



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
POSTAL SERVICE CENTER BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-0003

ASO 1752.6A
MCCS
14 NOV 2014

AIR STATION ORDER 1752.6A

From: Commanding Officer, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: STANDARD OPERATING PROCEDURES FOR RESPONDING TO ALLEGATIONS OF SEXUAL ASSAULT AT MARINE COPRS AIR STATION (MCAS) CHERRY POINT

Ref: (a) MCO 1752.5B

Encl: (1) Commander's Protocol for Responding to Allegations of Sexual Assault
(2) Recommended Actions for Commanders to Help Reduce or Eliminate Sexual Assault
(3) Additional Recommended Actions for Commanders in the Event a Sexual Assault Occurs

1. Situation. Reference (a) issues Marine Corps policy and guidance in accordance with (IAW) the Department of Defense (DoD) Sexual Assault Prevention and Response (SAPR) program. It is essential that commanders at all levels execute timely and effective actions when allegations of sexual assault are received.

2. Cancellation. ASO 1752.6.

3. Mission. When required, commanders will take appropriate actions in response to allegations of sexual assault within MCAS Cherry Point units.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. The purpose of this Order is to delineate requirements and eliminate confusion as to what actions are required when responding to an unrestricted report of an alleged sexual assault upon, or by, a military member of MCAS Cherry Point.

(2) Concept of Operations. When required, commanders at all levels will act IAW instructions contained within the reference and the enclosures.

b. Tasks. See enclosures. Enclosures (2) and (3) provide information to assist commanders at all levels.

c. Coordinating Instructions. See enclosures.

5. Administration and Logistics

a. Forward all recommended changes or inquiries regarding this Order to the MCAS Cherry Point Sexual Response Coordinator (SARC).

b. Installation SARC: (252) 466-5490/497-0501 (Cell)

DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.

ASO 1752.6A
14 NOV 2014

c. 24/7 Sexual Assault Response Line: (252) 665-4713

6. Command and Signal

a. Command. This Order is applicable to MCAS Cherry Point and its subordinate and tenant commands.

b. Signal. This Order is effective the date signed.



C. P. PAPPAS III

DISTRIBUTION: A

14 NOV 2014

Commander's Protocol for Responding to Allegations of Sexual Assault

(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 whether the victim requires/desires protection.

b. Determine if the victim requires/desires emergency medical care.

c. Notify the appropriate Military Criminal Investigative Organization (MCIO) as soon as the victim's immediate safety is assured and 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. 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. Immediately notify a Uniform or Civilian Victim Advocate (VA) for the victim. Contact the SARC. If not already assigned, the SARC will assign the victim to a VA to provide support to the victim.

f. Submit OPREP-3/SIR report as required.

g. Submit an 8-day brief as required.

h. Collect only the necessary information (location and time of incident, name and/or description of the offender). **DO NOT ASK DETAILED QUESTIONS OR PRESSURE THE VICTIM FOR RESPONSES OR INFORMATION ABOUT THE INCIDENT.**

i. Advise the victim of the need to preserve evidence (no showering, washing garments, etc.) while waiting for the arrival of representatives of the MCIO.

j. If needed, assist with or provide immediate transportation for the victim to the hospital or other appropriate medical facility.

k. Ensure the victim understands the availability of victim advocacy and the benefits of accepting advocacy and support.

l. Ask if the victim needs a support person, which can be a personal friend or family member, to immediately join him/her. Be sure to advise the victim that this support person could later be called to testify as a witness if the case goes to trial.

m. Ask if the victim would like a Chaplain to be notified and notify accordingly.

14 NOV 2014

n. 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.

o. 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. Coordinate 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.

p. To the extent practicable, consider the desires of the victim when determining reassignment.

q. Notify the victim of the right to request an expedited transfer.

r. 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/her victim support rights.

s. Notify the victim of the right to request Victim Legal Counsel.

t. Attend the monthly case management meeting if the Command has any open unrestricted cases of sexual assault.

u. Ensure the victim receives monthly reports regarding the status of the sexual assault investigation until its final disposition.

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

w. 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.

x. When practicable, consult with the servicing legal office and MCIO, and notify the assigned Uniformed Victim Advocate (UVA), VA, or SARC prior to taking any administrative or disciplinary action affecting the victim.

y. 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 5210.42-R.

14 NOV 2014

z. 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.

aa. 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 he/she 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. Before questioning or discussing the case with the alleged offender, commanders and other command representatives should first contact the servicing legal office for guidance.

d. If questioning does occur, do advise the Service member suspected of committing a Uniform Code of Military Justice (UCMJ) offense of his/her rights under Article 31 of the UCMJ.

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

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

h. Upon consulting the appropriate SARC, UVA, VA, legal and/or investigative agency advice, determine the need for a "No Contact" Order or Military Protective Order, DD Form 2873.

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

Recommended Actions for Commanders to Help Reduce or Eliminate Sexual Assault

1. 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.
2. 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.
3. Reiterate your "zero tolerance" policy on sexual assault and the potential consequences for those who choose to violate law.
4. Keep a "finger on the pulse" of the organization's climate and respond with appropriate action toward any negative trends that emerge.

Additional Recommended Actions for Commanders in the Event a Sexual Assault Occurs

1. 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, rumors are counter to good order and discipline and shall not be passed.
2. Advise those who may have knowledge of the events leading up to or surrounding the incident to fully cooperate with any investigation involved.
3. Remind members that discussion of a possible sexual assault incident might compromise an ensuing investigation.
4. Emphasize that the alleged offender is presumed innocent until proven guilty.
5. Consider some form of unit refresher training, or have a subject matter expert address the unit regarding sexual assault prevention. This training may also include the emotions that can manifest and negatively affect the unit.
6. Continuously monitor the unit's overall climate to ensure neither the victim, nor the alleged offender is being ostracized to prevent organizational splintering.