

# MAINE NATIONAL GUARD

## 2023 Annual Report to the Maine State Legislature



Presented to the Joint Standing Committee on Veterans and Legal Affairs  
132nd Maine Legislature  
on behalf of  
Brigadier General Diane L. Dunn  
Maine National Guard Adjutant General  
Commissioner, Department of Defense, Veterans, and Emergency Management  
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## Table of Contents

Executive Summary .....	2
Highlights and Changes Since the December 2023 Annual Report .....	3
Section 1: Historical Data for the Maine National Guard .....	5
37-B MRSA §3, sub-§1 ¶D(25)(a) .....	5
37-B MRSA §3, sub-§1 ¶D(26)(f) .....	5
Section 2: Sexual Assault and Sexual Harassment Training Programs .....	8
37-B MRSA §3, sub-§1 ¶D(25)(b) .....	8
Section 3: Practices and Procedures for Prevention .....	11
37-B MRSA §3, sub-§1 ¶D(25)(c) .....	11
Section 4: Advisory Groups and Inspections .....	20
37-B MRSA §3, sub-§1 ¶D(25)(d) .....	20
Section 5: Accessions, Discharges, Promotion and Discharge Code Data .....	21
37-B MRSA §3, sub-§1 ¶D(26) (a-d) .....	21
Section 6: Survey Data .....	25
37-B MRSA §3, sub-§1 ¶D(26)(e) .....	25
Section 7: Definitions .....	26
Section 8: Commonly Used Acronyms .....	28
Section 9: Attachments .....	30

## Executive Summary

In April 2022, Governor Janet Mills signed into law Public Law 2021, Chapter 634 “*An Act to Enhance the Prevention of and Response to Sexual Assault and Sexual Harassment in the Maine National Guard*”<sup>1</sup> which amended 37-B Maine Revised Statutes Annotated (MRSA) §3, sub-§1 to direct The Adjutant General (TAG) of the Maine National Guard (MENG) to provide a report on February 15, 2023 and annually thereafter regarding sexual assault and sexual harassment within the MENG. Subsequently Public Law 2023, Chapter 474 “*An Act to Implement the Recommendations of the Governor’s Advisory Council on Military Sexual Trauma*”<sup>2</sup> adjusted the requirement for the annual report to the joint standing committee of the Legislature to shift from February 15<sup>th</sup> of each year to December 6<sup>th</sup> of each year.

This report highlights programmatic changes that occurred since December 2023 and addresses the seven areas directed by the Maine Legislature. The metrics are presented a manner consistent with federal laws and policies while maintaining confidentiality.

The MENG continues to implement Department of Defense (DoD) policies, support victims, and foster an environment that promotes prevention of sexual assault (SA) and sexual harassment (SH).

Highlights include the MENG’s coordination with the Vermont and New Hampshire National Guard to credential victim advocates, support efforts for Unit Ministry Teams, and continuous Sexual Assault Prevention and Response (SAPR) training across the force.

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<sup>1</sup> <https://legislature.maine.gov/backend/App/services/getDocument.aspx?documentId=92059>

<sup>2</sup> <https://legislature.maine.gov/backend/App/services/getDocument.aspx?documentId=103736>

## Highlights and Changes Since the December 2023 Annual Report

The MENG continues to implement new and rapidly changing policies and processes required by the DOD 90-Day Independent Review Commission on Sexual Assault in the Military, coordinates with other states regarding best practices and continues to support interagency partners, while providing ongoing training and victim support. Updated policies and procedures provide tools to better support victims of SH and sexual assault when they choose to report. The changes provide a federal plan to further strengthen the prevention of sexual violence and other forms of interpersonal violence.

### **Religious Support Team**<sup>3</sup>

In training year 2024 (TY24), MENG Unit Ministry Team (UMT) members conducted two Prevention and Relationship Enhancement Program (PREP) marriage enrichment seminars for 27 Soldiers and Airmen and their spouses. UMT provided Premarital Interpersonal Choices and Knowledge (PICK) relationship seminars for Singles. These seminars improved overall resilience to 67 of the Maine Army National Guard's (MEARNG) Recruit Sustainment Program Soldiers and their families by providing tools for healthier relationships.

The Chaplain-led relationships program known Army-wide as "Building Strong and Ready Teams" (BSRT) has broadened its scope to include more family-wide and financial selections such as Speed of Trust, Psycho-Geometrics and Financial Peace University. The BSRT program champions more frequent, short-term events versus weekend-long retreats to increase overall participation. Army National Guard (ARNG) and Air National Guard (ANG) combined BSRT events in TY24. This resulted in greater camaraderie and cross-branch fellowship.

Two iterations of Dave Ramsey's Financial Peace University (FPU) were also offered free of charge to both ARNG and ANG families. Thirty-one members of the MENG took advantage of this opportunity. Many expressed their appreciation for how the course helped to reduce financial stress in their homes.

Five Religious Support Team members received instructor training in three new curricula that focused on resiliency and personal growth. These credentials will enable the MENG chaplains to provide more diverse life and relationship skills training to our service members, improving overall wellness with a focus on reducing instances of conflict, to include sexual assault and domestic violence.

### **SAPR Team**

In April, the MENG SAPR team hosted an initial credential course for new volunteer victim advocates which included the New Hampshire Air National Guard (NHANG) and

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<sup>3</sup> The Religious Support Team is inclusive of MENG Chaplains and all support staff.

the Vermont Air National Guard (VTANG). Ten attendees from around the 54 States and Territories successfully completed the course. This course was funded by 100% federal resources.

In May, the MENG SAPR Officer, attended the National Guard Bureau (NGB) funded Annual Refresher Training in San Diego, California. NGB provides training to all full-time SAPR professionals. The training provides updates to policy and procedures as well as advocacy and program management training required for re-credentialing SAPR professionals.

A new Sexual Assault Response Coordinator assigned to the 101 Air Refueling Wing in Bangor was hired and subsequently onboarded in May. He is scheduled to attend the required initial credentialing course for newly hired SAPR professionals in December 2024. This two-week fully federally funded course provides initial advocacy training as well as National Guard (NG) specific program management.

In June, one SAPR Officer attended the required two-week NGB Joint SAPR Course.

In the past year, there have been three expansions to The CATCH – Catch a Serial Offender Program<sup>4</sup> (CATCH) allows an eligible adult victim of sexual assault to submit an anonymous entry into the CATCH system to discover if the suspect in the victim’s report may have assaulted another person (i.e., a “match” in the CATCH website) and having that knowledge, decide whether to participate in an investigation of the serial offender suspect. Participation in the CATCH program is voluntary at every step.

Effective July 2024, eligible victims may now submit a SAPR related inquiry through a SAPR Professional and participate in CATCH without being required to make a formal report. A second piece of that expansion allows former service members and their adult military dependents who have already filed a formal Restricted Report (RR), or those who have filed a formal Unrestricted Report (UR), and the identity of the suspect was not disclosed by the victim or uncovered by law enforcement, to participate in the CATCH program. The third piece to this most recent expansion allows participation by current DOD Civilian employees who file, or have already filed a formal RR, or those who have filed a formal UR and the identity of the suspect was not disclosed by the victim or uncovered by law enforcement.

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<sup>4</sup> <https://www.sapr.mil/CATCH>

## Section 1: Historical Data for the Maine National Guard

### 37-B MRSA §3, sub-§1 ¶D(25)(a)

*“Data regarding all reported incidents of sexual assault within the National Guard in each of the preceding 10 years, including information on the current duty status of victims and the outcome of any state or federal criminal or Maine Code of Military Justice proceedings arising out of such incidents, to the extent that the sharing of data and information is not prohibited by federal law or federal regulation and can be presented in a way that does not identify, and that cannot be used with other information to identify the victims of sexual assault. If necessary to protect the identity of victims of sexual assault, the Adjutant General may submit a summary of specific items of data or information required to be included in the report;”*

### 37-B MRSA §3, sub-§1 ¶D(26)(f)

*“Number of restricted and unrestricted reports of sexual harassment and sexual assault in the Maine National Guard by year broken down by gender of the reporting party.”*

The SAPR Program is federally mandated and funded by the DOD, the Department of the Army (DA), the Department of the Air Force (DAF), and NGB. The SAPR program is defined and operates according to federal guidance, policies, procedures, and requirements.

The MENG SAPR program maintains federal guidelines for strict confidentiality with the release of metrics. The SAPR program is the single point of contact for providing advocacy and resources to eligible members, both military and DOD civilian employees of the MENG and their eligible family members.<sup>5</sup> Advocacy services and referral to community-based resources are provided regardless the status of the reported offender or when the assault occurred, whether that was before military service or during. With the exception to the newest eligibility expansion to the CATCH Program, the SAPR program is unable to provide ongoing advocacy and support to members who separate from the MENG before filing an official report. However, the MENG SAPR Team will always do a warm hand-off to community support services if the victim/survivor wishes. The metrics are inclusive of MENG members and their eligible dependents, as well as eligible DOD civilian employees working for the MENG who have experienced a sexual assault and chose to file a formal report. These numbers include RRs, URs, Open with Limited Information cases and reports converted from a RR to an UR. **These numbers also include assaults committed by civilian offenders who have no connection to the MENG where the victim is an eligible reporter as well as assaults transferred in from other branches of service, if/when a victim transfers to the MENG and chooses to have their case transferred.** This report contains report data from fiscal

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<sup>5</sup> [https://www.sapr.mil/sites/default/files/public/docs/victim-assistance/Victim\\_Assistance\\_Slick\\_Sheet\\_Reference\\_Copy.pdf](https://www.sapr.mil/sites/default/files/public/docs/victim-assistance/Victim_Assistance_Slick_Sheet_Reference_Copy.pdf)

year (FY) 2014 through FY23, when available and appropriate, meeting the legislative requirement to provide ten years' worth of data.

Reporting had a significant jump in FY21 and FY22 DOD wide and has been attributed to post pandemic reporting and the expansion of the RR Option. Below are metrics that reflect 90 reports of sexual assault between FY14 and FY23. Historically, the perception has been that sexual assault reports in the military are female military victims and male military perpetrators. Not all victims are female, not all perpetrators are military, and not all assaults reported to the MENG SAPR program happened when the victim was in the military. The primary objective of the MENG is to encourage reporting so that victims can get the support they want and deserve. Victim numbers are inclusive of all report types while the MENG legal offices track only URs for purposes of adverse administrative actions, as well as for following civilian prosecution.

<b>Number of reports of sexual assault in the MENG broken down by year, report type and gender of reporting party.</b>						
	Male RR	Male UR	Female RR	Female UR	Not Reported	Total FY Reports
FY14	0	0	0	5	1	6
FY15	1	0	1	1	0	3
FY16	0	1	1	0	0	2
FY17	0	0	4	1	0	5
FY18	0	3	0	2	0	5
FY19	1	0	1	3	0	5
FY20	1	3	3	8	0	15
FY21	1	0	6	10	0	17
FY22	2	1	4	10	1	18
FY23	2	2	3	7	0	14

<b>Number of sexual harassment complaints in the MENG broken down by year, report type and gender of complainant.</b>			
	Male Complainant	Female Complainant	Total Complaints
FY20	1	2	3
FY21	0	5	5
FY22	0	2	2
FY23	1	2	3
FY24	0	1	1

At the time of the report to DOD, 30 victim/survivors were enlisted members between the grades of E1 and E4, 42 were non-commissioned officers (NCO) at the grade of E5 and above and commissioned officers, and 18 reports show as unreported. 67 eligible reporters were in the military at the time of the reported assault, 12 were not in the

military at the time of the reported assault, and 11 show as unreported to the DOD. The information shows that 37 victims who have reported a sexual assault are currently in the MENG, 48 are not in the MENG, and information is unavailable for 5 of the reports.<sup>6</sup>

Of the 90 reports to DOD between FY14 and FY23, 61<sup>7</sup> of reported offenders were military members, 7 were U.S. civilians or foreign nationals, and 24 were unknown or not reported to the DOD. Of the reported offenders, 6 have received non-judicial punishment (NJP) and 5 have received a General Officer Memorandum of Reprimand (GOMOR)<sup>8</sup>. As the result of civilian criminal proceedings, 4 cases resulted in State prosecutions. There have been no Federal prosecutions at this point. 18 respondents have been separated from the MENG, 3 are currently pending separation, and one respondent has been retained. Lastly, 28 reports show that alcohol was involved at the time of the assault, 30 times alcohol was not involved, and 32 cases are unknown or not reported to the DOD.

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<sup>6</sup> Not in MENG denotes victims who may have separated for retirement, medical reasons, transfer to another state or branch, or end of service, or they may have been a victim with whom the MENG had no direct contact, such as a civilian or a military member from another branch.

<sup>7</sup> This number represents the total number of military offenders for both restricted and unrestricted reports. Military offenders fall outside the jurisdiction of MENG commanders to effect administrative or non-judicial punishment for a variety of reasons, including but not limited to the offender belonging to an outside command or branch of service, being on Federal orders at the time of the offense, having ended the term of their service at the time the offense was reported, and not having sufficient information on the identity of offenders named in the case of restricted reports.

<sup>8</sup> General Officer Memorandum of Reprimand (GOMOR)



## Section 2: Sexual Assault and Sexual Harassment Training Programs

### 37-B MRSA §3, sub-§1 ¶D(25)(b)

*“A description of all sexual assault and sexual harassment prevention training provided to members of the National Guard in the Preceding year.”*

#### **SAPR Training Programs**

The SAPR program is responsible for providing SA prevention and awareness training, as well as provide policy and program assistance to leaders at all levels of the command structure. Throughout the career of a DOD employee (military and civilian) there are mandatory training requirements where members receive training or briefings about the SAPR program. Most of these events are mandated by Congress or by the Services; Army, Air Force or NGB. Commanders at all levels also use training opportunities to enhance the mandatory requirements and to build the best command climate possible.

Below is a list of many of the opportunities for SAPR education and training and, where applicable, what the regulation prescribes for the training. Some training is specific to duty status, while other training is specific to rank or position. All of the training listed below is federally funded. All training is recorded in the individuals personnel training file. For a more detailed review of the requirements, refer to Department of Defense Instruction (DODI) 6495.02 Volume 1, Sexual Assault Prevention and Response: Program Procedures, DODI 6495.02 Volume 2, Sexual Assault Prevention and Response: Education and Training, Army Regulation 600-20, Army Command Policy and Department of the Air Force Instruction 90-6001, Sexual Assault Prevention and Response (SAPR) Program.

**Initial Entry Education and Training** (by duty status) – For members of the MENG, this translates to entry into a duty status. (mandatory)

**Accession Education and Training** (by duty status)– For members of the MENG, this is accomplished when the member enters basic military training. (mandatory)

**Pre-deployment Education and Training** (by duty status) – This training is accomplished at the deployed location. While this is the responsibility of the SAPR Team and commanders at the deployed location, it is common practice for the MENG SAPR team to engage with deployers prior to deployment to ensure they have the basic necessary information in case they want or need to connect with a SAPR professional before they make it to their deployed location. This is accomplished in several ways to include small group engagements and Yellow Ribbon pre-deployment events. (mandatory)

**Post-deployment Education and Training** (by duty status) – This training is accomplished within thirty days of returning from a deployment. Like the Pre-deployment Education and Training, the Post-deployment Education and Training is accomplished through the Yellow Ribbon events and small group engagements organized by deployment managers. If a member is unable to attend these group events, regardless the reason, the member is responsible to connect with the SAPR Team for their training. (mandatory)

**Annual Refresher Education and Training** (by duty status) - Annual training is required/mandatory for all service members and DOD civilian personnel.

**Responder Training** (by duty status and position) – Responder training is required as an initial training and then annual training after that. This training is in addition to the required SAPR Annual Training and is developed by each respective functional area. This training is specific to the job or role that a member fills. SARC's, Victim Advocates, Military Criminal investigative Offices, healthcare personnel, DOD Law Enforcement, judge advocates, chaplains, firefighters, and emergency medical technicians. The DOD also recognizes Victim Witness Advocates and Commanders as first responders. Commanders receive their training separately. To note, there is additional training for healthcare providers, above and beyond the SAPR Annual Refresher Training and the Responder Training, specific to those healthcare personnel working in a military treatment facility and those who will be performing forensic exams.

**Pre-command Education and Training** (by rank or position)

**Professional Military Education** (by rank or position)

**General Officer / Flag Officer and Senior Executive Service (SES) Personnel Education and Training** (by rank or position)

**Military Recruiters, Personnel Temporarily Assigned to Assist Recruiters, Drill Instructors or Sergeants and Instructors at Formal Service Schools Education and Training** (by rank or position)

**New Commander's 30-Day In-brief** (by position) – required for all new commanders within 30 days of assuming command. For the ARNG, new Sergeants Major, Chaplains and First Sergeants are also required to complete this training.

**Sexual Assault Prevention and Response Officer, Sexual Assault Response Coordinator, and Victim Advocate Initial Training and Refresher Training** (by position) – For initial credentialing, SAPR professionals are required an initial training.

## **ARNG and ANG SAPR Annual Refresher Training Program**

The SAPR team provided training SAPR Bingo and SAPR Jenga. The mandated information was utilized to create a BINGO game that allowed for engagement and friendly competition while discussing each topic as required. In kind, SAPR Jenga allowed for some competitive engagement while discussing the required topics. The mandated information was inscribed onto the Jenga pieces. As the attendees pulled each block, the topic pulled was discussed amongst the group.

When possible and practical, the training was provided to the formation by tier groups of approximately 25 people. This method of peer tiers is the process the Air Force has used since CY2020 and has received positive feedback after applying the same process to the ARNG when possible and practical.<sup>9</sup> Although the curriculum for each tier was the same, the facilitation by tiers fosters a more open conversation when members are discussing such a sensitive topic among their peer group.

The NGB has obtained approval from the Army and the Air Force to develop its own NG focused joint curriculum. This is beneficial to the NG because the training developed by the Army and the Air Force is active duty centric and excludes important information specific to the NG.

### **Other Trainings**

In addition to the mandatory training requirements, the MENG executed the following additional trainings:

MENG SAPR team provided the Joint 30-Day In-Brief monthly throughout the entire year. This training is scheduled for the first Wednesday of the month and is provided via Microsoft Teams, allowing multiple opportunities for attendance, regardless the location of the attendee. In addition to the monthly trainings, the SAPR Officer provided one on one training for one commander unable to make the monthly group training and provided a requested training event for the entire 133<sup>rd</sup> Engineer Battalion's leadership team, its company commanders, and the first sergeants.<sup>10</sup>

The Office of the State Judge Advocate (OSJA) and the provost Marshal (PM) presented to the Maine Chiefs of Police Association on the obligations of local law enforcement to investigate and prosecute sexual assault in the NG, and the JAG and PM coordinating with law enforcement on criminal misconduct committed by a member of the MENG.

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<sup>9</sup> For reference, Tier 1 includes E1 through E6, O1 through O3, CW2 and below and GS11 and below. Tier 2 includes E7 through E9, O4 and above, CW3 and above, and GS12 and above.

<sup>10</sup> If a commander has a case(s) in their unit, that discussion is provided by way of a separate desk-side brief.

## Section 3: Practices and Procedures for Prevention

### 37-B MRSA §3, sub-§1 ¶D(25)(c)

“A description of the current practices and procedures for the prevention of sexual assault and sexual harassment and investigation of and disciplinary actions taken in response to reports of sexual assault and sexual harassment in the National Guard; and”

The MENG adheres to the policies and procedures mandated by Congress, the DOD, the DA, the DAF, the NGB, and its own internal policies. These policies include: <sup>11</sup>

1. DOD Instructions and Directives
  - a. DoDD 6495.01, Sexual Assault Prevention and Response (SAPR) Program, January 23, 2012, Incorporating Change 5, November 10, 2021<sup>12</sup>
  - b. DoDI 6495.02, Volume 1, Sexual Assault Prevention and Response (SAPR) Program Procedures, March 28, 2013, Incorporating Change 8, July 26, 2024
  - c. DoDI 6495.02, Volume 2, Sexual Assault Prevention and Response: Education and Training, April 9, 2021
  - d. DoDI 6495.02, Volume 3, Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases, June 24, 2022, Incorporating Change 1, July 26, 2024
  - e. DoDI 6495.03, Defense Sexual Assault Advocate Certification Program (D-SAACP), February 28, 2020
  - f. DoDI 6400.07 Standards for Victim Assistance Services in the Military Community, Incorporating Change 2, 6 July 2018
  - g. DoDI 6400.11 DoD Integrated Primary Prevention Policy for Prevention Workforce and Leaders, December 20, 2022, Incorporating Change 1, April 4, 2023
2. Chief of the National Guard Bureau Instructions (CNGBI)<sup>13</sup>
  - a. CNGBI 0400.01B, National Guard Complex Administrative Investigations, 12 April 2018
  - b. CNGBI 1300.01, Sexual Assault Prevention and Response Program, 26 June 2020
  - c. CNGBI 0400.01B, National Guard Complex Administrative Investigations, 12 April 2018
3. CNGB Manuals

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<sup>11</sup> DOD regulations can be found at <https://www.esd.whs.mil/DD/>

<sup>12</sup> SAPR specific regulations and policies can be found at <https://www.sapr.mil/policy>

<sup>13</sup> National Guard regulations and policies can be found at <https://www.ngbpmc.ng.mil/>

- a. CNGBM 1300.01A, Department of Defense Sexual Assault Advocate Certification Program and Systems Access Requirements, November 1, 2022
  - b. CNGBM 1300.02A, National Guard Sexual Assault Incident Notification and Reporting Requirements, January 19, 2023
  - c. CNGBM 1300.03B, National Guard Retaliation Reporting Processes Related to Unrestricted Reports of Sexual Assault, December 12, 2023
  - d. CNGBM 1300.04A, National Guard Expedited Transfer Program for Unrestricted Reports of Sexual Assault, November 18, 2022
  - e. CNGBM 1300.05, National Guard Monthly and Quarterly Sexual Assault Prevention and Response Case Management Group Meetings, November 15, 2023
  - f. CNGBM 9601.01, National Guard Discrimination Complaint Process, April 25, 2017
  - g. CNGBM 0401.01 National Guard Special Victims' Counsel Program Procedural Guidance, March 23, 2020
4. CNGB Memorandums
- a. CNGBM Direct Reporting Structure and Operational Supervision of National Guard Sexual Assault Prevention and Response Personnel, April 25, 2023
  - b. Use of Section 540K Declination Letter for Sexual Assault Victims with Third Party or Command-Initiated Investigations, February 24, 2023
5. NGB Regulations / Directives
- a. NGR 600-21, Equal Opportunity Program in the Army National Guard, 22 May 2017
  - b. NGR 635-100, Termination of Appointment and Withdrawal of Federal Recognition, September 8, 1978
  - c. NGB DTM 1300.00, Safe-to-Report Policy for National Guard Service Member Victims of Sexual Assault, December 6, 2022
  - d. NGB DTM 1300.01, Limited Sexual Assault Prevention and Response Services for Sexual Harassment Complainants, November 29, 2022
  - e. NGB DTM 1300.02, National Guard Use of Department of Defense Form 3114 "Uniform Command Disposition Report" For Reporting Sexual Assault Information, October 17, 2022
  - f. NGB DTM 1300.03, No Wrong Door and Warm Handoff Policy for National Guard Service Member Victims of Sexual Assault, November 29, 2022
6. Army Regulation / Directives<sup>14</sup>
- a. AR 600-20 c.7 Sexual Harassment/Assault Response and Prevention Program, July 24, 2020
  - b. AR 600-8-2, Suspension of Favorable Personnel Actions, 05 April 2021

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<sup>14</sup> Army regulations and policies can be found at <https://armypubs.army.mil/>

- c. AR 15-6 Procedures for Administrative Investigations and Board of Officers, 01 April 2016
  - d. AR 135-178, Enlisted Administrative Separations, 21 June 2024
  - e. ARMY DIR 2021-30 Sexual Harassment / Assault Response and Prevention Services for Department of the Army Civilians, 02 September 2021
  - f. ARMY DIR 2022-04 Sexual Assault Line of Duty Determinations and Reporting, February 7, 2022
  - g. ARMY DIR 2022-10 Safe to Report for Victims of Sexual Assault, July 6, 2022
  - h. ARMY DIR 2022-13 Reforms to Counter Sexual Harassment/ Sexual Assault in the Army, 20 September 2022
  - i. ALARACT 027/2022 Additional Sexual Harassment / Assault Response and Prevention Program Guidance: Expedited Transfers, 24-Month SARC and VA Stabilization, and SHARP Personnel Incentives, 25 May 2022
7. Department of the Air Force Instructions (DAFI) / Policy Directives / Memorandums<sup>15</sup>
- a. DAFI 90-6001, "Sexual Assault Prevention and Response (SAPR) Program," Incorporating Change DAFGM2024-01, 04 September 2024
  - b. DAFPD 90-60 "Sexual Assault Prevention and Response (SAPR) Program" 05 October 2022
  - c. DAFI 36-3211, Military Separations, 24 June 2022, Incorporating Change 1, 20 November 2023.
  - d. Department of the Air Force Safe-to-Report Policy for Service member Victims of Sexual Assault, August 25, 2022
8. State Law / Policy
- a. Maine Code of Military Justice (MCMJ), Title 37-B M.R.S., Chapter 5.
  - b. TAG 23-02, MENG Sexual Assault and Harassment No-Contact and Separation Policy, 17 January 2023.
  - c. TAG Memorandum Sexual Assault Prevention and Response (SAPR) High-Risk Response Team (HRRT) Procedures, 17 January 2023

Commanders follow state and federal regulations and policies when responding to reports of sexual assault and harassment, aided by the advice and support of the Office of the Staff Judge Advocate (OSJA). The OSJA reports to TAG and serves as the principal advisor to senior leaders of the organization on all matters of state and federal law, department regulation, and policies. The OSJA is a joint office led by the SJA (Army Colonel), Deputy SJA (Army Lieutenant Colonel), as well as the State Air Judge Advocate (Air Force Colonel), all of whom are traditional guardsmen. The OSJA has two full time Judge Advocates and a Title 32 Federal Technician Paralegal who handle day to day legal support to the entire organization. Additionally, the ARNG has five traditional guardsmen serving as Brigade Judge Advocates (BJA) providing legal services to brigade level commanders, and a Trial Defense Services officer who serves

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<sup>15</sup> Air Force regulations and policies can be found at <https://www.e-publishing.af.mil/Product-Index/>

as defense counsel for MEARNG Soldiers who are accused of misconduct. The ANG has four traditional guardsman who serve as Judge Advocates and two paralegals who are traditional guardsman who assist commanders and staff. Judge Advocates advise and assist commanders in managing the military justice system in the MENG through the investigatory process, reviewing investigations for legal sufficiency according to laws and regulations, and implementing command decisions with follow on administrative and/or non-judicial punishment actions.

## I. Sexual Assault

Reports of instances of sexual assault can come to the attention of commanders in several different ways. A survivor can make a disclosure to a SARC, VA, or health care provider. That disclosure remains confidential unless and until the survivor wishes to make one of two kinds of formal reports: RR or UR. Once a survivor makes either one of these reports, they are provided SAPR services based on their need. When a survivor makes a RR, the SARC will start internal case management. A limited distribution notification is made to senior leadership within 24 hours. This notification is referred to as a “24-Hour Notification”. This notification only includes basic information about the assault, and no personally identifiable information about the survivor or the assailant. The nature and details of the assault remain confidential and there is no formal investigation done. A survivor may later choose to convert their RR to an UR. However, once a formal UR has been made, the report cannot be converted back to a RR. The survivor can decline to participate further but the report type cannot be changed.

A survivor may also elect to make an UR. URs may be made to a SARC, VA, health care provider, or directly to any leader inside or outside of the survivor’s chain of command. Once an UR is filed, the SARC will open a case in the federally managed Defense Sexual Assault Incident Database and begin making the mandatory notifications to the victim’s commander, law enforcement if required and senior leadership<sup>16</sup>. The MENG Provost Marshal’s Office (PMO), notify local law enforcement that an UR of sexual assault has been made and the matter should be investigated by local police with jurisdiction over the case. When a MEARNG Soldier, is accused as an offender, their personnel file is marked accordingly to prevent any positive personnel action (promotion, award) during an ongoing investigation. After consultation with the victim/survivor, the commander will order the offender not to contact the survivor directly or indirectly during the pendency of the investigation and subsequent disciplinary actions, and that failure to comply with the order could subject the offender to disciplinary action under the MCMJ. Since the passage of LD 2029, commanders have been empowered to issue a cease harassment order in accordance with 17-A M.R.S. §506-A, which, if violated, would be a class E misdemeanor.<sup>17</sup>

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<sup>16</sup> [https://www.ngbpmc.ng.mil/Portals/27/Publications/cngbm/CNGBM%201300\\_02A%2020230119.pdf](https://www.ngbpmc.ng.mil/Portals/27/Publications/cngbm/CNGBM%201300_02A%2020230119.pdf)

<sup>17</sup> SAPR personnel and Special Victims’ Counsel can also assist survivors with the process of obtaining civilian protection orders, including referrals to Pine Tree Legal or other legal services organizations.

When an allegation of sexual assault is reported to the command from a source independent of the survivor, the command is mandated to make a report to local law enforcement with jurisdiction over the matter in consultation with the PMO, as well as report it to the SARC. This is referred to as an independent investigation. In these circumstances, the SARC will open a formal report in the federal database, and the case will be tracked as an “open with limited information” case. A formal report is not required for the survivor to participate in the investigation. The command tracks all URs of sexual assault at a monthly Case Management Group meeting to ensure the survivor is receiving proper support pre, during and post investigation.

Should local authorities file criminal charges, the command tracks the matter in civilian court through the (PMO) and will take military specific disciplinary actions if authorized/appropriate while charges are pending. Some actions, like administrative separation boards are often held until after civilian court action to preserve the integrity of the criminal process. Should the offender be convicted of a criminal offense, the command will initiate administrative separation<sup>18</sup> Should the offender not be convicted or if convicted of a different offense, the command may still take administrative and non-judicial disciplinary action after consultation with the OSJA if authorized/appropriate under the circumstances.

Should local law enforcement decline to file civilian charges, the matter is referred to the NGB’s Office of Complex Investigations (OCI). OCI determines whether an administrative investigation should be initiated.<sup>19</sup> Upon review of the matter, OCI may conduct a further investigation. Upon completion of an OCI investigation, the command will initiate administrative and non-judicial disciplinary action consistent with any substantiated allegation of sexual assault. If OCI declines to investigate, or make a finding that the allegations are unsubstantiated, the command will consult with the OSJA to determine if any administrative or non-judicial disciplinary action for related misconduct, if any, is authorized and act as appropriate. The survivor will continue to receive SAPR support until they decide they no longer want support. At the conclusion of any investigation or disciplinary action, the survivor will be informed of the outcome and the command will institute a reprisal and retaliation plan with the offender if the offender remains in the NG.

## II. Sexual Harassment

Chief National Guard Bureau Memorandum (CNGBM) 9601.01 dictates the process for investigating and handling complaints of SH and discrimination. When a service member experiences SH, the service member can contact the Equal Opportunity

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<sup>18</sup> This policy took effect on 17 January 2023. However, during its staff assisted review of Maine’s responses to allegations of sexual assault conducted in 2022, NGB found that the de-facto policy of the MENG was to initiate separation and disciplinary action in every instance of a substantiated allegation of sexual harassment or sexual assault during the time frame reviewed.

<sup>19</sup> Commanders are prohibited by AR 600-20, paragraph 7-9(3) from appointing an IO to conduct its own formal investigation for a report of sexual assault.



Advisor (EOA) or State Equal Employment Manager (SEEM) within 180 days of the incident. If the allegations rise to the level of potential sexual assault, the SEEM or EOA will immediately refer the service member to the SARC. If the allegations fall within the federal definition of harassment or discrimination, the EAO or SEEM will assist the service member with filling out a NGB Form 333 to initiate an informal resolution request. On the form, the service member gives a brief description of the alleged harassment or discrimination, and their desired resolution. In consultation with the OSJA and offender's command, a formal inquiry is conducted by an investigating officer (IO) within 60 days of their appointment to make findings of fact and recommendations for resolutions to the command. During the investigation, the offender personnel record is marked to prevent any favorable action, and the command institutes a reprisal plan by ordering the alleged offender not to contact the complainant directly or indirectly during the pendency of the investigation.

After reviewing the findings and recommendations, the command meets with the service member within 30 days of receiving the report to review the proposed resolution. If an offender has a previous finding of SH, future substantiated allegations of SH will include initiation of separation. After meeting with the commander, the service member can either accept the proposed resolution, withdraw their complaint, or indicate a desire to file a formal resolution request. Within 5 days of filing the request for the FRR, NGB-EO has 30 days to review the FRR request and the State's Leadership Inquiry Report. NGB-EO determines whether to further investigate the matter or issue a dismissal. If NGB-EO decides to conduct its investigation, they will appoint an investigator who will issue a report with findings and recommendations within 45 days. NGB-EO is required to review the findings and recommendations within 30 days. If a finding of harassment or discrimination is substantiated, NGB returns the report to the state with recommended corrective action. The service member is notified within 60 days of the NGB-EO decision. If the matter is not substantiated, or if the state does not comply with the NGB-EO's recommendations, the service member can request a hearing before the NGB-JA within 30 days of receiving notice of the findings to seek other relief.

### III. Command Disciplinary Options

MENG commanders are limited to NJP to respond to substantiated complaints of sexual assault and SH under §415 of the MCMJ. While the MCMJ authorizes the Governor or TAG to convene a court martial, the MENG is not authorized a military judge or sufficient uniformed JAG officers and support staff.<sup>20</sup> While a violation of the Uniform Code of Military Justice (UCMJ) can serve as the basis for administrative action against an offender on federal orders/active duty, the state does not have the authority to

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<sup>20</sup> Maximum punishment after conviction at court martial for an offense under the MCMJ includes 6 months confinement at hard labor, hard labor without confinement for 3 months, forfeiture of pay not exceeding 2/3 of base pay for 6 months, dismissal from the service, a bad conduct or dishonorable discharge, reprimand, and or reduction to the lowest rank for enlisted personnel. 37-B M.R.S. §417. The statute of limitations for offenses under the MCMJ is two years. 37-B M.R.S. §426.

enforce the UCMJ. Federal authorities can only enforce the UCMJ against service members on orders in federal service.

NJP is a commander-initiated process. The commander notifies the offender of the alleged charges and the offender's right to a hearing. At a NJP hearing, the commander reviews the evidence regarding the offense. The respondent can present matters in their defense and make statements but does not have a right to counsel during the proceedings. At the conclusion of the hearing, if the commander finds beyond a reasonable doubt an offense has been committed, s/he can impose punishment of up to 5 days' pay, 16 hours extra duty, prohibition of promotion up to one year, or reduction in grade by one rank for enlisted members.<sup>21</sup>

Administrative actions include written or verbal counseling, corrective training, administrative reprimands (aka GOMORs), bars to reenlistment, referral adverse information to Defense Counterintelligence and Security Agency Consolidated Adjudication Services for determination of security clearance, including adverse information on an Officer Evaluation Report or Non-commissioned Officer Evaluation Report, relief from duty or transfer, withdrawn of special status such as a position of significant trust and authority determination, denial of retirement for service members with 20 years of qualifying service prior to the end of the term of enlistment, administrative separation for enlisted members, and withdrawal of federal recognition (WOFR) for officers. When an offender is administratively separated, their service can be characterized one of three ways on their DD Form 214/NGB22 discharge paperwork: honorable (HON), general (under honorable conditions) (GEN), or other than honorable (OTH). These characterizations can have a significant impact regarding eligibility for Veteran Administration benefits.

Enlisted offenders recommended for administrative separation who have 6 or more years in service, or where the command seeks a characterization of service of OTH are entitled to elect a board of officers determination.<sup>22</sup> At the hearing, the board determines whether there is sufficient evidence by a preponderance of the evidence that misconduct has been committed; if they find an offense has been committed they consider whether the offender should be separated from service; if the board recommends separation, they next decide what the characterization of service should be. At the hearing, the offender or respondent has the right to be represented by military counsel, have the right to remain silent, can cross examine the government's witnesses, and present evidence in their defense. The OSJA assigns a JAG officer as a recorder to act as counsel for the command, a legal advisor to advise the board as to the laws and regulations at issue in the hearing, a trial defense counsel for the respondent, and an enlisted paralegal to act as reporter for the proceedings. TAG is the ultimate separation

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<sup>21</sup> The maximum punishments can only be imposed by a commander in the rank of Colonel or higher in the offender's chain of command. Lower-level commanders can impose lesser punishments. See 37-B M.R.S. §415.

<sup>22</sup> See AR 15-6; AR 135-178; NGBR 635-100; DAFI 36-3211.

authority and can accept the findings of the board, impose a resolution different than but no harsher than that recommended by the board, or set aside the board's findings and recommendations.<sup>23</sup> A recommendation for a separation with an OTH characterization results in an automatic reduction in grade.

Officers require federal recognition of their commission to remain a reserve officer and therefore an officer in the MENG. When an officer is recommended for separation, they are subject to the WOFR process. The composition of the board is made up of at least one officer from the state and two officers from active-duty service. The ultimate separation authority is the Secretary of the Army and Secretary of the Air Force or their designee, which in the case of the ARNG is the Commanding General of First Army. At the proceeding, upon a showing of substantial evidence that the officer has engaged in misconduct, the burden then shifts to the officer to show cause as to why they should retain their federal recognition. If the officer fails to show cause, then the board determines what their characterization of service should be. Prior to the determination of the board, TAG has the discretion to accept an offer to resign in lieu of a board. The findings and recommendations are then forwarded to the separation authority who can accept the findings, make different findings or recommendations, but can take no action harsher than that proposed by the board, or set aside the boards findings and recommendations.

### **Primary Prevention Programming**

The Integrated Primary Prevention Program (IPPP) is charged with the synchronization of existing prevention programs such as the Sexual Assault Prevention and Response Program (SAPR), State Equal Employment Office, Family Program, Risk Reduction Program for Suicide and Substance Abuse, Behavioral Health Program, and the Chaplain Corp. The IPPP utilizes primary and secondary data from service members to understand thematic risk and protective factors. The IPPP provides targeted and unified prevention programming, based on the Public Health Model. Although many risk and protective factors impact Soldiers and Airmen, the IPPP programming focuses on reducing the prevalence of harmful behaviors including sexual assault, harassment, retaliation, suicide, domestic abuse, and child abuse. The Public Health Model is used to gather up-to-date qualitative and quantitative data to improve policies, programs and procedures.

The IPPP team has had many successes in 2024. The Attorney Advisor, a member of the IPPP team, has provided legal assistance to the 101 Air Refueling Wing (ARW) and the MEANG. In addition to assisting in investigations, the Attorney Advisor has advised MEANG Leadership on risk and protective factors and implementing policies to further reduce the prevalence of harmful behaviors. He has also assisted with updating SAPR policies and the writing of a memorandum of understanding with the Maine Coalition Against Sexual Assault. The IPPP team has facilitated Sensing Sessions for soldiers

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<sup>23</sup> The ultimate separation authority for enlisted members with over 18 years of service is the Secretary of the Army or Secretary of the Air Force.

and airmen across the MENG. These Sensing Sessions have helped commanders make immediate and specific changes to increase morale and readiness throughout their units. The Integrated Primary Prevention Officer and the Director of Psychological Health for the MEANG provided Low-Risk Drinking Guidelines training to squadrons at the 101 ARW. This training helped the participants understand their individual risk levels and propensity for harm with high-risk drinking.

The Prevention team, along with the legacy programs for the MEARNG and the MEANG will meet to review the results of the Force Wide Climate Assessment (FWCA) upon closure of the results in December of 2024 to assess data points that indicate thematic risk areas. A Comprehensive Integrated Prevention Plan, completed in 2024 and based on an initial Needs Assessment of the force, identified measurable goals for the prevention team to best understand the impact of this new programming. The updated FWCA results and outcomes of the initial goals, will serve to inform the prevention team and legacy programs areas that most need attention through procedural, policy, and programmatic improvements.

## Section 4: Advisory Groups and Inspections

### 37-B MRSA §3, sub-§1 ¶D(25)(d)

*“A summary of the activities during the preceding year of any advisory council or special study group convened by the Governor or the department or in which officials of the department have been asked to participate whose duties involve, at least in part, examining or making recommendations regarding the prevention of or the response to sexual assault and sexual harassment in the National Guard or, if no advisory council or special study group with such duties engaged in activities during the preceding year, a statement to that effect.”*

#### **Office of Complex Investigations Staff Assistance Visit**

No SAV conducted since December 2023. SAVs are scheduled on a 3-year rotation. The MENG is scheduled for June 2025.

#### **Maine Air National Guard Sexual Assault Prevention and Response Program Annual By-Law Inspection**

25 April 2024:

The NGB-J1-SAPR office conducted a By-Law inspection on the Sexual Assault Prevention & Response Program. The inspection validated and verified the effectiveness of the 101<sup>st</sup> ARW's SAPR Program. The SAPR Program was found to be “In Compliance.”

#### **Governor’s Advisory Council on Military Sexual Trauma**

The Governor’s Advisory Council along with other community leaders held two meetings since the last report to the legislature. Those meetings were held on February 29<sup>th</sup> and October 10<sup>th</sup>.

During the February meeting, council members shared best practices to improve communications and increase resource sharing between all stakeholders. At the conclusion of updates, the Maine Coalition Against Sexual Assault (MECASA) facilitated conversation highlighting the types of services the sexual assault support centers provide. Among the services discussed were the confidential 24/7 helpline, accompaniment to forensic exams, support through Title IX investigations and accompaniment filing protection from abuse orders.

In October, the GAC focused on re-engagement and prioritization after 8 months between meetings. Council members and subject matter experts discussed the status of the recommended actions presented in the initial report to the Governor’s office and assigned responsibilities for completing recommendations not yet completed. This meeting re-focused the group to the meeting objectives and set a path forward for the GAC. Recommended actions from the initial report are 72% implemented or achieved, with the remaining 28% in progress. Meeting minutes are available upon request.

## Section 5: Accessions, Discharges, Promotion and Discharge Code Data

### 37-B MRSA §3, sub-§1 ¶D(26) (a-d)

*“Aggregate number of new members of the Maine National Guard broken down by gender in the previous year”*

*“Aggregate discharge numbers of Maine National Guard members broken down by gender in the previous year”*

*“Aggregate promotion rates from the previous year of Maine National Guard members broken down by gender”*

*“Aggregate data or coded reason for discharge of all Maine National Guard members discharged in the previous year broken down by gender”*

The following aggregate data indicates maintenance of the female population within the MEARNG and the promotion of female leadership and influence. The MEARNG currently has 15% female and 85% male Soldiers. Current full-time strength (Active Guard Reserve) of the MEARNG consists of 20% female and 80% Male. The aggregate number of new members of MEARNG broken down by gender in FY24 consists of 16% female. The aggregate discharge numbers of MEARNG in FY24 consists of 14% female. The aggregate data of promotion rates within MEARNG in FY24 consists of 19% female. The female full-time strength percentage is 5 points higher than the current strength demographics, indicating MEARNG’s value and prioritization of female leadership and influence.

<b>Maine Army National Guard</b>			
	<b>Total</b>	<b>Male</b>	<b>Female</b>
(a) Aggregate number of new members of the Maine National Guard broken down by gender in the previous year	141	125	16
(b) Aggregate discharge numbers of Maine National Guard members broken down by gender in the previous year	256	221	35
(c) Aggregate promotion rates from the previous year of Maine National Guard members broken down by gender	294	248	46
(d) Aggregate data or coded reason for discharge of all Maine National Guard members discharged in the previous year broken down by gender	See Below		
<b>Reason for discharge</b>	256	221	35
Adverse action (alcohol or drug use)	6	6	0
Retirement 20 years active service – regular retirement	15	14	1
Reserve Retirement	39	34	5
Completion of 6 years ready reserve	41	36	5
Placement on permanent disability retired list	11	11	0
Completion of Ready Reserve service under 3x3, 4x2, 3x5 enlistment program	15	10	05
Willful Absence	2	2	0
Enlisted or appointed in another Reserve Component	14	13	1
Interstate Transfer	26	20	6
Hardship / Personal Reasons	1	0	1
ETS	29	26	3
Enlisted to Officer (commissioned and warrant)	1	1	0
Transfer to ING	1	1	0
Medical	13	11	2
Misconduct	7	6	1
Pre-IADT Discharge	11	18	3
Resignation from the ARNG	7	7	0
Administrative Separation	4	3	1
Temporary Disability Retired	1	0	1

The Maine Air National Guard (MEANG) overall population is 1091 service members. Of that 206 are female, and 885 are male. The ratio is 19% female and 81% male. There are 164 total officers in the MEANG. Of that, 40 are female, for a percentage of 24%, and 124 are male, for a percentage of 76%. The accession, discharge and promotion rates are consistent with the with overall population of female members of the MEANG.

The aggregate number of new members joining the MEANG in FY24 was 90, with 76 male accessions and 14 female accessions. Female members made up 16% of new accessions. The aggregate discharge numbers of MEANG members in FY24 totaled 93, with 77 male discharges and 16 female discharges. Female service members accounted for 17% of discharges. An aggregate number of 268 members were promoted in FY24 within the MEANG. Of that total, 216 members were male and 52 were female. Woman service members accounted for 19% of promotions in FY24.

Most discharges are due to retirement with a total of 37 member retirements in FY24. Retirement occurs when a member makes the choice to leave the ANG after completing 20 years of honorable service. Of that retirement total, 35 were male and 2 were female. The next most common reason for discharge was members choosing to leave at the end of their enlistment contract. This is commonly referred to as Expiration of Term of Service (ETS). 20 members left the MEANG in this way. Of those who left at the conclusion of their contracts, 14 were males and 4 were females. Female members accounted for 20% of ETS Discharges. Another common reason for discharge is a transfer to another branch of the Armed Forces, with a total of 15 transfers from the MEANG in FY24. Of that transfer total, 12 were male and 3 were female. Additionally, there were a total of 11 members who were separated by the MEANG for other reasons, including resignation, disciplinary infractions, or other conditions that interfere with military service. Of the 11 members discharged by the MEANG, 6 were male and 5 were female. There was a total of 6 members who received a medical discharge. Of that total, 5 were male and 1 was female. Additionally, 4 members were discharged from enlisted service and commissioned as Officers, 3 male and 1 female.

While it is difficult to draw any statistically significant conclusions due to the relatively small numbers and variations from year to year, more females tend to leave at ETS and therefore do not achieve a military retirement. Exit interview information indicates this is primarily due to changing life circumstances that conflict with the demands of military service.



<b>Maine Air National Guard</b>			
	<b>Total</b>	<b>Male</b>	<b>Female</b>
(a) Aggregate number of new members of the Maine National Guard broken down by gender in the previous year	90	76	14
(b) Aggregate discharge numbers of Maine National Guard members broken down by gender in the previous year	93	77	24
(c) Aggregate promotion rates from the previous year of Maine National Guard members broken down by gender	268	216	52
(d) Aggregate data or coded reason for discharge of all Maine National Guard members discharged in the previous year broken down by gender	See Below		
<b>Reason for discharge</b>	93	77	16
Admin Sep Vol- Resignation	2	0	2
Admin Sep Vol- CONDITIONS THAT INTERFERE WITH MILITARY SERVICE	3	1	2
Admin Sep Invol-CONVENIENCE OF THE GOVERNMENT	1	1	0
Admin Sep Invol-DRUG ABUSE	1	1	0
Admin Sep Invol-FAILURE IN ALCOHOL ABUSE TREATMENT	1	1	0
Admin Sep Vol-FRADULENT ENTRY	1	1	0
Admin Sep Vol-HARDSHIP	1	0	1
Admin Sep Vol-SEPARATION FOR OWN CONVENIENCE	1	1	0
Transfer	15	12	3
Retirement	37	35	2
ETS	20	16	4
Enlisted to Officer	4	3	1
DES	6	5	1

## Section 6: Survey Data

### 37-B MRSA §3, sub-§1 ¶D(26)(e)

*“Percentages of Maine National Guard members broken down by gender reporting sexual harassment and sexual assault as measured by the anonymous survey with the highest percentage of Maine National Guard members having completed surveys from the previous year; and”*

Beginning in July 2023, DOD mandated that the FWCA, formerly known as the DEOCS, be administered during a specific date window each year for all military and civilian DOD employees. The concept was to allow for collective emphasis resulting in maximum participation. The survey name changed as did the administration window and the contents remained the same. The FWCA's are not releasable or subject to FOIA/Privacy Act. The Office of People Analytics also selected a sample of NG service members to participate in the Workplace Gender Relations Survey (WGRS) to measure workplace relations. The selected members would receive an invitation to complete the WGRS following completion of the FWCA. This survey is optional, states do not have access to the WGRS results.

## Section 7: Definitions

**Formal Resolution Request or External Report:** After an Informal Resolution Request has been completed a complainant can request this type of report. NGB will review the case, assign investigators, and substantiate or unsubstantiate the allegations. If the claim is substantiated, they will offer disposition recommendations for the command to action as they see fit.

**Informal Resolution Request or Internal Report:** Allegations of unlawful discrimination or sexual harassment, made either orally or in writing to the EO program. The request will be investigated by an official appointed by the commander. Findings of the investigation will be brought to the commander with recommendations included. The commander will determine appropriate actions to take, if any. The person reporting the allegations, the complainant, then can except this outcome, withdrawal the allegation, or request a Formal Resolution Request.

**Open With Limited Information:** Entry into the federal database to be used in the following situations: victim refused or declined services, victim opted-out of participating in investigative process, third-party reports, local jurisdiction refused to provide victim information, or civilian victim with military subject.

**Restricted Report:** Reporting option that allows sexual assault victims to confidentially disclose the assault to specified individuals (i.e., credentialed SAPR professional or healthcare personnel), and receive medical treatment, including emergency care, counseling, and assignment of a victim advocate, without triggering an investigation. The victim's report provided to healthcare personnel (including the information acquired from a SAFE Kit), SARCs, or SAPR VAs will NOT be reported to law enforcement or to the command to initiate the official investigative process unless the victim consents or an established EXCEPTION applies. The Restricted Reporting program applies to Service members, their military dependents 18 years of age and older, and DOD civilian employees. Only a SARC, SAPR VA, or healthcare personnel may receive a Restricted Report.

**Sexual Assault:** The DOD defines sexual assault as Intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. The term includes a broad category of sexual offenses consisting of the following specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these acts. The MCMJ utilizes the same crimes and definitions as the Maine Criminal Code, Title 17-A M.R.S. chapter 11.

**Sexual Harassment:** The definition of sexual harassment applicable to this report is described in DoD Directive 1350.2, "Department of Defense Military Equal Opportunity Program. It states: Sexual Harassment is a form of sex discrimination that involves unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

\*Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career or

\*Submission to or rejection of such conduct by a person is used as a basis for career or employment decision affecting that person, or

\*Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

***Unit Risk Inventories:*** Surveys that are completed annually by Soldiers in the MEARNG. Questions included relate to substance use, suicidal ideation and behaviors, sexual activity, sexual violence, sexual harassment, domestic violence, relationship health and mental health.

***Unrestricted Report:*** A process that an individual covered by DODD 6595.01 uses to disclose, without requesting confidentiality or Restricted Reporting, that he or she is the victim of a sexual assault. Under these circumstances, the victim's report provided to healthcare personnel, a credentialed SAPR professional, command authorities, or other persons is reported to law enforcement and may be used to initiate the official investigative process.

## Section 8: Commonly Used Acronyms

ANG – Air National Guard

ARNG – Army National Guard

ART – Annual Refresher Training

BJA – Brigade Judge Advocate

BSRT – Building Strong and Ready Teams

CATCH – Catch a Serial Offender Program

CY – Calendar Year

DEOCS – Defense Organizational Climate Survey

DOD – Department of Defense

EOA – Equal Opportunity Advisor

ETS - Expiration of Term of Service

FPU – Financial Peace University

FWCA – Force Wide Climate Assessment

FY – Fiscal Year

GEN – General Discharge

HON – Honorable Discharge

IPPP - Integrated Primary Prevention Program

MCMJ – Maine Code of Military Justice

MEANG – Maine Air National Guard

MEARNG – Maine Army National Guard

MENG – Maine National Guard (Maine Air and Army National Guard as a whole)

MRSA – Maine Revised Statutes Annotated

NCO – Non-commissioned Officer

NG – National Guard

NGB – National Guard Bureau

NJP – Non-Judicial Punishment

NGBDTM –National Guard Bureau Directive Type Memorandum

OCI – Office of Complex Investigations  
OSJA – Office of the State Judge Advocate  
OTH – Other Than Honorable Discharge  
PICK – Premarital Interpersonal Choices and Knowledge  
PM – Provost Marshal  
PMO – Provost Marshal Office  
PREP – Prevention and Relationship Enhancement Program  
SA – Sexual Assault  
SAPR – Sexual Assault Prevention and Response  
SEEM – State Equal Employment Manager  
SH – Sexual Harassment  
SJA – State Judge Advocate  
TAG – The Adjutant General  
TY – Training Year  
UCMJ – Uniform Code of Military Justice  
UMT – Unit Ministry Team  
UR – Unrestricted Report  
WGR – Workplace and Gender Relations Survey  
WOFR – Withdrawal of Federal Recognition