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Testimony

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## MILITARY PERSONNEL

# DOD's and the Coast Guard's Sexual Assault Prevention and Response Programs Need to Be Further Strengthened

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Chairman Tierney and Members of the Subcommittee:

Thank you for the opportunity to be here today to discuss our efforts to evaluate the Department of Defense's (DOD) and the U.S. Coast Guard's oversight and implementation of their respective sexual assault prevention and response programs. Our statement today summarizes the findings of a report that we are issuing concurrently with today's hearing, and it builds upon our previous work related to sexual assault in the military services.<sup>1</sup> Our main message today is that DOD and the Coast Guard have taken a number of positive steps to increase program awareness and to improve their prevention and response to occurrences of sexual assault, but additional actions are needed to strengthen their respective programs. As we have previously reported, sexual assault is a crime with a far-reaching negative impact on the military services in that it undermines core values, degrades mission readiness and esprit de corps, subverts strategic goodwill, and raises financial costs.<sup>2</sup> Since we reported on these implications in 2008, incidents of sexual assault have continued to occur; in fiscal year 2008, DOD reported nearly 3,000 alleged sexual assault cases, and the Coast Guard reported about 80.<sup>3</sup> However, it remains impossible to accurately analyze trends or draw conclusions from these data because DOD and the Coast Guard have not yet standardized their respective reporting requirements.<sup>4</sup>

Mr. Chairman, your ongoing attention to this important issue has led to a number of improvements to both DOD's and the Coast Guard's sexual assault prevention and response programs, and has significantly contributed to the broader congressional effort to raise the awareness of and accountability for sexual assault in the military services. Our August 2008 report examined sexual assault in the military and Coast Guard services,<sup>5</sup> and highlighted that DOD's and the Coast Guard's program

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<sup>1</sup>GAO, *Military Personnel: Additional Actions Are Needed to Strengthen DOD's and the Coast Guard's Sexual Assault Prevention and Response Programs*, [GAO-10-215](#), (Washington, D.C.: Feb. 3, 2010).

<sup>2</sup>GAO, *Military Personnel: DOD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*, [GAO-08-924](#) (Washington, D.C.: Aug. 29, 2008).

<sup>3</sup>In fiscal year 2008, DOD reported 2,908 alleged incidents of sexual assault involving military servicemembers, and the Coast Guard reported 84.

<sup>4</sup>[GAO-08-924](#).

<sup>5</sup>[GAO-08-924](#).

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implementation was hindered by several issues, including the lack of an oversight framework, limited support from commanders, and training that was not consistently effective. Accordingly, we made a number of recommendations—nine to DOD, and two to the Coast Guard—for improving program implementation. We recommended that DOD

- review and evaluate the department’s policies for the prevention of and response to sexual assault to ensure that adequate guidance is provided to effectively implement the program in deployed environments and joint environments,
- evaluate the military services’ processes for staffing and designating key installation-level program positions, such as coordinators, at installations in the United States and overseas, to ensure that these individuals have the ability and resources to fully carry out their responsibilities,
- review and evaluate sexual assault prevention and response training to ensure that the military services are meeting training requirements and to enhance the effectiveness of the training,
- systematically evaluate and develop an action plan to address any factors that may prevent or discourage servicemembers from accessing health services following a sexual assault,
- direct the military service secretaries to emphasize to all levels of command their responsibility for supporting the program, and review the extent to which commanders support the program and resources are available to raise servicemembers’ awareness of sexual assault matters,
- require the Sexual Assault Prevention and Response Office to develop an oversight framework to guide continued program implementation and evaluate program effectiveness,
- improve the usefulness of the department’s annual report as an oversight tool both internally and for congressional decision makers by establishing baseline data to permit analysis of data over time and to distinguish cases in which (1) evidence was insufficient to substantiate an alleged assault, (2) a victim recanted, or (3) the allegations of sexual assault were unfounded,
- direct the military service secretaries to provide installation-level incident data to the Sexual Assault Prevention and Response Office annually or as requested, to facilitate analysis of sexual assault-related data and better target resources over time, and
- direct the Defense Task Force on Sexual Assault in the Military Services to begin its examination immediately, now that all members of the task force have been appointed, and to develop a detailed plan with milestones to guide its work.

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We recommended that the Coast Guard

- evaluate its processes for staffing key installation-level program positions, such as the coordinators, to ensure that these individuals have the ability and resources to fully carry out their responsibilities, and
- develop an oversight framework to guide continued program implementation and evaluate program effectiveness. At a minimum, such a framework should contain long-term goals, objectives, and milestones; performance goals; strategies to be used to accomplish goals; and criteria for measuring progress.

We also testified twice before your Subcommittee in 2008 on matters related to sexual assault in the military services; first, in July 2008,<sup>6</sup> to present our preliminary observations on DOD's and the Coast Guard's sexual assault prevention and response programs, and second, in September 2008, to present the findings and recommendations of our August 2008 report.<sup>7</sup> In November 2008, you asked us to continue to monitor DOD's and the Coast Guard's progress in addressing those recommendations. Our statement today specifically addresses the extent to which

- DOD has taken steps to implement our recommendations from 2008 and has further developed its programs to prevent and respond to sexual assault;
- DOD has taken steps to address a congressional requirement to establish a centralized, case-level sexual assault incident database; and
- the Coast Guard has taken steps to implement our recommendations from 2008 and has further developed its programs to prevent and respond to sexual assault.

To conduct our work, we reviewed current DOD and Coast Guard policies and programs and compared them with our findings and recommendations from 2008. We also interviewed DOD and Coast Guard officials to supplement our analyses of program modifications. In addition, we

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<sup>6</sup>GAO, *Military Personnel: Preliminary Observations on DOD's and the Coast Guard's Sexual Assault Prevention and Response Programs*, [GAO-08-1013T](#) (Washington, D.C.: July 31, 2008).

<sup>7</sup>GAO, *Military Personnel: Actions Needed to Strengthen Implementation and Oversight of DOD's and the Coast Guard's Sexual Assault Prevention and Response Programs*, [GAO-08-1146T](#) (Washington, D.C.: Sept. 10, 2008).

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assessed the extent to which DOD has addressed a congressional requirement to establish a centralized, case-level sexual assault database by reviewing applicable legislation and DOD documentation, and compared it with DOD, federal, and industry guidance on key system acquisition best practices. We also interviewed DOD officials to obtain information on the status of the department's efforts to establish the database.

For our report based on this performance audit, we conducted our work from February 2009 to February 2010 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## DOD's Efforts to Address Our Recommendations from 2008 Reflect Varying Levels of Progress

DOD has taken steps to implement our August 2008 recommendations to improve its sexual assault prevention and response program; however, its efforts reflect various levels of progress, and opportunities exist for further program improvements. To its credit, DOD has implemented four of the nine recommendations in our August 2008 report. First, the Office of the Secretary of Defense (OSD) established a working group to address our recommendation to evaluate the adequacy of DOD policies for implementing its sexual assault prevention and response program in joint and deployed environments. Based on the working group's findings, OSD suggested revisions to joint policy, which a Joint Staff official told us they are using to modify related publications. Second, the military service secretaries have each taken a variety of steps to address our recommendation to emphasize responsibility for program support at all levels of command. The most notable examples of this support include the U.S. Navy's recent establishment of a sexual assault prevention and response office that will report directly to the Secretary of the Navy, and the Army's incorporation of a sexual assault program awareness assessment into promotional boards for its noncommissioned officers. Third, OSD chartered the Health Affairs Sexual Assault Task Force to address our recommendation to evaluate and address factors that may prevent or discourage servicemembers from seeking health services. Specifically, the task force evaluated and subsequently issued a number of recommendations that are intended to improve access to health care following a sexual assault, including chartering a Sexual Assault Health Care Integrated Policy Team to review department-level policies regarding

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clinical practice guidelines, standards of care, personnel and staffing, training requirements and responsibilities, continuity of care, and in-theater equipment and supplies. Fourth, in August 2008, the Defense Task Force on Sexual Assault in the Military Services began its examination of matters related to sexual assault, as we recommended, and on December 1, 2009 the task force released a report with its findings and recommendations.

However, DOD's actions toward implementing the other five recommendations from 2008 reflect less progress. For example, although OSD has drafted an oversight framework, that framework does not contain all the elements necessary for effective strategic planning and program implementation, such as criteria for measuring progress to facilitate program evaluation and to identify areas needing improvement. However, according to OSD officials, they plan to develop these within the next 2 years. Further, the draft oversight framework does not include information on how OSD plans to use or report the results of its performance assessments, does not identify how program resources correlate to its achievement of program objectives, and does not correlate with the program's two strategic plans. Therefore, to improve oversight of the department's sexual assault prevention and response programs, in our February 2010 report we recommend that OSD strengthen its oversight framework by identifying how the results of performance assessments will be used to guide the development of future program initiatives, identifying how program resources correlate to its achievement of strategic program objectives, and correlating the oversight framework with the program's two strategic plans. In written comments on our draft report, DOD concurred and noted that it has already taken steps toward implementing these recommendations. For example, DOD stated that it currently has efforts underway to establish criteria for measuring its progress and expects to have a plan in early 2010 for tracking the department's progress toward performance objectives. DOD also noted that it plans to align its budget categories with specific performance objectives, starting with the 2012 budget cycle. Further, DOD noted that the process it plans to use to track its progress toward performance objectives will also allow the department to synchronize the objectives, timelines, and strategies of its two strategic plans. We commend DOD for taking immediate steps in response to our recommendations, and encourage the department to continue taking positive actions toward fully implementing them.

Further, while OSD has introduced some changes in DOD's annual report to Congress, it has not completed the process of developing a standardized set of sexual assault data elements and definitions. OSD officials noted

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that the standardization of data definitions is something they expect to accomplish in the near term, while standardizing data elements will take longer as it is a task that will be completed in conjunction with their development of a centralized sexual assault database. However, we note that in the meantime, information in DOD's annual report still cannot be compared across the military services, and it may not be effectively characterizing incidents of sexual assault in the military services. Thus, to enhance visibility over the incidence of sexual assaults involving DOD servicemembers, and to improve the department's sexual assault prevention and response programs and the pending implementation of the Defense Sexual Assault Incident Database, in our February 2010 report we recommend that DOD standardize the type, amount, and format of the data in the military services' report submissions. In written comments on our draft report, DOD stated that it is working to achieve complete data uniformity among the military services, but that this will ultimately be accomplished once the Defense Sexual Assault Incident Database—which we will discuss next—has been established. While we recognize the complexity of this task, we continue to assert that the full establishment and implementation of standardized data elements and definitions will facilitate a more comprehensive understanding of DOD's sexual assault prevention and response programs.

We also found that OSD cannot assess training programs as we recommended, because OSD's strategic plans and draft oversight framework do not contain measures against which to benchmark performance, and DOD has not implemented our recommendation to evaluate processes for staffing key installation-level positions because, according to OSD officials, they were advised that the Defense Task Force on Sexual Assault in the Military Services would be making related recommendations. Finally, OSD officials stated that they will not address our recommendation to collect installation-level data—despite its availability and the military services' willingness to provide them—until they have implemented the Defense Sexual Assault Incident Database to maintain these data. We did not make any new recommendations to DOD in our February 2010 report regarding these findings however, we continue to assert that until these recommendations are fully implemented, OSD cannot be sure that the programs are improving the department's prevention of and response to sexual assault incidents.

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## DOD Has Yet to Establish A Centralized Sexual Assault Incident Database

DOD has taken preliminary steps to establish the centralized, case-level Defense Sexual Assault Incident Database that Congress directed it to implement in the National Defense Authorization Act for Fiscal Year 2009, but it did not meet the statutorily mandated January 2010 deadline for implementing the database. Instead, only general milestones for acquiring the database have been set, and DOD cannot currently commit to when the system will be implemented because it does not have a reliable acquisition and implementation schedule. Further, a range of key information technology management practices that are essential to successfully acquiring and implementing a system remain to be accomplished. Our research and evaluations of information technology programs across the federal government have shown that adherence to such practices—including assessing a program’s overlap with related programs and using reliable estimates of life cycle costs and benefits to justify investment in the system—is essential to delivering promised system capabilities and benefits on time and within budget. However, more remains to be accomplished before these disciplines will be effectively implemented. For example, while DOD developed a business case for the database in June 2009 that includes a cost estimate of \$12.6 million, the cost estimate does not include all costs over the system’s life cycle, has not been adjusted to account for program risks, and does not include a comparison of alternatives on the basis of net present value. To increase the chances of the database being successfully acquired and implemented, in our February 2010 report we recommend that DOD adhere to key system acquisition management processes and controls, including, but not limited to developing a reliable integrated master schedule, assessing the program’s overlap with related programs, and justifying the investment based on reliable estimates of life cycle costs and benefits. In written comments on our draft report, DOD agreed with these recommendations but noted that doing so depends in part on hiring a system development contractor. In this regard, DOD expects to release the Request for Proposals for a system developer soon, and award a contract sometime between April and June 2010.



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## Coast Guard Has Partially Implemented One of Our Two Recommendations from 2008

While the Coast Guard has partially implemented one of our recommendations to further develop its sexual assault prevention and response program, it has not implemented the other. In August 2008, we reported that the Coast Guard's sexual assault prevention and response program was hindered by several issues, and we made two recommendations to strengthen its program's implementation.<sup>8</sup> In response to these recommendations, the Coast Guard has established a headquarters-level program manager position to oversee its sexual assault prevention and response program, and it has initiated an assessment of the current workload requirements and resource allocations for its Sexual Assault Response Coordinators. In written comments on our draft report, the Coast Guard stated that it had recently completed its assessment of the workload requirements and resource allocations for its Sexual Assault Response Coordinators, and upon release of the final report the Coast Guard plans to review and analyze the recommendations and as appropriate, incorporate additional resource requirements into its annual budget process.

Further, the Coast Guard lacks a systematic process to collect, document, and maintain its sexual assault data and related program information, and it lacks quality control procedures to ensure that program data being collected are reliable. For example, Coast Guard officials noted that in fiscal year 2008, the Coast Guard Investigative Service documented 78 reports of alleged sexual assault, while Coast Guard Headquarters, using its hard copy log of reports from its coordinators, had documented only 30. Therefore, in our February 2010 report we recommend that the Coast Guard improve the oversight and accountability of its sexual assault prevention and response program by establishing a systematic process for collecting, documenting, and maintaining sexual assault incidence data, and by establishing quality control processes to ensure that program information collected is reliable. In written comments on our draft report, the Coast Guard noted that it is currently developing a prototype of an electronic database to track sexual assault reports and that it expects to complete the database in 2010.

Additionally, while the Coast Guard's instruction requires that all Coast Guard Sexual Assault Response Coordinators be trained to perform relevant duties, officials stated that they have not developed a curriculum or implemented training for the Coast Guard's 16 Sexual Assault Response

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<sup>8</sup>[GAO-08-924](#).

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Coordinators, as they had elected alternatively to develop a training curriculum for other program personnel. Thus, to ensure that the Coast Guard can provide proper advice to its personnel, in our February 2010 report we recommend that it establish and administer a curriculum for all key program personnel. In written comments on our draft report, the Coast Guard noted that it has scheduled training in May 2010 for all of its personnel performing Sexual Assault Response Coordinator duties. We commend the Coast Guard for the steps it has taken and its plans for further developing its sexual assault prevention and response program, and we encourage the service to continue taking positive actions toward fully implementing our recommendations.

In summary, we want to reiterate our recognition that both DOD and the Coast Guard have taken a number of positive steps toward addressing our recommendations from 2008 to further strengthen their respective sexual assault prevention and response programs. Additionally, each service has proactively developed and implemented a variety of initiatives—beyond what we recommended—to increase program awareness and to improve prevention of and response to occurrences of sexual assault. While such progress is noteworthy, DOD’s and the Coast Guard’s efforts have not fully established sound management frameworks that include a long-term perspective and clear lines of accountability—all of which are needed to withstand the administrative, fiscal, and political pressures that confront federal programs on a daily basis. Further, successful program implementation will require the personal involvement of top DOD and Coast Guard leadership in order to maintain the long-term focus on and accountability for program objectives. Without such support, DOD’s and the Coast Guard’s programs will not be able to maximize the benefits of their respective prevention and response initiatives, and they may not be able to effect the change in military culture that is needed to ensure that their programs are institutionalized.

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Chairman Tierney and Members of the Subcommittee, this concludes our prepared statement. We would be pleased to answer any questions you may have at this time.

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## Contacts and Acknowledgments

If you or your staff have any questions on matters discussed in this statement, please contact Brenda Farrell at (202) 512-3604 or farrellb@gao.gov or Randolph Hite at (202) 512-3439 or hiter@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Key contributors to this statement include Marilyn K. Wasleski, Assistant Director; Neelaxi Lakhmani, Assistant Director; Divya Bali; Stacy Bennett; K. Nicole Harms; Jim Houtz; Ron La Due Lake; Kim Mayo; Adam Vodraska; and Cheryl A. Weissman.

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