



DEPARTMENT OF THE NAVY

NAVAL SERVICE TRAINING COMMAND
2601A PAUL JONES STREET
GREAT LAKES, ILLINOIS 60088-2845

NSTCINST 1752.1
N00
13 Apr 15

NSTC INSTRUCTION 1752.1

From: Commander, Naval Service Training Command

Subj: STANDARD OPERATING PROCEDURES FOR NAVAL SERVICE TRAINING
COMMAND SEXUAL ASSAULT CASES

Ref: (a) NSTCINST 5000.1B
(b) SECNAVINST 1752.4B
(c) NSTC 3100.1
(d) NAVADMIN 014/15

Encl: (1) [Sample SAPR 30-Day Letter](#)
(2) [Frequently Asked Questions Regarding MIDN Sexual Assaults](#)

1. Purpose. To establish guidelines and procedures for the notification and submission of Sexual Assault Prevention and Response (SAPR) requirements in the Naval Service Training Command (NSTC) domain.

2. Discussion. NSTC must establish and enforce a climate of zero tolerance for sexual assault (SA). The goal is to reduce SA by providing a culture of prevention, education, training, response capability, victim support, reporting procedures, and accountability that enhances the safety and well-being of all. As stated in reference (a), I am committed to preventing SA throughout the domain. It is imperative that each unit is prepared to respond appropriately should a SA occur in the domain. Naval Reserve Officers Training Corps (NROTC) units must be particularly mindful of the unique circumstances and challenges regarding midshipmen (MIDN), as they are usually not covered under most of the Navy's active duty SAPR policies. Under the Confidentiality Policy of the Department of Defense (DoD), SA victims are offered restricted and unrestricted reporting options.

3. Restricted Reports. Only military personnel of the Armed Forces, including MIDN on active duty orders and the adult dependents of military personnel (which includes some MIDN) are eligible to file a restricted SA report. Military retirees, DoD civilians, and DoD contractors are not eligible to file a restricted report. Adult dependents must be documented on the active duty parent's NAVPERS 1070/602 (Page 2). Generally, military members may claim dependents who are full-time college

students under the age of 23. Victims who make a restricted report, including service members who were victims of SA prior to enlistment or commissioning, are eligible to receive SAPR services. Restricted reports may ONLY be made to:

- a. Sexual Assault and Response Coordinators (SARCs);
- b. SAPR Victim Advocates (VAs); or
- c. Active duty medical personnel

4. Unrestricted Reports. Unrestricted SA reports may be made by any active duty member, including staff, recruits, officer candidates, MIDN on active duty orders, military retirees, or dependents of an active duty member. A victim with status as a military retiree, DoD civilian, or DoD contractor is eligible for unrestricted reporting only. If a SA report is made to anyone in the military other than those listed in 3(a) through (c) above, the report automatically, and irreversibly, is treated as an unrestricted report. Victims who make an unrestricted report, including service members who were victims of SA prior to enlistment or commissioning, are eligible for SAPR services. Once an unrestricted report is made, the procedure for an unrestricted report should include the following:

- a. After speaking with a SARC or SAPR VA, the victim signs the DD2910 or a report of investigation from Navy Criminal Investigative Service (NCIS), in accordance with reference (b).

- b. The SARC notifies the victim's command within 24 hours of an unrestricted report of a SA.

- c. The victim's command makes a voice report to the Immediate Superior in Command (ISIC). Contact the Chief of Staff (CoS) (or the Deputy Commander in the CoS's absence) at 847-688-3400. Outside of normal business hours, call the NSTC Command Duty Officer (CDO) at 847-513-1814. The NSTC CDO will notify the CoS/Deputy.

- d. The victim's command notifies the NSTC Staff Judge Advocate (SJA) at 847-688-7600 x463 or x126.

- e. The victim's command releases an OPREP-3 (Navy Blue or Unit SITREP), within 24 hours, observing the guidelines in reference (c), which includes a requirement to have NROTC OPREPs approved by NSTC prior to release.

- f. In accordance with reference (d), if an OPREP-3 is issued, the unit submits a Sexual Assault Incident Response Oversight (SAIRO) report within eight days of the initial OPREP-3 or report of investigation from NCIS. For a military victim, the

victim's command submits the report to Commander, NSTC (CNSTC). For a civilian victim, including a MIDN victim not on active duty, where the alleged offender is a military member on active duty, the alleged offender's command submits the report.

g. The commanding officer makes a 30-day voice report to CNSTC.

(1) Provide a letter to CNSTC summarizing the incident using enclosure (1) as a guideline. The purpose of the letter is to provide a status of the case and an assessment of how the victim, alleged perpetrator (if part of the command), and the command are coping with the situation. The letter should arrive to CNSTC two to three days prior to the phone call. Schedule the phone call with the NSTC Flag Writer at 847-688-3400.

(2) The phone call with CNSTC will be an amplification of the letter and will provide CNSTC an opportunity to ask questions. Discussion points may include whether the victim is receiving services, how the victim is doing with unit responsibilities and/or academics, and how the victim is interacting with unit personnel.

h. The command submits a follow-up OPREP-3 every 30 days, observing reference (c) guidelines, which includes a requirement to have NROTC OPREPs approved by NSTC prior to release.

i. Following final disposition of the SA, the alleged offender's command completes a Sexual Assault Disposition Report (SADR) using NAVPERS 1752/1. When an unrestricted report specifies an unknown offender or an offender not subject to the Uniform Code of Military Justice, the victim's command shall complete the SADR within two business days of disposition. The NSTC SJA and NSTC SAPR Coordinator (847-688-4483 x142) are available to assist.

5. Notification of SA for MIDN Not on Active Duty and Not a Military Dependent.

a. Make MIDN aware of university services available to assist with counseling and safety.

b. Make voice report to CoS (or the Deputy Commander in the CoS's absence) at 847-688-3400. Outside of normal business hours, call the NSTC CDO at 847-513-1814. The NSTC CDO will notify the CoS/Deputy.

c. Notify the NSTC SJA at 847-688-7600 x463 or x126.

d. Observing guidelines in reference (c), which includes a requirement to have NROTC OPREPs approved by NSTC prior to

release, release an OPREP-3 if there is potential media interest. If the assault happened at a military unit or installation, the unit/installation commander will release an OPREP-3. If the alleged offender is on active duty, the offender's command is responsible for releasing the OPREP-3.

e. Schedule a 30-day phone conversation with CNSTC. Submit a letter to CNSTC summarizing the incident two to three days prior to the phone call using enclosure (1) as a guideline.

f. If an OPREP-3 is released, the responsible command will submit a follow-up report every 30 days, observing reference (c) guidelines, which includes a requirement to have NROTC OPREPs approved by NSTC prior to release.

6. Every commanding officer and officer in charge in the domain must ensure the availability of a SAPR VA. To mitigate not having a VA available due to the Command VA's leave or transfer or should the Command VA become a victim of SA, all NROTC units shall maintain an agreement with the nearest entity capable of providing SA services. The agreement shall be supported by documentation, e.g., memorandum, letter, e-mail. Once an agreement is established, the unit shall conduct an annual review no later than 1 September of each year to ensure the agreement remains valid.

7. Enclosure (2) provides additional information on frequently asked questions regarding MIDN SA cases.



R. A. BROWN

Sample SAPR 30-Day Letter

5800
Ser N00/
Date

From: Commanding Officer, (COMMAND/UNIVERSITY)
To: Commander, Naval Service Training Command

Subj: ASSESSMENT OF THE IMPACT OF AN ALLEGED SEXUAL ASSAULT

Ref: (a) NAVPERS 1752/1 of 17 Oct 14

1. This memorandum is provided to supplement the in-person personal assessment required by reference (a).

2. (COMMAND/UNIT) received a report at (TIME/DATE) that a (GENDER) (MIDN/DEPENDENT) was sexually assaulted at (LOCATION). Summarize the incident: (Disregard the use of names or other personally identifiable information).

3. Assessment of Impact.

a. Impact to victim. Provide an assessment of how the victim is coping with the situation. (Example of discussion points: Is victim receiving University or Navy services? How is the victim doing with schoolwork? How is the victim in interacting with the unit?).

b. Impact to offender. Provide an assessment of how the alleged offender is coping with the situation, if part of the command.

c. Impact to command. Provide an assessment of how the command is coping with the situation.

4. Provide additional information if needed. (Example: Additionally, (COMMAND) continues to stress the importance of the SAPR program to Staff/MIDN. Accordingly, I assess that there is no impact on the command morale or a perception that the command does not respond to sexual assault cases.)

(signed)
COMMANDING OFFICER

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Enclosure (1)

Frequently Asked Questions Regarding MIDN and Sexual Assault

1. Does the unit (or NSTC) file an OPREP-3 when a SA report is made by a MIDN?

An OPREP-3 is filed if (1) the MIDN was on ACDU at the time of the incident, and/or (2) the alleged offender was on active duty at the time of the incident, or (3) the alleged victim is a dependent of an ACDU member or military retiree. Additionally, in rare cases, an OPREP-3 will be issued, even if these categories do not apply, if: (1) press attention is likely or (2) the location of the incident was onboard a Naval installation. Reference (c) provides further NSTC guidance regarding OPREP-3 reports. One of the requirements of reference (c) is that the OPREP must be reviewed and approved by NSTC prior to release.

2. Is a SARC/SAPR Victim Advocate always notified when a MIDN reports a SA? If any of the first three above apply and the report is unrestricted, the SARC is always notified. If the above do not apply, such as if the victim is a MIDN not on ACDU, not a dependent, and assaulted by a non-active duty individual, the SARC is not notified.

3. Does NSTC track all SA reports, regardless of status of offender and/or victim? Yes, the NSTC SAPR Coordinator internally tracks all reports brought to NSTC's attention.

4. Does NSTC report this data to anyone? NSTC reports data on cases requiring an OPREP-3 to Commander, Naval Education and Training Command on the 15th of every month, including SA cases from Recruit Training Command, NROTC units, and Officer Training Command Newport. NSTC currently does not report data on cases that do not require an OPREP-3.