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SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000

AUG 14 2013

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
UNDER SECRETARIES OF DEFENSE  
DEPUTY CHIEF MANAGEMENT OFFICER  
CHIEFS OF THE MILITARY SERVICES  
COMMANDERS OF THE COMBATANT COMMANDS  
CHIEF OF THE NATIONAL GUARD BUREAU  
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION  
DIRECTOR, OPERATIONAL TEST AND EVALUATION  
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE  
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE  
ASSISTANT SECRETARIES OF DEFENSE  
DEPARTMENT OF DEFENSE CHIEF INFORMATION OFFICER  
ASSISTANTS TO THE SECRETARY OF DEFENSE  
DIRECTOR, ADMINISTRATION AND MANAGEMENT  
DIRECTOR, NET ASSESSMENT  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Sexual Assault Prevention and Response

Eliminating sexual assault from our Armed Forces remains one of our top priorities. This effort requires our absolute and sustained commitment to providing a safe environment in which every Department Service member and civilian is free from the threat of sexual harassment and assault. Our success depends on a dynamic and responsive approach. We, therefore, must continually assess and strive to improve our prevention and response programs.

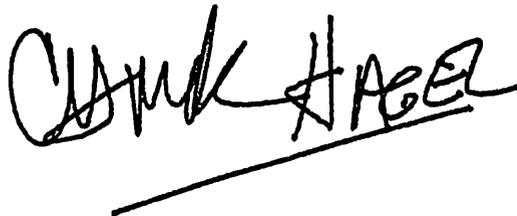
On May 6, 2013, I directed a range of initiatives designed to strengthen our program in the areas of commander accountability, command climate, victim advocacy, and safety. Today, I am directing immediate implementation of the following additional measures to gain greater consistency of effort and enhance oversight, investigative quality, pretrial investigations, and victim support:

- **Improving Victim Legal Support:** Secretaries of the Military Departments shall establish a special victim's advocacy program best suited for that Service that provides legal advice and representation to the victim throughout the justice process. Each Service will identify and periodically share best practices, and will establish an initial operating capability not later than November 1, 2013, and a fully established program by January 1, 2014.

- **Expanding Victim Rights:** General Counsel shall develop draft language for an Executive Order to amend the Manual for Courts Martial to provide victims of crime the opportunity to provide input to the post-trial action phase of courts-martial. Deliver your proposal to me not later than October 15, 2013.
- **Enhancing Protections:** Secretaries of the Military Departments shall develop and implement policy allowing the administrative reassignment or transfer of a member who is accused of committing a sexual assault or related offense, balancing interests of the victim and accused. Implement this provision not later than January 1, 2014.
- **Standardizing Protections:** Under Secretary of Defense for Personnel and Readiness shall ensure current policies prohibiting inappropriate relations between trainers and trainees and recruiters and recruits are consistent across the Services. Report your findings to me not later than November 1, 2013.
- **Elevating Oversight:** Under Secretary of Defense for Personnel and Readiness shall develop policy, standardized across all the Services, that requires status reports of unrestricted sexual assault allegations and actions taken to the first general/flag officer within the chain of command, without delaying reporting to the relevant military criminal investigation organization. Implement this policy not later than November 1, 2013.
- **Enhancing Pretrial Investigations:** Secretaries of the Military Departments shall mandate that judge advocates serve as investigating officers for all Article 32 hearings on sexual assault offense charges. Implement this policy not later than December 1, 2013.
- **Ensuring Investigative Quality:** I am requesting that the Department of Defense Inspector General plan to evaluate the adequacy of closed sexual assault investigations on a recurring basis. Respond to this request within 30 days.

Preventing the crime of sexual assault remains our focus. In addition, when a crime does occur, we must ensure that victims' rights are respected, they are provided responsive and timely support, and related investigations and judicial proceedings, if appropriate, are conducted in a thorough, professional, and fair manner. To this end, the measures outlined above will strengthen our overall sexual assault prevention and response programs and efforts. Remember, we are all accountable and responsible for eliminating this crime from our ranks.

Thank you.



A handwritten signature in black ink that reads "Clark Hagel". The signature is written in a cursive, somewhat stylized font. Below the signature is a horizontal line that extends to the right, serving as a separator or underline.

cc:  
Deputy Secretary of Defense

**IMMEDIATE RELEASE**

August 16, 2013

No.  
703-697-5131/5132 (media)  
703-571-3343 (public inquiry)

**SECRETARY HAGEL'S STATEMENT ON NEW SEXUAL ASSAULT PREVENTION  
AND RESPONSE MEASURES**

Eliminating sexual assault from the Armed Forces remains one of the Department of Defense's top priorities. This effort requires our absolute and sustained commitment to providing a safe environment in which every service member and DoD civilian is free from the threat of sexual harassment and assault. Our success depends on a dynamic and responsive approach. We, therefore, must continually assess and strive to improve our prevention and response programs.

In May, I directed a range of initiatives designed to strengthen our programs in the areas of commander accountability, command climate, victim advocacy, and safety. Today, I am directing immediate implementation of the following additional measures to improve victim support, strengthen pretrial investigations, enhance oversight, and make prevention and response efforts more consistent across the military services:

- Creating a legal advocacy program in each military service that will provide legal representation to sexual assault victims throughout the judicial process;
- Ensuring that pretrial investigative hearings of sexual assault-related charges are conducted by JAG officers;
- Providing commanders with options to reassign or transfer a member who is accused of committing a sexual assault or related offense in order to eliminate continued contact while respecting the rights of both victims and the accused;
- Requiring timely follow-up reports on sexual assault incidents and responses to be given to the first general or flag officer within the chain of command;
- Directing DoD's Inspector General to regularly evaluate closed sexual assault investigations;

**- MORE -**

- Standardizing prohibitions on inappropriate behavior between recruiters and trainers and their recruits and trainees across the Department, and;
- Developing and proposing changes to the Manual for Courts-Martial that would allow victims to give input during the sentencing phase of courts-martial.

All of these measures will provide victims additional rights, protections, and legal support, and help ensure that sexual assault-related investigations and judicial proceedings are conducted thoroughly and professionally. In addition, the Department of Defense has established an independent panel, in accordance with the National Defense Authorization Act for Fiscal Year 2013, which is currently reviewing and assessing the systems used to investigate, prosecute, and adjudicate crimes involving sexual assault and related offenses under the Uniform Code of Military Justice. I have met with panel members and I will closely review their recommendations when complete.

Sexual assault is a stain on the honor of our men and women who honorably serve our country, as well as a threat to the discipline and the cohesion of our force. It must be stamped out. I will continue to meet weekly with DoD's senior leadership team to personally review our efforts and ensure that directives and programs are being implemented effectively. We are all accountable to fix this problem, and we will fix it together. We will continue to work closely with the Congress and the White House on eliminating sexual assault in the military.

- END -