

## RESTRICTED REPORTING:

**Confidential Sources for Reporting the Assault:** SARC, Victim Advocate and Chaplain

### **Who May Make a Restricted Report?**

- **Active duty military personnel in the Armed Forces**
- **Members of the Reserve if performing federal duty**
- **Members of the National Guard in Federal service (Title 10 status)**
- **Coast Guard when attached to the Department of Defense**

Members of the Reserve Component not performing Federal duty are not eligible. Retired members of any component are not eligible. Dependents are not eligible. DoD civilian employees are not eligible.

### **Examples of Restricted Reporting**

- Service Member Smith arrives at the base medical emergency room and reports she has been sexually assaulted. Healthcare providers immediately notify the SARC and begin any appropriate emergency medical treatment.
- The SARC assigns a VA to assist Service Member Smith. The VA meets Service Member Smith at the hospital and explains the Unrestricted/Restricted Reporting options and the processes associated with each, to include applicable pros/cons.
- Service Member Smith elects the Restricted Reporting option.
- Service Member Smith is asked if she would like a forensic examination, and she agrees.
- The VA advises the Healthcare Provider that Service Member Smith has elected the Restricted Reporting option and would like a SAFE.
- Forensic evidence of the assault is collected and preserved in a non-personally identifying manner.
- The Healthcare Provider determines and schedules follow-up medical treatment as appropriate.
- The VA advises the SARC that Service Member Smith has elected the Restricted Reporting option.

- Within 24 hours of Service Member Smith's restricted report, the SARC will inform the Senior Commander that an assault has occurred, and provide the Commander with non-identifying personal information/details related to the sexual assault allegation. This information includes: rank; gender; age; race; service; date; time and/or location. Information is disclosed in a manner that preserves the victim's anonymity. Careful consideration of which details to include is of particular significance at installations or other locations where there are a limited number of minority females or female officers assigned.
- The Senior Commander may notify the Criminal Investigators. However, no criminal investigation will be initiated unless originated from another source or the victim elects to come forward via unrestricted reporting. The Senior Commander identifies trends and takes appropriate measures (i.e. increased security patrols, enhanced education and training, enhanced environmental and safety measures) to prevent further sexual assaults.
- The SARC maintains information regarding the number of sexual assaults for both unrestricted and restricted reports. Restricted report numbers will be included in the annual report. The SARC will also capture trends and perform trend analysis. SARC awareness of trends will be a first line of defense against a potential serial assailant. The SARC can at any time return to Service Member Smith to ask if she is willing to reconsider her restricted reporting decision given the potential of a serial offender.
- The VA maintains communication and contact with the victim as needed for continued victim support.

## **Considerations when Electing a Restricted Reporting Decision**

### **Benefits**

- You receive appropriate medical treatment, advocacy, and counseling.
- Provides some personal space and time to consider your options and to begin the healing process.
- Empowers you to seek relevant information and support to make more informed decisions about participating in the criminal investigation.
- You control the release and management of your personal information.
- You decide whether and when to move forward with initiating an investigation.

### **Limitations**

- Your assailant remains unpunished and capable of assaulting other victims.
- You cannot receive a military protective order.
- You will continue to have contact with your assailant, if he/she is in your organization or billeted with you.
- Evidence from the crime scene where the assault occurred will be lost, and the official investigation, should you switch to an unrestricted report, will likely encounter significant obstacles.
- You will not be able to discuss the assault with anyone, to include your friends, without imposing an obligation on them to report the crime. The only exceptions would be chaplains, designated healthcare providers, your assigned victim advocate, and the sexual assault response coordinator.

***Independent: (Third Party)***

- If you notify law enforcement or your chain of command, the report is considered **unrestricted**.
- If you tell someone who subsequently notifies the chain of command, or if someone observes the assault and notifies command, the report is considered **unrestricted** and an investigation is launched.
- To preserve your right to **restricted** report, contact the SARC first.