



**UNITED STATES MARINE CORPS**

MARINE WING SUPPORT SQUADRON 271

MARINE WING SUPPORT GROUP 27

2D MARINE AIRCRAFT WING

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Policy Letter 7-11

From: Commanding Officer, Marine Wing Support Squadron 271  
To: Distribution List

Subj: SEXUAL ASSAULT PREVENTION AND RESPONSE

Ref: (a) MCO 1752.5A

Encl: (1) Commanders Protocol for Responding to Allegations of Sexual Assault

1. Purpose. To publish updated policy guidance for identifying, reporting, and addressing the issue for sexual assault within Marine Wing Support Squadron 271.

2. Background. Sexual assault is a crime that is not restricted to any gender, race or age. Sexual assault is defined as intentional sexual contact when the victim does not or cannot consent, and is characterized by the use of force, threat of force, or abuse of authority.

3. Policy

a. Sexual assault will not be tolerated. Ignoring or failing to report sexual assault incidents may have damaging consequences for victims and the installation. Where cause exists, appropriate legal or administrative action will be taken against violators.

b. Victims of sexual assault will be treated with sensitivity, decency and respect. Victims will receive appropriate medical, emotional, psychological, and social services. 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. the unit commander, Provost Marshal's Office, and the Naval Criminal Investigative Service). Victim safety is paramount at all times. Victims who choose to make a restricted report in accordance with the reference will have that choice honored to the fullest extent. Victims who have the courage to

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report must feel confident that their personal safety will be protected.

c. Alcohol use is frequently cited in sexual assault incidents. Irresponsible consumption of alcohol can place a Marine at increased risk. It is imperative that Marines take care of each other and not allow a fellow Marine to be victimized due to intoxication.

d. Leaders at all levels will become familiar with the contents of the reference. Commanders will ensure that all members of their command are briefed on the contents of the reference and receive annual refresher training.

e. Marine Corps Community Services (Marine and Family Services) is the agency responsible for providing training to units as well as assistance to victims of sexual assault. Commanders will seek assistance from Marine and Family Services for training.

f. Sexual assault is a complete and total contradiction to the core values that we hold so dear. Eliminating sexual assault will take a dedicated community effort. I challenge each leader and individual to accept responsibility for achieving this goal. Our Marines, Sailors, and family members deserve nothing less than our complete dedication to this cause.

g. A copy of this policy shall be prominently displayed on command information boards and incorporated into unit directives and orders.



P. A. ROSENBLOOM

MWSS-271 COMMANDER'S PROTOCOL FOR RESPONDING TO ALLEGATIONS OF  
SEXUAL ASSAULTS

COMMANDING OFFICER LTCOL ROSENBLOOM

(UNRESTRICTED REPORTS)

1. Victim's Commander

- a. Ensure the physical safety and emotional security of the victim - determine if the alleged assailant is still nearby and if the victim requires/desires protection.
- b. Determine if the victim requires/desires any emergency medical care.
- c. Notify the appropriate military criminal investigative organization (MCIO), as soon as the victim's immediate safety is assured, and the victim's medical treatment procedures are in motion. To the extent practicable, strictly limit knowledge of the facts or details regarding the incident to only those personnel who have a legitimate need to know.
- d. Take action to safeguard the victim from any formal or informal investigative interviews or inquiries, except those conducted by the authorities who have a legitimate need to know.
- e. Assign the victim a Uniformed Victim Advocate (UVA) from your unit. **MWSS-271 UVA is 2ndLt Brendan Spealman.** Ensure the Unit or Command SARC is notified immediately, or as soon as possible. **The Air Station SARC is CIV Terry Rudisill (phone: 466-4676).**
- f. Submit OPREP-3/SIR report as may be required.
- g. Collect only the necessary information (e.g. victim's identity, location and time of the incident, name and/or description of offender(s)). **DO NOT ASK DETAILED QUESTIONS AND/OR PRESSURE THE VICTIM FOR RESPONSES OR INFORMATION ABOUT THE INCIDENT.**
- h. Advise the victim of the need to preserve evidence (by not bathing, showering, washing garments, etc) while waiting for the arrival of representatives of the MCIO.

- i. If needed, assist with or provide immediate transportation for the victim to the hospital or other appropriate medical facility.
- j. Ensure the victim understands the availability of the victim advocacy and the benefits of accepting advocacy and support.
- k. Ask if the victim needs a support person, which can be a personal friend or family member, to immediately join him or her. Be sure to advise the victim this support person could later be called to testify as a witness if the case goes to trial. Identify an Installation Victim Advocate for the victim and encourage them to seek their counsel.
- l. Ask if the victim would like a Chaplain to be notified and notify accordingly. **MWSS-271 Chaplain is Chaplain Malmstrom** (phone: 466-7222). Chaplain Goodbow (phone: 466-3376) can act as an alternate in the event Chaplain Malmstrom cannot be contacted.
- m. Determine if the victim desires/needs a "no contact" order or a Military Protective Order, DD Form 2873, to be issued, particularly if the victim and the accused are assigned to the same command, unit, duty location, or living quarters.
- n. Determine the need for temporary reassignment to another unit, duty location, or living quarters on the installation of the victim or the accused being investigated, working with the commander of the accused if different than the victim's commander, until there is a final legal disposition of the sexual assault allegation, and/or the victim is no longer in danger.
- o. To the extent practicable, consider the desires of the victim when making any reassignment determinations.
- p. Ensure the victim understands the availability of other referral organizations staffed with personnel who can explain the medical, investigative, and legal processes and advise the victim of his or her victim support rights.
- q. Attend the monthly case management meeting as appropriate.
- r. Ensure the victim receives monthly reports regarding the status of the sexual assault investigation until its final disposition.

s. Consult with the servicing legal office, as needed, to determine when and how best to dispose of the victim's collateral misconduct, if any.

t. Absent extenuating or overriding considerations which, in the commander's judgment, make it inappropriate to delay taking action, the commander should consider deferring discipline for such victim misconduct until all investigations are completed and the sexual assault allegation has been resolved. Keep in mind the implications of this decision on speedy trial and/or statute of limitations.

u. When practicable, consult with the servicing legal office, MCIO, and notify the assigned UVA, VA or SARC prior to taking any administrative or disciplinary action affecting the victim.

v. Avoid automatic suspension or revocation of a security clearance and/or Personnel Reliability Program (PRP) access, understanding that the victim may be satisfactorily treated for his/her related trauma without compromising his/her security clearance or PRP status. Consider the negative impact that suspension of a victim's security clearance may have on building a climate of trust and confidence in the Marine Corps sexual assault reporting system, but make the final determination based upon established national security standards, per DOD regulation 521.42-R.

w. Throughout the investigation, consult with the victim and, to the extent practicable, accommodate the victim's desires regarding safety, health, and security, as long as neither a critical mission nor a full and complete investigation are compromised.

x. Listen/engage in quiet support of the victim, as needed. Be available in the weeks and months following the sexual assault, and assure the victim that she/he can rely on the commander's support.

## 2. Alleged Offender's Commander

a. Notify the appropriate MCIO as soon as possible after receiving a report of a sexual assault incident.

b. **Avoid questioning about the sexual assault allegation with the alleged offender**, to the extent possible, since doing so may jeopardize the criminal investigation.

c. Any contact with a Service member suspected of an offense under Chapter 47 or MCO P5800.16A may involve rules and procedures that ensure due process of law and are unique to the military criminal justice system. Therefore, before questioning or discussing the case with the alleged offender, commanders and other command representatives should first contact that servicing legal office for guidance.

d. However, if questioning does occur, do advise the Service member suspected of committing a UCMJ offense of his or her rights under Article 31 of the Uniform Code of Military Justice.

e. Safeguard the alleged offender's rights and preserve the integrity of a full and complete investigation, to include limitations on any formal or informal investigative interviews or inquiries by personnel other than by those personnel with a legitimate need to know.

f. Strictly limit information pertinent to an investigation to those who have a legitimate need to know.

g. Ensure procedures are in place to inform the alleged offender, as appropriate, about the investigative and legal processes that may be involved.

h. Ensure procedures are in place to inform the alleged offender about the available counseling support. As appropriate, refer the alleged offender to available counseling groups and other services.

i. With the benefit of the SARC, UVA, VA, legal, and/or investigative agencies advice, determine the need for a "no contact" order, or the issuance of a Military Protective Order, DD Form 2873.

j. Monitor the well being of the alleged offender, particularly for any indications of suicide ideation, and ensure appropriate intervention occurs if indicated.

3. **Unit Commander of Victim and/or Alleged Offender Prevention**

- a. Establish a command climate that is predicated on mutual respect and trust, recognizes and embraces diversity, and values the contributions of every member of the unit.
- b. Ensure that your Marines and Sailors are aware of your commitment to maintaining a healthy unit environment that is safe, contributes to their well-being, and enhances the ability of the unit to accomplish its mission.
- c. Reiterate your "zero tolerance" policy on sexual assault and the potential consequences for those who choose to violate the law, orders and regulations.
- d. Keep a "finger on the pulse" of the organization's climate and respond with appropriate action toward any negative trends that may emerge.

#### 4. In The Event of a Sexual Assault

- a. Discourage members from participating in "barracks gossip" or "grapevine" speculation about the case or investigation, reminding all to wait in reaching conclusions until all the facts are known and final disposition of the allegations has occurred. In short; "rumor is counter to good order and discipline and shall not be passed."
- b. Advise those who may have knowledge of the events leading up to, or surrounding, the incident to fully cooperate with any investigation involved.
- c. Remind members that discussion of a possible sexual assault incident might compromise an ensuing investigation.
- d. Emphasize that the alleged offender is presumed innocent until proven guilty.
- e. Consider some form of unit refresher training; or have a subject matter expert address the unit regarding sexual assault preventative measure. This training may also include the emotions that may become manifest, and in doing so, negatively affect the unit.
- f. Continuously monitor unit's overall climate to ensure neither the victim, nor the alleged offender, is being ostracized, and to prevent organizational splintering.