VA, personnel shall report directly to the Command and installation SARCs on all matters pertaining to sexual assault to meet notification requirements and for the purpose of providing care to victims.

(2) This order is applicable to all civilians and service members assigned to the command.

b. Signal. This order is effective as of the date signed.



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