



Report to the Ranking Member,  
Permanent Subcommittee on  
Investigations, Committee on Homeland  
Security and Governmental Affairs,  
U.S. Senate

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July 2016

# SEXUAL VIOLENCE DATA

## Actions Needed to Improve Clarity and Address Differences Across Federal Data Collection Efforts

Accessible Version

# GAO Highlights

Highlights of [GAO-16-546](#), a report to the Ranking Member, Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, U.S. Senate

## Why GAO Did This Study

Concerns have grown about sexual violence—in general, unwanted sexual acts—in the United States, particularly involving certain populations such as college students, incarcerated individuals, and military personnel. Data on the occurrence of sexual violence are critical to preventing, addressing, and understanding the consequences of these types of crimes. GAO was asked to identify and compare federal efforts to collect data on sexual violence.

This report addresses two questions: (1) What are the federal efforts underway to collect data on sexual violence, and how, if at all, do these efforts differ? (2) How do any differences across the data collection efforts affect the understanding of sexual violence, and to what extent are federal agencies addressing any challenges posed by the differences? GAO reviewed agency documentation and academic literature, and interviewed agency officials.

## What GAO Recommends

GAO recommends that Education, HHS, and DOJ make information that is included in their measurements of sexual violence publicly available. GAO also recommends that OMB establish a federal interagency forum on sexual violence data. Education, HHS, and DOJ agreed with the recommendation. OMB stated that convening a forum may not be the most effective use of resources at this time, in part because the data collection efforts are not far enough along in their research. However, OMB said it will consider convening or sharing information across agencies in the future.

View [GAO-16-546](#). For more information, contact Gretta L. Goodwin at (202) 512-8777 or [goodwing@gao.gov](mailto:goodwing@gao.gov).

July 2016

## SEXUAL VIOLENCE DATA

### Actions Needed to Improve Clarity and Address Differences Across Federal Data Collection Efforts

## What GAO Found

Four federal agencies—the Departments of Defense, Education, Health and Human Services (HHS), and Justice (DOJ)—manage at least 10 efforts to collect data on sexual violence, which differ in target population, terminology, measurements, and methodology. Some of these data collection efforts focus on a specific population that the agency serves—for example, the incarcerated population—while others include information from the general population. These data collection efforts use 23 different terms to describe sexual violence. Data collection efforts also differ in how they categorize particular acts of sexual violence. For example, the same act of sexual violence could be categorized by one data collection effort as “rape,” whereas it could be categorized by other efforts as “assault-sexual” or “nonconsensual sexual acts,” among other terms. In addition, five data collection efforts—overseen by Education, HHS, and DOJ—reflect inconsistencies between their measurements and definitions of sexual violence. Further, these data collection efforts do not have publicly-available descriptions of what is included in their respective measurements to allow persons using the data to understand the differences, which may lead to confusion for data users. Publicly-available measurement information could enhance the clarity and transparency of sexual violence data. Data collection efforts also differ in terms of the context in which data are collected, data sources, units of measurement, and time frames.

Differences in data collection efforts may hinder the understanding of the occurrence of sexual violence, and agencies’ efforts to explain and lessen differences have been fragmented and limited in scope. Differences across the data collection efforts may address specific agency interests, but collectively, the differences lead to varying estimates of sexual violence. For example, in 2011 (the most recent year of available data), estimates ranged from 244,190 rape or sexual assault victimizations to 1,929,000 victims of rape or attempted rape. These differences can lead to confusion for the public. Officials from federal agencies and entities GAO spoke with who use federal data on sexual violence emphasized that the differences across the data collection efforts are such that the results are not comparable, and entities reported using data that best suited their needs. Agencies have taken some steps to clarify the differences between the data collection efforts. For example, two DOJ entities coauthored a statement that describes the differences between their two efforts. In addition, agencies have taken some steps to harmonize the data collection efforts—that is, coordinate practices to achieve a shared goal. However, actions to increase harmonization have been fragmented, generally only involving 2 of the 10 data collection efforts at a time, and limited in scope. The Office of Management and Budget (OMB) through its authority to coordinate federal statistics has previously convened interagency working groups, such as the Interagency Working Group for Research on Race and Ethnicity, to improve federal statistics. OMB has no plans to convene a working group on sexual violence data. Additional collaboration, facilitated by OMB, between agencies that manage data collection efforts about which differences help or hinder the overall understanding of sexual violence could help to clarify the scope of the problem of sexual violence in the United States.

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### Abbreviations

BJS	Bureau of Justice Statistics
CDC	Centers for Disease Control and Prevention
Clery Act data	Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
CNSTAT	Committee on National Statistics
DOD	Department of Defense
DOJ	Department of Justice
DMDC	Defense Manpower Data Center
DSAID	Defense Sexual Assault Incident Database
Education	Department of Education
FBI	Federal Bureau of Investigation
HHS	Department of Health and Human Services

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NCS-X	National Crime Statistics Exchange
NCVS	National Crime Victimization Survey
NEISS-AIP	National Electronic Injury Surveillance System-All Injury Program
NIS	National Inmate Survey
NISVS	National Intimate Partner and Sexual Violence Survey
OCR	Office for Civil Rights
OIRA	Office of Information and Regulatory Affairs
OMB	Office of Management and Budget
OPSE	Office of Postsecondary Education
OVC	Office for Victims of Crime
OVW	Office on Violence Against Women
PRA	Paperwork Reduction Act
PREA	Prison Rape Elimination Act
RMWS	RAND Military Workplace Study
SAPRO	Sexual Assault Prevention and Response Office
SSV	Survey of Sexual Victimization
UCMJ	Uniform Code of Military Justice
UCR-NIBRS	Uniform Crime Reporting Program-National Incident-Based Reporting System
UCR-SRS	Uniform Crime Reporting Program-Summary Reporting System
VAWA	Violence Against Women Act
WGRA	Workplace and Gender Relations Survey of Active Duty Members
WGRR	Workplace and Gender Relations Survey of Reserve Component Members

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July 19, 2016

The Honorable Claire McCaskill  
Ranking Member  
Permanent Subcommittee on Investigations  
Committee on Homeland Security and Governmental Affairs  
United States Senate

Dear Senator McCaskill:

There is concern about sexual violence in the United States, particularly involving college students, incarcerated individuals, and military personnel. Research has shown that sexual violence has long-lasting effects on victims, including sexually-transmitted diseases, eating disorders, anxiety, depression, and post-traumatic stress disorder.<sup>1</sup> Further, the economic costs of rape, including medical and social services, loss of productivity, decreased quality of life, and law enforcement resources, are estimated to range from \$41,247 to \$150,000 per incident.<sup>2</sup>

According to research, victims often do not report sexual violence to law enforcement officials due to feelings of guilt, shame, and embarrassment; fear of the perpetrator; or fear of not being believed, among other

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<sup>1</sup>For the purposes of this report, GAO uses the term “sexual violence” to refer to a range of unwanted sexual acts (including, for example, contact and noncontact sexual acts) on which federal agencies collect information. This report does not define sexual violence; instead, this report describes how data collection efforts refer to, define, and measure what we are referring to in general as “sexual violence.”

<sup>2</sup>T. R. Miller, M. A. Cohen, and B. Wiersema, “Victim Costs and Consequences: A New Look,” a final summary report presented to the National Institute of Justice, January 1996; M. Delisi, A. Kosloski, M. Sween, E. Hachmeister, M. Moore, and A. Drury, “Murder by numbers: Monetary costs imposed by a sample of homicide offenders,” *The Journal of Forensic Psychiatry & Psychology*, vol.21, no. 4 (2010), 501-513; M. A. Cohen and A. R. Piquero, “New Evidence on the Monetary Value of Saving a High Risk Youth,” *Journal of Quantitative Criminology*, Vol. 25 (2008); and H. Fang, M. T. French, and K. E. McCollister, “The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation.” *Drug Alcohol Dependence*, Vol. 108, no.1-2 (2010).

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reasons. Therefore, the occurrence of sexual violence is considered to be underestimated.<sup>3</sup>

Congress, state and local governments, and the public depend on data collected by the federal government to prioritize resources, design policies and programs that prevent and address crimes of sexual violence, and evaluate those policies and programs. Federal data on sexual violence are also used in crafting initiatives to mitigate the effects of these experiences on victims and in gauging the effectiveness of these initiatives.

You asked us to identify the primary sources of information on sexual violence collected by the federal government and to identify any challenges that may result from the differences across the data collection efforts. This report addresses the following questions: (1) What are the federal efforts underway to collect data on sexual violence, and how, if at all, do these efforts differ? (2) How do any differences across the data collection efforts affect the understanding of sexual violence, and to what extent are federal agencies addressing any challenges posed by the differences?

For the purpose of our analysis, we selected data collection efforts which focus on data that:

- provided information on the extent to which acts of sexual violence occur in the United States in a particular year (for example, the number of times an act of sexual violence occurred or the number of victims of sexual violence);
- were collected since 2010;
- were collected at least once every 2 years;

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<sup>3</sup>J. Du Mont, K. Miller, and T.L. Myhr, "The Role of "Real Rape" and "Real Victim" Stereotypes in the Police Reporting Practices of Sexually Assaulted Women," *Violence Against Women*, Vol. 9, No. 4 (2003), 466-486; National Academy of Sciences, *Estimating the Incidence of Rape and Sexual Assault* (Washington, D.C.: National Academies Press, 2014), 25; and J.H. Gardella, C.A. Nichols-Hadeed, J.M. Mastrocinque, J.T. Stone, C.A. Coates, C.J. Sly, and C. Cerulli, "Beyond Clery Act Statistics: A Closer Look at College Victimization Based on Self-Report Data," *Journal of Interpersonal Violence*, vol.30, no.4 (2015), 641, 643.

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- were reported publicly;<sup>4</sup> and
  - were not focused primarily on minors.<sup>5</sup>

We set these criteria to focus our analysis on data collection efforts that provide current and regular information that is available to the public on sexual violence. To narrow our scope, we chose to not include data collection efforts that primarily focused on sexual violence against minors. To identify data collection efforts that met our criteria, we reviewed past GAO reports and a Federal Bureau of Investigation (FBI) list of federal agencies that may collect crime data.<sup>6</sup> We asked officials at those agencies if they had any data collection efforts that met our criteria.<sup>7</sup> We also asked academic experts and officials from entities that use federal data on sexual violence about any additional federal data collection efforts they were aware of that met our selection criteria.<sup>8</sup> We identified experts and officials from entities that use federal data on sexual violence by conducting background research and by asking those experts and officials that we interviewed to recommend additional experts and entities that use federal data on sexual violence, including victim advocacy groups, other special interest groups, and other federal agencies.

To identify and describe differences across the data collection efforts, we obtained information on the purpose, scope, and methodology of each

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<sup>4</sup>Federal law enforcement agencies have information on sexual violence (e.g., investigations and case processing) in their case management systems, but we chose not to include those data in our scope. We chose to focus on data that are available to the public, because those data are used to influence policy decisions and the public's understanding of these crimes.

<sup>5</sup>Selected data collection efforts include information on victims who are 12 and older.

<sup>6</sup>GAO, *Military Personnel: Actions Needed to Address Sexual Assaults of Male Servicemembers*, [GAO-15-284](#) (Washington, D.C.: Mar. 19, 2015); *Higher Education: Experts Cited a Range of Requirements as Burdensome*, [GAO-13-371](#) (Washington, D.C.: Apr. 10, 2013); *Federal Statistical System: Agencies Can Make Greater Use of Existing Data, but Continued Progress is Needed on Access and Quality Issues*, [GAO-12-54](#) (Washington, D.C.: Feb. 24, 2012); and *Domestic Violence, Sexual Assault, Dating Violence, and Stalking: National Data Collection Efforts Underway to Address Some Information Gaps*, [GAO-11-833T](#) (Washington, D.C., Jul. 13, 2011).

<sup>7</sup>FBI compiled the list of agencies as part of a Director's Initiative to identify agencies that could report to the Uniform Crime Reporting Program.

<sup>8</sup>For the purposes of this report, we use the term "data collection effort" to identify a compilation of information on sexual violence that meet our selection criteria.



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data collection effort. We obtained this information through a review of documents, such as user manuals and program descriptions. We also conducted interviews with senior agency officials, senior officials at entities that use federal data on sexual violence, and academic experts.

To identify how the differences affect understanding of sexual violence, we obtained and reviewed federal reports and interviewed and reviewed relevant documentation from agency officials, experts, and representatives from entities that use federal data on sexual violence. We also reviewed articles, conference papers, and government reports that discuss differences across federal sexual violence data collection efforts. To identify these articles, our research librarian conducted a search of several bibliographic databases, such as ProQuest, Embase, and Scopus.

To describe the extent to which federal agencies are addressing any challenges posed by differences across the data collection efforts, we interviewed senior agency officials and academic experts and obtained relevant agency documentation.

We conducted this performance audit from March 2015 to July 2016, in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

The federal government has implemented a number of initiatives to address sexual violence or mitigate its effects. For example, the Department of Justice's (DOJ) Office on Violence Against Women (OVW), created in 1995 in order to help implement the Violence Against Women Act (VAWA), sponsors grant programs for local law enforcement agencies, prosecutors and judges, health care providers, and other organizations that assist victims of sexual violence by providing, for example, forensic medical services in sexual violence cases in rural areas and specialized counseling services for victims from underserved

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populations.<sup>9</sup> Another office within DOJ, the Office for Victims of Crime (OVC), convened crime victim advocates and experts in 2013 as part of the Vision 21 Initiative and recommended in their report, among other things, that federal agencies collaborate and expand the collection and analysis of data on all forms of criminal victimization. The Department of Health and Human Services' (HHS) Family Violence Prevention and Services Program supports two national resource centers on domestic violence and special-issue and culturally-specific resource centers. In addition, HHS's College Sexual Assault Policy and Prevention Initiative was launched in 2016 and is intended to provide support for organizations that are implementing policies and practices at postsecondary schools to prevent sexual assault on their campuses. The Department of Education's Office for Civil Rights (OCR) issued guidance to colleges and universities, one in 2011 and another in 2014, concerning the responsibilities of those institutions under Title IX of the Education Amendments of 1972 with regard to addressing sexual violence against students. OCR's guidance sets standards for the grievance procedures institutions must adopt and publish to promptly and equitably resolve complaints brought by students alleging sex discrimination (including acts of sexual violence and sexual harassment), and recommends preventive education and training programs designed to reduce the occurrence of sexual violence on campus and improve institutions' responses to sexual violence on campus when it does occur. In 2004, Congress passed a law that required the Secretary of Defense to develop, among other things, a comprehensive policy for the Department of Defense (DOD) on the prevention of sexual assaults involving servicemembers.<sup>10</sup> In response to that statutory requirement, DOD established its sexual-assault prevention and response program in 2005, and in 2008, DOD published its first sexual assault prevention strategy.

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<sup>9</sup>The Violence Against Women Act (VAWA) of 1994 and its subsequent 2000, 2005, and 2013 reauthorizations sought to strengthen protections for women facing sexual and other forms of violence, including domestic violence. For example, VAWA enhanced federal domestic violence penalties, required states to honor protective orders from other states and provided a range of services for victims, for example by establishing the National Domestic Violence Hotline.

<sup>10</sup>See Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, Pub. L. No. 108-375, § 577 (2004).

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Several of the federal government's responses to sexual violence involve data collection on the occurrence of sexual violence. For example, the Prison Rape Elimination Act (PREA) of 2003 directed DOJ to carry out studies of the incidence and effects of prison rape. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by VAWA in 2013, requires that all institutions of higher education that participate in federal student financial assistance programs disclose statistics on certain crimes, including those related to sexual violence, to the Department of Education (Education). Since 2005, National Defense Authorization Acts have directed DOD to, among other things, collect and report information on sexual assaults against service members.

Under the Paperwork Reduction Act (PRA), the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) is charged with improving the efficiency and effectiveness of federal information resources, which includes functions relating to statistical policy and coordination.<sup>11</sup> Specifically, with regard to statistics, OMB's responsibilities include:

- **Oversight and approval of data collection:** OMB reviews statistical information collections as part of its responsibility under the PRA to approve all federal agency information collections that will be administered to 10 or more people to ensure adherence with PRA standards for minimizing information collection burdens and maximizing the practical utility of information collected by federal agencies, including eliminating unnecessary duplication.
- **Guidance and standards:** OMB develops and oversees governmentwide policies, principles, standards, and guidelines for collecting and disseminating statistical information.
- **Coordination:** OMB coordinates the activities of the federal statistical system, including ensuring the integrity, objectivity, and utility of federal statistics.
- **Oversight of budgets:** OMB ensures that statistical agencies' budget proposals are consistent with systemwide priorities for maintaining and improving the quality of federal statistics.

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<sup>11</sup>44 U.S.C. § 3504.

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Other entities also provide guidance to agencies that conduct statistical work. For example, the National Academy of Sciences' Committee on National Statistics (CNSTAT) publishes *Principles and Practices for a Federal Statistical Agency* for newly appointed cabinet secretaries at the beginning of each presidential administration. *Principles and Practices* outlines basic principles for statistical agencies to carry out their missions effectively, as well as practices designed to help implement them.<sup>12</sup>

Different entities use federal data on sexual violence, including, for example victim advocacy groups, other special interest groups, and other federal agencies. Officials at victim advocacy groups we spoke with publish reports on topics related to sexual violence and lobby Congress for laws and programs designed to address the needs of victims. Other groups include law enforcement associations and campus safety groups that provide training and educational materials for law enforcement and campus safety personnel. Federal agencies also use data on sexual violence, for example to inform grant making decisions regarding research and program development.

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<sup>12</sup>Many of the standards included in *Principles and Practices for a Federal Statistical Agency* have been included in Statistical Policy Directive 1: Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units. Committee on National Statistics, Division on Behavioral and Social Sciences and Education, National Research Council, *Principles and Practices for a Federal Statistical Agency* (Washington, D.C.: National Academies Press, 2013). Federal Register, vol. 29, no. 231 (Dec. 2, 2014), 71614.

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## Four Federal Agencies Manage Ten Efforts to Collect Data on Sexual Violence, which Differ in Target Population, Terminology, Measurements, and Methodology

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### Federal Agencies Collect Sexual Violence Data on the General Population and on Segments of the Population

Four federal agencies manage at least 10 data collection efforts that include data on sexual violence, among other things.<sup>13</sup> Some of these data collection efforts focus on a target population that the agency serves. For example, Education's Clery Act data collection effort obtains information on the occurrence of sexual violence at institutions of higher education.<sup>14</sup> DOD's Defense Sexual Assault Incident Database (DSAID) and the Workplace and Gender Relations Survey of Active Duty Members (WGRA) include and collect data on sexual violence involving military

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<sup>13</sup>We identified 10 data collection efforts that met our criteria, for example that data are collected recently (i.e., 2010 or after); are reported publicly; and do not focus primarily on minors. For a full description of the criteria we used in selecting data collection efforts, see appendix I. We asked agency officials to identify data collection efforts that met these criteria. It is possible that agencies have other data collection efforts that met our criteria and were not included in the scope of this review.

<sup>14</sup>The Clery Act data collection effort includes information on sexual violence that occurred on or near campuses owned or controlled by postsecondary schools that participate in federal student aid programs under Title IV of the Higher Education Act of 1965. Also, information on sexual violence at institutions of higher education has recently been collected by the Bureau of Justice Statistics (BJS). In 2015, BJS, along with RTI International, conducted the Campus Climate Survey Validation Study. The survey was web-based, confidential, and completed by 23,000 undergraduates (15,000 women and 8,000 men) at 9 colleges and universities. Because the study was a one-time effort, it did not meet the criteria for inclusion in our analysis.

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service members.<sup>15</sup> Others, such as the FBI's Uniform Crime Reporting Program (UCR) data collection efforts compile data from law enforcement agencies on the general population.<sup>16</sup> Those data collection efforts that include information from the general population differ in terms of the ages of respondents or individuals from whom reports of sexual violence are taken. For example, the National Intimate Partner and Sexual Violence Survey (NISVS) collects data from individuals who are 18 and older while the National Crime Victimization Survey (NCVS) collects data on household members who are 12 and older; both the Uniform Crime Reporting Program-Summary Reporting System (UCR-SRS) and the Uniform Crime Reporting Program-National Incident-Based Reporting System (UCR-NIBRS) include data from law enforcement agencies on criminal incidents involving people of all ages. Table 1 includes

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<sup>15</sup>GAO is currently conducting a separate review of DSAID, examining, among other things, the extent to which DSAID has met its mandated requirements and how modernization efforts address known issues. Regarding the WGRA, in 2014 DOD contracted with RAND to conduct an independent assessment of the survey and, if necessary, to update its methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD's prior measure of "unwanted sexual contact" to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the Uniform Code of Military Justice. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the "WGRA." DOD also administers the Workplace and Gender Relations Survey of Reserve Component Members (WGRR). Because WGRR methods align with WGRA methods, this report focuses on the Workplace and Gender Relations Survey of Active Duty Members.

<sup>16</sup>The FBI's Uniform Crime Reporting Program-Summary Reporting System (UCR-SRS) and Uniform Crime Reporting Program-National Incident-Based Reporting System (UCR-NIBRS) program are related, for example, in that NIBRS data can be summarized and used to populate UCR-SRS data fields. However the data collection efforts differ, for example in terms of measurements and definitions of sexual violence, as discussed later in this report.

information about each of the 10 data collections discussed in this report, including their respective target populations.<sup>17</sup>

**Table 1: Federal Efforts That GAO Identified That Include Data on Sexual Violence**

Agency	Component	Data Collection Effort	Year Effort Began	Summary	Target Population
Department of Defense (DOD)	Sexual Assault Prevention and Response (SAPRO)	Defense Sexual Assault Incident Database (DSAID) <sup>a</sup>	2012	<b>DSAID</b> includes case information on unrestricted and restricted reports of allegations of sexual assault committed against members of the U.S. Armed Forces, during or prior to their service. <sup>b</sup>	Military population <sup>c</sup>
	Defense Manpower Data Center (DMDC)	Workplace and Gender Relations Survey of Active Duty Members (WGRA) <sup>d</sup>	1995; began collecting sexual violence data in 2006	<b>WGRA</b> is a survey that calculates prevalence data on sexual assault, sexual harassment, and gender discrimination among active duty military personnel.	Military population (active duty)
Department of Education (Education)	Office of Post-secondary Education (OPSE)	Clery Act data	1990	<b>Clery Act data</b> are collected under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which requires all postsecondary institutions participating in federal student financial assistance programs to disclose statistics on certain crimes, including sexual offenses that occur on or near campuses that the institution owns or controls.	Institutions of higher education receiving federal student aid funds
Department of Health & Human Services (HHS)	Centers for Disease Control and Prevention (CDC)	National Electronic Injury Surveillance System-All Injury Program (NEISS-AIP) <sup>e</sup>	2000	<b>NEISS-AIP</b> collects data from a nationally representative sample of hospital emergency departments in the United States regarding visits for injuries.	General population

<sup>17</sup>This report identifies the various federal agency holdings of sexual violence data by referring to their commonly used names, for example, DSAID, which is the name of a DOD system that holds military sexual violence data, and Clery Act data, which describes the sexual violence data reported by institutions of higher education to the Department of Education under the Clery Act. The use of these names is for the purpose of identifying the various data collection efforts, and is not intended to describe the full extent of the information holdings or the use of such systems.

Agency	Component	Data Collection Effort	Year Effort Began	Summary	Target Population
		National Intimate Partner and Sexual Violence Survey (NISVS)	2010	<b>NISVS</b> is a telephone survey that collects information on intimate partner violence, sexual violence, and stalking of adults in the United States.	General population (non-institutionalized adults, age 18 and over)
Department of Justice (DOJ)	Bureau of Justice Statistics (BJS)	National Crime Victimization Survey (NCVS)	1973	<b>NCVS</b> is a household survey that collects data from about 160,000 individuals from a nationally representative sample of about 90,000 households on the frequency, characteristics, and consequences of criminal victimization in the United States.	General population (non-institutionalized, age 12 and over)
		National Inmate Survey (NIS)	2007	<b>NIS</b> falls under the Prison Rape Elimination Act of 2003 (PREA), which requires BJS to obtain data on the incidence and effects of prison rape from a sample of federal, state, county, and municipal correctional facilities. NIS collects sexual assault incident data directly from inmates at those facilities.	Inmates of adult correctional facilities, including juveniles <sup>f</sup>
		Survey of Sexual Victimization (SSV)	2004	<b>SSV</b> also falls under PREA and collects information from the correctional facilities on reported allegations of sexual victimization by inmates or staff.	Inmates of adult and juvenile correctional facilities <sup>f</sup>
	Federal Bureau of Investigation (FBI)	Uniform Crime Reporting Program – Summary Reporting System (UCR-SRS)	1929	<b>UCR-SRS</b> consists of reported data on criminal offenses received from over 18,000 city, university/college, county, state, tribal, and federal law enforcement agencies nationwide.	General population
		Uniform Crime Reporting Program – National Incident-Based Reporting System (UCR-NIBRS)	1989	<b>UCR-NIBRS</b> collects detailed data from over 6,500 law enforcement agencies for each single incident reported to police where one or more criminal offenses were committed.	General population

Source: GAO analysis of agency documentation. | GAO-16-546

<sup>a</sup>DSAIID does not include information on child sexual abuse or sexual assault between intimate partners.

<sup>b</sup>An unrestricted report of sexual assault in the military is a report that is provided to military criminal investigation organizations and/or law enforcement for investigation. A restricted report of sexual assault in the military is a report that allows victims to confidentially access medical care and advocacy services without triggering an investigation. Victims may convert their restricted report to an unrestricted report at any time and participate in the military justice process.



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<sup>c</sup>DSAID includes data on some civilians (e.g., spouses of servicemembers) who are eligible to receive services.

<sup>d</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD's prior measure of "unwanted sexual contact" to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the Uniform Code of Military Justice. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the "WGRA." DOD also administers the Workplace and Gender Relations Survey of Reserve Component Members (WGRR). Because WGRR methods align with WGRA methods, this report focuses on the Workplace and Gender Relations Survey of Active Duty Members.

<sup>e</sup>Data for NEISS-AIP is collected by the Consumer Product Safety Commission under an interagency agreement with HHS/CDC.

<sup>f</sup>NIS and SSV data cover federal, state, and local prisons and jails, as well as correctional facilities operated by the U.S. military and U.S. Immigration and Customs Enforcement, as well as privately operated prisons and jails. Neither data collection effort includes court or police lockup facilities. SSV reports on adult (including juveniles in adult facilities) and juvenile facilities separately; NIS only reports on adult facilities, including juveniles in those facilities.

Data collection efforts that are focused on target populations—such as, the military population, institutions of higher education, and the incarcerated population—provide information on the problem of sexual violence within those groups and thus may be helpful for informing policy affecting those groups. For example, Education officials told us that Education's Office of Federal Student Aid administers inquiries to specific campuses if Clery Act data show unusually high incidences of certain crimes, including rape. The Bureau of Justice Statistics (BJS) reports that the National Inmate Survey (NIS) and the Survey of Sexual Victimization (SSV) data provide helpful information for understanding and addressing the problem of sexual violence in prisons, jails, and juvenile correctional facilities.<sup>18</sup> In March 2015, we reported on the importance of using military data on sexual violence to inform program decisionmaking.<sup>19</sup>

The 5 data collection efforts whose target population is a segment of the national population are the result of specific congressional mandates, while the 5 data collection efforts that focus on the general population are

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<sup>18</sup>BJS is a division of the DOJ's Office of Justice Programs.

<sup>19</sup>[GAO-15-284](#).

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discretionary initiatives arising from broad agency missions.<sup>20</sup> For example, BJS is mandated under the terms of the Prison Rape Elimination Act (PREA) of 2003 to collect data on sexual violence in prisons, jails, and other detention facilities. BJS conducts both the NIS and SSV in response to that mandate.<sup>21</sup> In contrast, according to HHS's Centers for Disease Control and Prevention (CDC) officials, the agency launched NISVS as part of its public health mission, and with support from the National Institute of Justice and DOD as a result of requests from organizations in the field of sexual violence prevention.

The extent to which the data collection efforts focus on sexual violence also varies. Some of the data collection efforts collect information solely or primarily on the occurrence of sexual violence, such as the SSV or DSAID. Other data collection efforts have a larger focus. For example, the UCR-SRS, UCR-NIBRS, and NCVS include information on a broad spectrum of crimes, and the National Electronic Injury Surveillance System–All Injury Program (NEISS-AIP) includes information on a wide variety of types of injuries.

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### Data Collection Efforts Differ in the Terms They Use to Describe Sexual Violence, and Measurements and Definitions for Some Efforts are Inconsistent

Data collection efforts use a range of terms to describe sexual violence in publicly-available agency documentation. Specifically, the 10 data collection efforts use a total of 23 different terms to describe sexual violence. Table 2 shows the terms that data collection efforts use to describe sexual violence.

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<sup>20</sup> DSAID, WGRA, Clery Act data, NIS, and SSV have target populations that represent a small subset of the overall population—the military, institutions of higher education communities, or the incarcerated. The National Electronic Injury Surveillance System–All Injury Program (NEISS-AIP), NISVS, NCVS, UCR-SRS and UCR-NIBRS focus on the general population.

<sup>21</sup> BJS's PREA data collection activities also include two additional data collection efforts, the National Former Inmate Survey and the National Survey of Youth in Custody, which did not meet the selection criteria for inclusion in our review.

**Table 2: Key Terms Used by Federal Data Collection Efforts to Describe Sexual Violence**

	DSAID <sup>a</sup>	WGRA <sup>b</sup>	Clery Act data	NEISS-AIP	NISVS	NCVS	NIS	SSV	UCR-SRS	UCR-NIBRS
Abusive Sexual Contact	Yes	No	No	No	No	No	Yes <sup>c</sup>	Yes <sup>d</sup>	No	No
Aggravated Sexual Contact	Yes	No	No	No	No	No	No	No	No	No
Assault-sexual	No	No	No	Yes	No	No	No	No	No	No
Attempted Penetrative Sexual Assault	No	Yes	No	No	No	No	No	No	No	No
Attempts to Commit Offenses	Yes	No	No	No	No	No	No	No	No	No
Being Made to Penetrate Someone Else	No	No	No	No	Yes	No	No	No	No	No
Fondling	No	No	Yes	No	No	No	No	No	No	Yes
Forcible Sodomy	Yes	No	No	No	No	No	No	No	No	No
Nonconsensual Sexual Acts	No	No	No	No	No	No	Yes	Yes	No	No
Noncontact Unwanted Sexual Experiences	No	No	No	No	Yes	No	No	No	No	No
Nonpenetrative Sexual Assault	No	Yes	No	No	No	No	No	No	No	No
Penetrative Sexual Assault	No	Yes	No	No	No	No	No	No	No	No
Sex Offenses	No	No	No	No	No	No	No	No	Yes	No
Rape	Yes	No	Yes	No	Yes	Yes	No	No	Yes	Yes
Sexual Assault	Yes	No	No	No	No	Yes	No	No	No	No
Sexual Assault with an Object	No	No	No	No	No	No	No	No	No	Yes
Sexual Coercion	No	No	No	No	Yes	No	No	No	No	No
Sodomy	No	No	No	No	No	No	No	No	No	Yes
Staff Sexual Harassment <sup>e</sup>	No	No	No	No	No	No	No	Yes	No	No
Staff Sexual Misconduct	No	No	No	No	No	No	Yes	Yes	No	No
Unwanted Sexual Contact	No	No	No	No	Yes	No	No	No	No	No
Unwilling Activity	No	No	No	No	No	No	Yes	No	No	No
Willing Activity	No	No	No	No	No	No	Yes	No	No	No

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense (DOD)

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services

NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

<sup>a</sup>DSAIID uses the following key terms to categorize sexual violence incidents that occurred prior to 2012 because these were the terms that were included in older versions of the Uniform Code of Military Justice (UCMJ): “aggravated sexual assault,” “indecent assault,” and “wrongful sexual contact.” However, for the purposes of this review, we only included DSAIID terms that are derived from the current version of the UCMJ and are used for incidents occurring on or after June 28, 2012: “abusive sexual contact,” “aggravated sexual contact,” “attempts to commit offenses,” “forcible sodomy,” “rape,” and “sexual assault.”

<sup>b</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD’s prior measure of “unwanted sexual contact” to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the UCMJ. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the “WGRA” and use the measures of sexual violence developed by RAND—“penetrative sexual assault,” “nonpenetrative sexual assault,” and “attempted penetrative sexual assault”—for our analysis.

<sup>c</sup>The National Inmate Survey uses the term “abusive sexual contacts only.”

<sup>d</sup>The Survey of Sexual Victimization uses the term “abusive sexual contacts.”

<sup>e</sup>Agencies may collect data on certain sexual offenses, for example, sexual harassment, in other data collection efforts not included in this review.

Given the variation in terminology, data collection efforts may characterize the same sex act using different terms. For example, regarding sexual violence involving vaginal penetration of a victim, 6 data collection efforts include this act of sexual violence in their measurement of “rape,” 2 include it in their measurements of “nonconsensual sexual acts” or “staff sexual misconduct,” 2 include it in their measurements of “sexual assault” or “assault-sexual,” 1 includes it in its measurement of “sexual coercion,” 1 includes it in its measurement of “penetrative sexual assault,” and 1 includes it in its measurement of “sexual assault with an object.”<sup>22</sup> See tables 5 through 7 in app. II for additional information on acts of sexual violence included in measurements of sexual violence by data collection effort.

It is also the case that one data collection effort may use multiple terms to characterize a particular act of sexual violence, depending on the

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<sup>22</sup>Some data collection efforts include certain acts of sexual violence in their measurement of more than one term. For example, UCR-NIBRS includes vaginal penetration of a victim in its measurement of “rape” or “sexual assault with an object,” depending on the circumstances of the incident.

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contextual factors that may be involved, such as whether the perpetrator used physical force. For example, if a victim is penetrated vaginally, NISVS may characterize that particular act as either “rape” or “sexual coercion,” and the decision as to which term is most appropriate is based on the contextual factors surrounding the act. As such, NISVS characterizes vaginal penetration of a victim as “rape” if the act involves the use of physical force or threats to physically harm the victim. On the other hand, NISVS characterizes this same act as “sexual coercion” if the act occurs after the victim is verbally pressured in a nonphysical way, for example if the perpetrator uses their influence or authority.

Based on our analysis, data collection efforts rarely use the same terminology to describe sexual violence; however, when they do, there are some differences in the particular acts of sexual violence and contextual factors that they include in their measurements of those terms. For example, 4 of the 6 data collection efforts that use the term “rape” consider whether actual physical force was used and the other two do not. Three of the 6 that use the term “rape” consider whether the threat of physical force was used and the other 3 do not. See tables 8 through 10 in app. II for additional information on contextual factors included in measurements of sexual violence by data collection effort.

In general, measurements of sexual violence closely relate to definitions of sexual violence in federal data collection efforts. For 5 of the data collection efforts we reviewed, the acts of sexual violence and contextual factors that are included in the measurements generally align with the acts of sexual violence and contextual factors that are included in the definitions.

However, for the remaining 5 data collection efforts, some of the acts of sexual violence or contextual factors are included in both their measurements and definitions and others are not. Further, these data collection efforts do not have publicly-available descriptions of what is included in their respective measurements to allow persons using the data to understand the differences. Specifically, Clery Act data include attempted rapes in its measurement of rape, but do not include attempted rapes in its definition of rape. NEISS-AIP includes acts of sexual violence involving penetration of a victim with an object and acts of sexual violence involving a victim being made to penetrate someone else with an object in its measurement of assault-sexual, but does not explicitly include these acts of sexual violence in its definition of assault-sexual or in the description of assault-sexual in the NEISS-AIP coding manual. Additionally, NCVS includes the contextual factors of “victim unable to

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consent or refuse” and “victim alcohol/drug facilitated” in its measurements of rape and sexual assault, but does not include these contextual factors in its definitions of rape and sexual assault. Similarly, SSV includes attempted nonconsensual sexual acts in its measurement of nonconsensual sexual acts, but does not include attempts in its definition of nonconsensual acts. NIS includes the act of victim penetration with an object in its measurements of nonconsensual sexual acts and staff sexual misconduct, but does not include it in its definitions of nonconsensual sexual acts and staff sexual misconduct.

The National Academy of Sciences’ *Principles and Practices for a Federal Statistical Agency* states that data releases from a statistical program should include the methods and assumptions used for data collection and reporting. Similarly, OMB guidelines regarding the federal Information Quality Act call for agencies that disseminate government information to ensure its utility, objectivity, and integrity, which refers to information reproducibility and transparency. Additionally, federal internal control standards state that an agency’s information requirements should consider the expectations of both internal and external users and that reliable internal and external information sources should provide data that faithfully represent what they purport to represent.<sup>23</sup> Education officials told us that they are updating *The Handbook for Campus Safety and Security Reporting* and expect to issue the updated handbook in summer 2016. This may provide an opportunity for Education to eliminate discrepancies between the Clery Act’s sexual violence measurements and definitions.<sup>24</sup> Regarding NEISS-AIP, CDC officials told us that the definition of “assault-sexual” is intended to include the range of sexual assault experiences that victims presenting to the emergency department may report. BJS officials told us that it is not possible to enumerate every act of sexual violence that is included under NCVS’s terms of sexual violence and that data users can make their own determinations about what acts of sexual violence are included in the measurements. BJS officials also told us that the definitions included in the NIS and SSV

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<sup>23</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014).

<sup>24</sup>In responding to a draft of this report, Education informed us that it issued the updated handbook in June 2016, which provides clarification on its measurements of sexual violence; however, the differences between the measurements and definitions remain.

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summary reports are intended for the general public, and acknowledged that the reports present ambiguity regarding which acts of sexual violence and contextual factors are included in the measurements. CDC and BJS officials told us that researchers who are interested in descriptions of what is included in the measurements for NEISS-AIP, NIS, and SSV could access coding information, which is available at the University of Michigan’s National Archive of Criminal Justice Data of the Interuniversity Consortium for Political and Social Research. However, a layperson who is not a researcher may not know how to access this information.

If data users are seeking to understand what sexual acts and contextual factors are included in a data collection effort’s measurement of sexual violence, they may read the definitions of terms contained in reports of those data collections. If the definitions of the terms are different from what the data collection effort includes in its measurement of those terms, data users may lack clarity about what acts of sexual violence and contextual factors the efforts are including in their measurements of sexual violence.

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## Federal Sexual Violence Data Collection Methodologies Differ by Context, Data Source, Units of Measurement, and Time Frames

### Context

Federal agencies generally collect data on sexual violence within one of two contexts—criminal justice or public health. For the purposes of this report, “criminal justice” describes data collection efforts that refer to acts of sexual violence as “crimes” or “offenses.” “Public health” describes data collection efforts that seek to understand the health implications of acts of sexual violence. Of the 10 data collection efforts within our scope, 7 collect data primarily in a criminal justice context, and 2 collect data primarily in a public health context, and 1 data collection effort combines both contexts. Table 11 in app. II outlines which data collection efforts fall into each category.

According to agency officials, context can determine how each data collection effort is designed and how the data are collected—and context may inform what is included in the measurements of sexual violence in the data collection efforts. The data collection efforts of BJS and FBI

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included in this report have a criminal justice focus, intended to collect information on crimes, victims, or trends. CDC officials stated that their data collection efforts—NEISS-AIP and NISVS—which both have a public health focus, are more concerned with assessing the health impacts of victimization and informing violence prevention efforts and are less concerned with categorizing incidents as crimes. In some public health surveys, interviewers begin by asking basic health and lifestyle questions to establish a rapport with the interviewee and introduce the concepts of public health and experiences rather than crimes and criminal events. According to BJS and CDC officials, some studies with a focus on criminal justice may ask questions about sexual violence as crimes that have occurred, whereas some studies with a public health focus may ask questions about violent sexual experiences by describing specific acts of sexual violence while avoiding criminal terminology. For instance, NISVS does not use the word rape when questioning interviewees, whereas NCVS asks respondents if anyone has been attacked for example by rape, attempted rape, or other type of sexual attack. NISVS program documentation states that the term rape may carry a stigma or have different meanings to different people, so the survey poses multiple questions about behaviorally specific sexual acts, without using the term rape.

## Data Sources

Federal sexual violence data primarily come from two sources: information reported to authorities and information obtained from victim surveys. Some data collection efforts compile information reported to relevant authorities. Other federal data collection efforts obtain their data from surveys where agencies attempt to identify victims from a larger population and invite them to share information about their experiences with sexual violence. Table 12 in app. II outlines which data collections fall into each category.

Information reported to authorities may originate from situations in which a victim or observer reports an alleged act of sexual violence to law enforcement, campus, or prison authorities or to military officials. Data collection efforts vary in how and to whom the information is submitted. For DSAID, restricted and unrestricted reports of sexual violence are reported by victims to sexual assault response coordinators or victim advocates who input information on the incident into DSAID. Whereas for Clery Act data, all institutions of higher education that receive federal student financial aid are required to report campus security data (including information on sexual violence) to the Department of Education.



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Some data collection efforts obtain information on sexual violence through surveys. Each survey uses different methods to collect data from their subjects. For instance, NISVS employs a random digit dialing telephone survey while the NCVS uses a mix of face-to-face and telephone interviewing.

Both types of data sources involve tradeoffs. With respect to information reported to authorities, according to agency documentation and a senior official from a law enforcement special interest group, data collection efforts that provide information on crimes reported to authorities are useful for administrative and funding decisions related to law enforcement. For example, the Bureau of Justice Assistance uses UCR-SRS data, in part, to determine how much grant funding should be awarded to state, local, and tribal governments through the Edward Byrne Memorial Justice Assistance Grant program, which made \$255.7 million in funding available to states, territories, and localities in fiscal year 2015. However, one limitation is that these data may underestimate the scope of the problem, since acts of sexual violence are historically underreported to authorities.<sup>25</sup>

As such, obtaining information through a survey may identify more instances of sexual violence than efforts that rely on information reported to authorities. However, surveys also have their limitations. Surveys are subject to variable response rates over time, and different surveys may have different response rates, which may affect the resulting estimates and the validity of the data. For example, response rates of the data collection efforts included in our review range from 24 percent for WGRA in 2012 to 33 percent for NISVS in 2011 to 84 percent for NCVS in 2014.<sup>26</sup> Survey results may also be subject to response biases, for example the tendency for a respondent to provide untruthful but socially acceptable responses or the tendency for individuals who either have or have not experienced the action (e.g., sexual violence) to not participate

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<sup>25</sup>Du Mont, Miller, and Myhr, "The Role of "Real Rape," 468; National Academies of Sciences, *Estimating the Incidence*, 40; and Gardella, Nichols-Hadeed, Mastrocinque, Stone, Coates, Sly, and Cerulli, "Beyond Clery Act Statistics," 641, 643.

<sup>26</sup>The NISVS 2011 weighted cooperation rate, which reflects the proportion of persons contacted who agreed to participate in the survey and who were determined to be eligible, was 83.5 percent.

in the survey (which can lead to nonresponse bias).<sup>27</sup> Also, according to BJS officials, obtaining information directly from victims creates a burden on survey respondents and interview subjects, and research and officials from an entity that uses federal data on sexual violence stated that such surveys may face difficulties in getting people to discuss victimization experiences with strangers during interviews. Furthermore, administrative costs associated with surveys and interviews can affect the practical frequency of data collection.

## Units of Measurement

Different federal data collection efforts measure and report different aspects of the occurrence of sexual violence. Some data collection efforts report the number of incidents that involved an act of sexual violence, some report the number of unique victims of sexual violence, and some report information about the number of times an act of sexual violence occurred. On the surface it may appear that the number of incidents that involve an act of sexual violence and the number of times an act of sexual violence occurred are synonymous, but that is not necessarily the case. Multiple offenses could occur in the same incident, and one incident could involve multiple victims. For example, a perpetrator could both rob and sexually assault someone in the same incident, or a perpetrator could carry out sexually violent acts against multiple victims in the same incident.

Table 3 outlines the units of measurement that each data collection effort reports.

**Table 3: Units of Measurement Reported by Federal Data Collection Efforts**

Data Collection Effort	Number of Incidents or Reports that Involve Sexual Violence	Number of Victims of Sexual Violence	Number of Times an Act of Sexual Violence Occurred
DSAID	Yes	Yes	<sup>a</sup>
WGRA	No	Yes	<sup>b</sup>
Clery Act	Yes	No	No
NEISS-AIP	Yes	No	No
NISVS	No	Yes	<sup>b</sup>

<sup>27</sup>According to DOD officials, the Defense Manpower Data Center conducts non-response bias studies on the WGRA to identify potential non-response bias.

Data Collection Effort	Number of Incidents or Reports that Involve Sexual Violence	Number of Victims of Sexual Violence	Number of Times an Act of Sexual Violence Occurred
NCVS	<sup>c</sup>	Yes	Yes
NIS	No	Yes	Yes <sup>d</sup>
SSV	Yes	Yes <sup>e</sup>	No
UCR-SRS	<sup>f</sup>	No	Yes
UCR-NIBRS	Yes	<sup>g</sup>	Yes

Table legend:

DSAlD: Defense Sexual Assault Incident Database, Department of Defense (DOD)

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services

NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of agency documentation. | GAO-16-546

<sup>a</sup>In its annual report on sexual assault in the military, DOD reports the number of reports of sexual violence by category of offenses (for example, the total number of reports involving “rape”).

<sup>b</sup>WGRA and NISVS collect some data about the number of times an act of sexual violence occurs among their respective subject populations, but do not report totals or estimates of those data.

<sup>c</sup>NCVS collects information on the number of incidents involving sexual violence and the number of times an act of sexual violence occurred, but its reporting of incident counts is limited.

<sup>d</sup>The 2013 and 2010 NIS reports presents information on the number of acts of sexual violence experienced in ranges (e.g., 1, 2, 3 to 5, 6 to 10), and by percent of victims that experienced a number of acts of sexual violence in a specific range. The 2007 NIS report also uses ranges to present information on the number of acts of sexual violence experienced.

<sup>e</sup>SSV reports data on the number of victims of substantiated incidents of sexual violence.

<sup>f</sup>UCR-SRS defines an incident as an event in which one or more criminal offenses occur. In its annual report, “Crime in the United States,” UCR-SRS reports information about offenses involving sexual violence. In its annual report, “Hate Crime Statistics,” UCR-SRS reports information on both incidents and offenses, including for hate crimes involving rape.

<sup>g</sup>UCR-NIBRS reports the number of victims of sexual violence offenses but does not report a number of unique victims due to possible duplication.

The 4 data collection efforts that report the number of times an act of sexual violence occurred—NCVS, NIS, UCR-SRS, and UCR-NIBRS—may not record the exact number of acts of sexual violence from each individual incident in some cases. These data collection efforts count one

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act of sexual violence per victim per incident, meaning they would capture acts against multiple victims in a single incident but not multiple acts against each individual victim.

The data source each federal data collection effort uses is an important determinant of the units of measurement that each study uses in reporting its results. Data collection efforts that use information reported to authorities generally measure the number of incidents or reports that involve sexual violence. Those efforts may or may not publish a count of the number of acts of sexual violence that occurred. Such efforts are generally not set up to count the number of unique victims across incidents; they may report a count of victims, but have no mechanism to avoid the double-counting of victims who experience multiple incidents and are thus not measuring the same quantity that surveys that seek to report a number of unique victims measure. By contrast, data collection efforts that use information obtained from victim surveys generally measure and report the number of victims rather than the number of incidents that involved sexual violence. These efforts also collect data on the number of separate times each individual respondent has been a victim of sexual violence. However, the agencies operating those studies are cognizant of the challenges associated with asking respondents about multiple incidents, particularly with respect to the respondent's ability to accurately recall multiple experiences of sexual violence. For example, a DOD official stated that WGRA asks questions about how many times a crime has been committed against the respondent, but DOD does not report a total number of times that an act of sexual violence occurred because respondents' recall of multiple events may be subject to memory biases and confirming details of each act may be overly burdensome in a survey.<sup>28</sup>

## Time Frames

Federal agencies collect sexual violence data for different periods of time and report the data at different frequencies. Table 13 in app. II outlines the time frames for each federal data collection effort.

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<sup>28</sup>Telescoping is an example of memory bias, where a respondent displaces the experiences in time, for example perceiving remote events as having occurred more recently. Recall bias is another example of memory bias, where a respondent may not remember a past event with accuracy and completeness.

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The data collection efforts cover different intervals of time for which an act of sexual violence occurred. For instance, NISVS asks whether each respondent has experienced sexual violence during the previous 12 months and during the respondent's lifetime.<sup>29</sup> NCVS asks whether each respondent has experienced sexual violence during the previous 6 months. By contrast, the data collection efforts that compile reports from authorities may capture information at the point in time when the event was reported to those authorities.

Some data collection efforts release their results annually, whereas others do so less often. For example, NISVS collected data annually except in 2014 and issues reports periodically. NISVS most recently reported results to the public in 2014 using data collected in 2011. Most data collection efforts that compile reports from authorities release their results annually.

One expert we interviewed stated that the period of time for which data on sexual violence are collected and how often data are publicly reported affects each data collection effort's results regarding the occurrence of sexual violence, an observation also found in academic literature and a nongovernmental report.<sup>30</sup> For example, data on lifetime experience of sexual violence may yield larger numbers of rape and sexual assault than data on experiences of sexual violence in the last 6 or 12 months. According to officials from 2 entities that use federal data on sexual violence, data that are reported annually may be more useful for trend analysis than data reported less frequently.

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<sup>29</sup>NISVS also asks survey respondents about their age of first victimization.

<sup>30</sup>R. Bachman, "Measuring Rape and Sexual Assault: Successive Approximations to Consensus," Paper presented to the National Academy of Sciences, Jun.6, 2012; and National Academy of Sciences, *Estimating the Incidence of Rape and Sexual Assault* (Washington, D.C.: National Academies Press, 2014).

## Differences in Data Collection Efforts May Hinder the Understanding of the Occurrence of Sexual Violence; Agencies Have Taken Steps to Explain and Lessen Differences, but Efforts Have Been Fragmented and Limited in Scope

The differences across the data collection efforts may hinder understanding of the extent of sexual violence, and agencies have taken steps to clarify differences and harmonize the data collection efforts. However, these efforts have been fragmented and more could be done to increase understanding of the problem of sexual violence.

## Differences in Data Collection Efforts Collectively May Hinder Understanding of the Extent of Sexual Violence

Collectively, the differences across federal data collection efforts lead to differing estimates of sexual violence, for example rape, in the United States, as shown in selected data collection efforts on the general population in table 4.

**Table 4: Estimates of the Number of Rapes or Rape Victims Per Year, 2010-2014, across Selected Federal Data Collection Efforts**

Data collection effort	What crime or action the count includes	Unit of Measure	Estimated Number of Rapes or Victims per Year <sup>a</sup>				
			2010	2011	2012	2013	2014
National Intimate Partner and Sexual Violence Survey (NISVS)	Rape <sup>b</sup>	Victims	1,270,000	1,929,000	not yet available	not yet available <sup>c</sup>	data not collected
National Crime Victimization Survey (NCVS)	Rape/sexual assault <sup>d</sup>	Victimizations	268,570	244,190	346,830	300,170	284,350
Uniform Crime Reporting-Summary Reporting System (UCR-SRS)	Forcible rape/ Rape <sup>e</sup>	Offenses reported	85,593	84,175	85,141	113,695	116,645

Source: GAO analysis of agency documentation. | GAO-16-546

<sup>a</sup>Information in the table reflects the most current data available from selected data collection efforts.

<sup>b</sup>The NISVS estimate includes completed and attempted rape of female victims. NISVS contains estimates of lifetime prevalence for male victims of rape, but the case count for male victims of rape

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does not allow the Centers for Disease Control and Prevention (CDC) to produce a reliable estimate for a 12-month prevalence rate.

<sup>c</sup>According to CDC officials, in 2013 pilot data on survey changes was collected.

<sup>d</sup>In the Bureau of Justice Statistics' annual report of NCVS data, "Criminal Victimization," data on the number of sexual violence victimizations are reported as "rape/sexual assault" which includes rape or sexual assault.

<sup>e</sup>The Federal Bureau of Investigation (FBI) broadened its definition of rape for UCR-SRS in 2013 and removed the word "forcible" from the name of the offense. The data in this table for years prior to 2013 use FBI's old definition of "forcible rape;" for 2013 and 2014, the data use the revised definition.

According to research and individuals we spoke with who are familiar with the data, differences in federal data on sexual violence may confuse the public.<sup>31</sup> A National Academy of Sciences' Panel that studied the incidence of rape in the United States reported in 2014 that the data collection efforts' different purposes and methodologies produce different results, which creates confusion for the public, law enforcement, policymakers, researchers, and victim advocacy groups. Additionally, officials from four entities that use federal data told us that they believe the public does not understand data from federal sources on sexual violence. Officials from three entities that use federal data on sexual violence stated that they—and the media—cite a range of sources and may not always, or adequately, explain the details of the data collection efforts. In addition, the public may not take the time to understand the differences among the data collection efforts. For example, an official from one entity told us that the entity frequently uses the results from one particular data collection effort to educate the public on sexual violence, but the official was not aware of certain methodological details and limitations of the data. Also, as previously discussed, some data collection efforts' measurements and definitions do not align and information on what is included in these measurements is not publicly available, which may lead to confusion for data users. Further, officials from the federal agencies and entities we spoke with that use federal data on sexual violence emphasized that the differences across the data collection efforts are such that the results are not comparable.

Officials we spoke with who use the data stated that differences in measurements, definitions, and methodology across the data collection

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<sup>31</sup>J. Lynch, "Clarifying Divergent Estimates of Rape from Two National Surveys," *The Public Opinion Quarterly*, vol. 60, no. 3 (1996); and National Academy of Sciences, *Estimating the Incidence*, 32.

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efforts can lead to confusion. Officials at one entity stated that they found challenges in using federal data on sexual violence because varying measurements and definitions across the data collection efforts make it difficult to compare data. However, even in instances where the acts of sexual violence and contextual factors that are included in measurements and definitions are similar across data collection efforts, other differences create challenges. For example, officials at the National Center for Campus Public Safety stated that whereas the Clery Act data program and UCR-SRS use the same definition for rape, the methodologies are different—the Clery Act data program collects information on allegations made in “good faith,” whereas the UCR-SRS includes only information on incidents resulting in a police report—which results in different estimates of rape and may lead to confusion for users who try to compare the data.

Because there is wide variation in the results, entities that use federal data on sexual violence have a choice of which data to use, and entities reported using data that best suited their needs. For example, officials from one entity told us that they use NCVS data because it includes information on incidents not reported to the police and is user-friendly, and officials from another entity told us they use NCVS data because it has a larger sample size than other data collection efforts. Officials from another entity stated that they use NISVS because it includes the most expansive set of acts of sexual violence and contextual factors in its measurement of “rape” and estimates lifetime prevalence rates.

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### Agencies Have Taken Some Steps to Clarify Differences across Sexual Violence Data Collection Efforts, but Efforts to Harmonize the Data Collection Efforts Have Been Fragmented

Federal agencies have acknowledged that differences exist among data collection efforts, for example in terms of methodology, context, and data sources, which has led some agencies to take steps to identify and explain differences across the data collection efforts. In addition, some federal agencies have taken steps to lessen the differences among data collection efforts by focusing on harmonization—that is, coordination of practices to enhance data collection to achieve a shared goal. However, such efforts have been fragmented—that is, they are limited in scope and generally involve two data collection efforts at a time.<sup>32</sup>

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<sup>32</sup>According to our work, fragmentation refers to those circumstances in which more than one federal agency (or more than one organization within an agency) is involved in the same broad area of national need and opportunities exist to improve efficiency.



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Two ongoing efforts are intended to clarify the differences across two data collection efforts:

- **BJS and FBI coauthored a statement describing the differences between UCR and NCVS.** In 1995, BJS and FBI coauthored statements entitled “The Nation’s Two Crime Measures,” which describe similarities and differences between the UCR program and NCVS. The statement was updated in September 2014. BJS and FBI post similar but different versions of the statement on their websites. BJS’s statement provides a side-by-side description of FBI’s UCR program and BJS’s NCVS including, for example, information on historical background, data sources, and time frames for data collection and reporting. Both statements also include a section on comparing UCR and NCVS data, which describes the data collection efforts’ similarities (e.g., they both have somewhat similar subsets of serious crimes, such as rape, robbery, aggravated assault, burglary, theft, and motor vehicle theft ) and key differences (e.g., definitions of certain crimes). The statements conclude with a description of the two data collection efforts’ strengths (e.g., UCR provides data on the number of crimes reported to law enforcement and NCVS provides data on the number and types of crimes not reported to law enforcement).
- **CDC and BJS have discussed publishing a statement that compares sexual violence statistics in NISVS and NCVS.** At a meeting in November 2015, CDC and BJS discussed coauthoring a statement about NISVS and NCVS that would describe the differences and similarities of the two data collection efforts.

There are five efforts underway or recently implemented that are intended to increase harmonization across the data collection efforts, including:<sup>33</sup>

- **Education adopted FBI’s UCR-SRS definition of rape for use in the Clery Act data.** Education, in its 2014 rule implementing the VAWA 2013 reauthorization, changed the definition of rape that is used in the Clery Act data to match UCR-SRS’ definition. The

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<sup>33</sup>Federal agencies have a range of other efforts underway to improve individual data collection efforts. For example, BJS, with support from FBI, has launched the National Crime Statistics Exchange (NCS-X) to generate detailed national estimates of crimes reported to law enforcement by actively working to create a sample of 400 law enforcement agencies to initiate their reporting of crime data to UCR-NIBRS.

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definition used by both UCR-SRS and the Clery Act data is “Penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ of another person, without the consent of the victim.” Education began collecting data using the new definition of rape for calendar year 2014.

- **BJS sponsored the National Academy of Sciences’ CNSTAT Panel on Estimating the Incidence of Rape and Sexual Assault in BJS Household Surveys.** In March 2011, BJS charged the panel to “assess the quality and relevance of statistics on rape and sexual assault from NCVS and other surveys contracted for by other federal agencies as well as surveys conducted by private organizations,” examining issues such as the “legal definitions in use by the states for these crimes, best methods for representing the definitions in survey instruments so that their meaning is clear to respondents, and best methods for obtaining as complete reporting as possible of these crimes in surveys, including methods whereby respondents may report anonymously.” The panel, which was comprised of experts in research and sexual assault response, held five in-person meetings and issued 15 recommendations in a final report published in 2014. For example, the panel recommended that BJS’s definitions of sexual violence be expanded to include victimizations when the victim does not have the capacity to consent to the sexual actions of the offender and that this research be conducted in a coordinated manner because many of the issues to be investigated are interrelated. The panel also recommended that the survey questionnaire should have a neutral context, such as a health survey.<sup>34</sup> BJS officials told us that some of their current work addresses some of the panel’s recommendations. For example, BJS is currently conducting a methodological comparison of NCVS with a public health approach that includes a five-city comparison study and consultation with CDC. The five-city comparison study involves an expanded scope of sexual violence, which includes questions regarding consent, and BJS is testing a range of behavior-specific questions. BJS officials told us that they are

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<sup>34</sup>The panel did not make recommendations on how surveys using a public health approach might be improved. With limited time and resources, the panel made the decision to focus its analysis on NCVS with the intent to make specific recommendations to BJS for estimates of rape and sexual assault.

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planning to issue a report on the progress of the project in spring 2016.<sup>35</sup>

- **BJS and FBI commissioned a National Academy of Sciences' CNSTAT Panel on Modernizing the Nation's Crime Statistics.** Commissioned in 2013, the panel will assess and make recommendations for the development of a modern set of crime measures in the United States and the best means for obtaining them. The review will focus, among other things, on full and accurate measurement of criminal victimization events and their attributes, considering types of crime (and their definitions), including the current scope of crime types covered by existing FBI and BJS data collections; gaps in knowledge of contemporary crime; development of international crime classification frameworks that should be considered in increasing international comparability; and the optimal scope of crime statistics to serve the needs of the full array of data users and stakeholders—federal agencies, other law enforcement agencies, Congress, other actors in the justice system (such as the courts and corrections officials), researchers, and the general public. Panel membership includes academics in the field of criminal justice and statistics and stakeholders who use and provide the data that the government collects. According to the chair of the panel, as part of the first phase of work, the panel has developed an initial conceptualization for classifying all types of crime, including rape and sexual assault. The recommended classification and its justification appear in the panel's first report, which was released in May 2016. The panel has also begun the second phase of its work, which will suggest the means for gathering data for the comprehensive crime classification, including information from non-BJS or FBI sources, and recommend how crime data collection should proceed in practice. The panel plans to consider possible coordination among agencies to produce more comprehensive reports on data, instead of one agency producing one report and another agency producing a separate but related report. The panel intends to finish its second phase of work in 2016 and issue a final report in early 2017.
- **CDC, partnering with BJS, plans to convene a Technical Expert Panel to examine ways to improve NISVS.** As part of OMB's review

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<sup>35</sup>In responding to a draft of this GAO report, BJS did not comment on the progress of this project.

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of a CDC information collection proposal, OMB requested that CDC and BJS officials convene a panel of experts in survey methods to improve NISVS's methodology, including increasing the response rate and minimizing non-response bias. The agencies identified and recruited a panel of experts and plan to meet in spring 2016.<sup>36</sup>

- **CDC provided DOD with an adapted dataset from NISVS.** In 2010, NISVS included two random samples of active duty women and wives of active duty men in addition to a random sample of the general U.S. population. Using identical survey methods, data were collected in the first two quarters of 2010. According to DOD officials, CDC provided a subset of NISVS data to DOD so that DOD received information on crimes that fell under military law to enable DOD to do an “apples to apples” comparison of CDC and DOD data. CDC officials informed us that they are working on a follow-up military population study in 2016.

However, these various federal efforts to clarify and harmonize sexual violence data have been fragmented. CNSTAT's *Principles and Practices for a Federal Statistical Agency* (2013) calls for federal agencies that produce similar federal statistics, with different missions, to coordinate and collaborate with each other to meet current information needs and provide new or more useful data than a single system can provide. While the guidance applies primarily to the 13 federal statistical agencies, OMB officials stated that the report provides best practices for all federal data collection activities. The guidance encourages collaborative interagency efforts and highlights the importance of agencies developing standard definitions as a way to maximize the value and comparability of data. However, the coordination that has occurred across the agencies that collect data on sexual violence has been limited. Specifically, coordination has been bilateral—generally involving only 2 of the 10 data collection efforts at a time and limited in scope. Agency officials expressed skepticism that broader harmonization efforts could benefit federal data on sexual violence, stating that each data collection effort is designed—through target population, measurements and definitions, and methodology—to fulfill a certain purpose. Agency officials told us that changes to any of these differences may undermine the specific purpose of each data collection effort. However, harmonization does not necessarily entail making the data collection efforts identical; instead, it

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<sup>36</sup>In responding to a draft of this GAO report, CDC did not comment on the progress of this panel.

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could entail agencies considering how they could make their efforts more complementary and, as appropriate, more alike without compromising their programmatic needs.

The Paperwork Reduction Act (PRA), among other things, established a process for OMB to oversee agency information collection efforts in order to improve the quality and use of federal information while reducing collection burdens, including through the coordination of federal statistics.<sup>37</sup> Per its authority under the PRA, OMB has convened interagency working groups to assess differences across data collection efforts and determine which of those differences are beneficial and which are unnecessary. For example, OMB has convened the following interagency groups:

- The Interagency Working Group for Research on Race and Ethnicity was formed in 2014 to exchange research findings, identify implementation issues, and collaborate on a shared research agenda to improve federal statistics on race and ethnicity.
- The Interagency Working Group on Measuring Relationships in Federal Household Surveys, which was established in 2010, convenes representatives from a variety of federal agencies involved in the collection, dissemination, or use of household relationship data to address the challenges in measuring household relationships, including same sex couples.
- The Federal Interagency Forum on Child and Family Statistics was formally established in 1997 to develop priorities for collecting enhanced data on children and youth, improve the reporting and dissemination of information on the status of children to the policy community and the general public, and produce more complete data on children at the state and local levels.

We asked OMB if there are plans to convene a similar group for harmonizing data on sexual violence. OMB staff stated that they did not have plans to form an interagency group on the topic, but instead they plan to invest limited resources strategically by engaging with BJS on its redesign of NCVS and with CDC on its information quality of NISVS. OMB staff also stated that their plans are to ensure that both agencies

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<sup>37</sup>44 USC § 3504 (c)&(e).

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are taking advantage of the insights gained as each agency undergoes redesign and technical consultations in the next couple of years. However, other data collection efforts, in addition to NCVS and NISVS, also influence policy decisions on sexual violence. Depending upon the outcome of the work being conducted by BJS and CDC, OMB may encourage other data collection efforts to adapt or adopt insights gained as appropriate to their respective programmatic missions. In the absence of broader harmonization efforts, agency sexual violence data continue to be inconsistent and incomparable, leading to confusion about the data and lack of clarity about the scope of the problem of sexual violence in the United States.

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## Conclusions

Differences in data collection efforts—particularly in terms of what is included in measurements and definitions of sexual violence and methodologies—collectively can lead to confusion. Without publicly-available information on which acts of sexual violence and contextual factors are included in the measurements of sexual violence, data users may lack clarity about what each data collection effort's results represent. Additionally, entities that use federal data may misunderstand the data and develop policies that may not be based on the full extent of the problem. In the absence of collaboration among agencies that manage data collection efforts, it is unclear which differences enhance and which impair the overall understanding of sexual violence, and as a result, policy makers and the public lack coordinated information by which to address the problem.

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## Recommendations for Executive Action

To enhance the clarity and transparency of sexual violence data that is reported to the public, we recommend that the Secretary of Education direct the Assistant Secretary for the Office of Postsecondary Education, the Secretary of Health and Human Services direct the Director of CDC, and the Attorney General direct the Director of BJS to make information on the acts of sexual violence and contextual factors that are included in their measurements of sexual violence publicly available. This effort could entail revising their definitions of key terms used to describe sexual violence so that the definitions match the measurements of sexual violence.

To help lessen confusion among the public and policy makers regarding federal data on sexual violence, we recommend that the Director of OMB establish a federal interagency forum on sexual violence statistics. The forum should consider the broad range of differences across the data

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collection efforts to assess which differences enhance or hinder the overall understanding of sexual violence in the United States.

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## Agency Comments and Our Evaluation

We provided a copy of our report to DOD, Education, HHS, DOJ and OMB for their review and comment. The agencies provided technical comments, which we incorporated as appropriate. Education, HHS, and DOJ also provided written comments, which are reprinted in appendices IV, V, and VI, respectively. The OMB liaison to GAO provided us with comments via email, which are summarized below.

DOJ, Education, and HHS agreed with our recommendation that, in order to enhance the clarity and transparency of sexual violence data, they should make information on the acts of sexual violence and contextual factors that are included in their measurements of sexual violence publicly available. In their written comments, DOJ and Education described actions they have recently taken or plan to take to implement the recommendation. DOJ stated that beginning in calendar year 2017, BJS will provide the exact computer code used to construct its measures of sexual violence as well as additional information on how sexual violence is defined and measured. Education stated that in June 2016, the department released an updated version of *The Handbook for Campus Safety and Security Reporting*, which provides additional details on what acts of sexual violence and contextual factors are included in the data collection effort's sexual violence measurements. HHS stated that the department is committed to improving the quality of the data and the clarity of the descriptions and definitions of sexual violence.

In an email responding to our recommendation that OMB establish a federal interagency forum on sexual violence statistics, OMB stated that it did not believe convening a forum at this time was the most strategic use of resources. OMB stated that other interagency groups it has convened were typically about statistical methods or measurement issues that would affect a wide swath of government and for which OMB guidance or a best practice working paper would be forthcoming. OMB noted that there are only four agencies involved in collecting sexual violence data, and regarded none to be conducting or far enough along in its research for OMB to develop guidance or identify best practices at this time. OMB does, however, plan to follow closely and participate in CDC's and BJS's ongoing technical work, and will consider convening or sharing information across agencies when that work is further along. We understand the importance of allowing time for a data collection effort to mature before providing guidance or best practices. However, considering

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that 7 of the 10 data collection efforts have been in place for more than 10 years, and several have been in place for multiple decades, we disagree with OMB's assertion that none of the data collection efforts are far enough along for OMB to provide guidance and best practices. DOJ and Education also commented on the recommendation to OMB. DOJ stated that BJS welcomes OMB efforts to coordinate data collection and reporting on sexual violence and stands ready to participate in an interagency forum. Education stated that efforts to "harmonize" definitions should not be pursued solely to achieve symmetry for its own sake, but that the focus should be on the needs of each individual program. We agree that the data collection efforts should continue to meet the needs of individual agencies; however, considering the number of federal data collection efforts, the range of differences across them, and the potential for causing confusion, it would be beneficial for agencies to discuss these differences and determine whether they are, in fact, necessary.

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As agreed with your office, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies of this report to the Director of OMB, the Attorney General, the Secretaries of Defense, Education, and Health and Human Services, and other interested parties. The report will also be available at no charge on the GAO web site at <http://www.gao.gov>.

If you or your staff members have any questions about this report, please contact me at (202) 512-8777 or [goodwing@gao.gov](mailto:goodwing@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found



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on the last page of this report. GAO staff who made key contributions to this report are listed in appendix VII.

Sincerely yours,

A handwritten signature in black ink, reading "Gretta L. Goodwin". The signature is written in a cursive style with a large, stylized initial "G".

Gretta L. Goodwin, Acting Director  
Homeland Security and Justice Issues

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# Appendix I: Objectives, Scope and Methodology

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Our objectives for this report were to address the following questions:

(1) What are the federal efforts underway to collect data on sexual violence, and how, if at all, do these efforts differ?

(2) How do any differences across the data collection efforts affect the understanding of sexual violence, and to what extent are federal agencies addressing any challenges posed by the differences?

To address the first question, we identified federal efforts to collect data on sexual violence, for which the data:

- provided information on the extent to which acts of sexual violence occur in the United States in a particular year (for example, the number of times a rape or sexual assault has occurred or the number of victims of rape and sexual assault);
- were collected recently (i.e., 2010 or after);
- were collected periodically (i.e., at least once every 2 years);
- were reported publicly;<sup>1</sup> and
- were not focused primarily on minors.

To identify efforts that met these criteria, we reviewed past GAO reports and a Federal Bureau of Investigation (FBI) list of federal agencies that may collect crime data.<sup>2</sup> We asked officials at those agencies if they had

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<sup>1</sup>Federal law enforcement agencies have information on sexual violence (e.g., investigations and case processing) in their case management systems, but we chose not to include those data in our scope. We chose to focus on data that are available to the public, because those data are used to influence policy decisions and the public's understanding of these crimes.

<sup>2</sup>FBI compiled the list of agencies as part of a Director's Initiative to identify agencies that could report to the Uniform Crime Reporting Program's Summary Reporting System.

any data collection efforts that met our criteria.<sup>3</sup> Additionally, we asked experts in the field (for example, academic researchers) and officials from victim advocacy groups and other special interest groups about any additional federal data collection efforts they were aware of that met our selection criteria.<sup>4</sup> We initially identified experts and entities that use federal data on sexual violence by conducting background research. Then, we interviewed experts and officials from the entities identified in our research, and from these contacts we identified additional entities that use federal data on sexual violence. In all, we spoke with officials from three victim advocacy groups, five other special interest groups (for example, law enforcement associations and campus safety groups), three other federal agencies, and two academic experts.<sup>5</sup> Based on this work, we identified 10 data collection efforts that met our criteria across four federal agencies, including the Departments of Defense, Education, Health and Human Services, and Justice.

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<sup>3</sup>Several federal agencies have data collections that include information on sexual violence but are not included in this study because they did not meet our criteria. For example, the Department of Health and Human Services' (HHS) Child Maltreatment Reports contain child abuse and neglect data collected via the National Child Abuse and Neglect Data System (which is administered by HHS's Administration for Children and Families' Children's Bureau); however, because these reports focus on children they did not meet our criteria. Another example of a study not included in our review is the "Campus Sexual Assault Study" [C. P. Krebs, C. H. Lindquist, T. D. Warner, B. S. Fisher, S. L. Martin, *The Campus Sexual Assault Study: Final Report*, 2007, National Institute of Justice (Washington, D.C.: December 2007)] which was prepared with Department of Justice funds in 2007. This was a one-time study conducted prior to 2010 and thus did not meet our criteria of being collected periodically and recently. It is possible that agencies have other data collection efforts that met our criteria and were not included in the scope of this review.

<sup>4</sup>For the purposes of this report, we use the term "data collection effort" to identify a compilation of information on sexual violence that meet our selection criteria.

<sup>5</sup>The victim advocacy groups we spoke with included the National Alliance to End Sexual Violence, the National Center for Victims of Crime, and the Rape, Abuse & Incest National Network. The other special interest groups we spoke with included the International Association of Chiefs of Police, the International Association of Campus Law Enforcement Administrators, the National Center for Campus Public Safety, the National Sexual Violence Resource Center, and the Police Foundation. The other federal agencies we spoke with included the Department of Justice's National Institute of Justice, the Office for Victims of Crime, and the Office on Violence Against Women. The two academic experts we spoke with were Professor James Lynch and Professor Janet Lauritsen.

To identify and describe differences across the data collection efforts, we obtained information on the purpose, scope, and methodology of each data collection effort. We obtained this information through a review of documents, such as user manuals and program descriptions. We also conducted interviews with senior agency officials, senior officials at entities that use federal data on sexual violence, and academic experts. Using documentary and testimonial information, we compared the similarities and differences of the data collection efforts with respect to target population; context in which data were collected; source of the data; unit of measurement; time frames (for example, when data are collected and how often data are reported by the federal agency); and terminology and measurements of sexual violence. To compare similarities and differences of terminology of sexual violence, we used agency documents to identify for each data collection effort the terms used to describe sexual violence. To identify for each data collection effort what acts of sexual violence and contextual factors are included in measurements of sexual violence, we reviewed agency documentation and interviewed agency officials.

To identify how the differences affect understanding of sexual violence, we obtained and reviewed federal reports and interviewed and reviewed relevant documentation from agency officials, experts, and officials from entities that use federal data on sexual violence. We asked these officials and experts whether, in their experience, any of the differences made it difficult for people who may use the data (e.g., Congress, policy makers, academics, the general public) to understand the extent to which sexual violence occurs in the United States. We also asked them to identify any difficulties or challenges, of which they were aware, that have resulted from the differences across federal efforts to collect data on sexual violence. Because these officials and experts were not selected as a representative sample, the information obtained from these interviews applies solely to this set of officials and experts, and cannot be generalized to others.

We also reviewed articles, conference papers, and government and nongovernment reports that discuss differences across federal sexual violence data collection efforts. To identify articles, a research librarian conducted a search of several bibliographic databases, such as ProQuest, Embase, and Scopus, using terms such as “rape data” or “sexual assault statistics,” among others. The search looked for peer-reviewed articles, books, and conference papers published during or after 2005. This search yielded 36 publications, 16 of which were relevant to our research objective on the impact of the differences across the data

collection efforts and 20 which were not. In reviewing the identified publications, we found and reviewed an additional 9 articles and reports that were pertinent. See app. III for a list of articles and reports that we reviewed and determined to be relevant for our analysis. The librarian-assisted literature search was conducted in August 2015, and we reviewed literature from that search and identified additional sources from August 2015 to May 2016.

To describe the extent to which federal agencies are addressing any challenges posed by differences across the data collection efforts, we interviewed senior agency officials and academic experts and obtained relevant documentation. We asked agency officials about what, if any, steps their agency has taken, or planned to take, to address some of the difficulties or challenges that may have resulted from the differences across the data collection efforts. We also asked agency officials as well as officials from entities that use federal data on sexual violence if they were aware of any additional steps being taken by other federal agencies, state agencies, or other national entities, etc., to address some of the difficulties or challenges that may have resulted from the differences across the data collection efforts.

We conducted this performance audit from March 2015 to July 2016, in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

# Appendix II: Descriptive Tables of Federal Data Collection Efforts

Tables 5 through 10 provide information on the acts of sexual violence and the contextual factors included in the measurements of sexual violence by federal data collection efforts identified by GAO.

**Table 5: Terminology Federal Data Collection Efforts Use to Characterize Specific Acts of Sexual Violence Where a Victim Was Penetrated**

	Acts of Sexual Violence	DSAID <sup>a</sup>	WGRA <sup>b</sup>	Clery Act data	NEISS-AIP	NISVS	NCVS	NIS	SSV	UCR-SRS	UCR-NIBRS
<b>Victim was penetrated</b>	<b>Vaginally</b>	Rape, Sexual Assault	Penetrative Sexual Assault	Rape	Assault-Sexual <sup>c</sup>	Rape, Sexual Coercion	Rape	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>c</sup>	Rape	Rape, Sexual Assault With An Object
	<b>Anally</b>	Rape, Sexual Assault, Forcible Sodomy	Penetrative Sexual Assault	Rape	Assault-Sexual <sup>c</sup>	Rape, Sexual Coercion	Rape	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>c</sup>	Rape	Sodomy, Sexual Assault With An Object
	<b>Orally</b>	Rape, Sexual Assault, Forcible Sodomy	Penetrative Sexual Assault	Rape	Assault-Sexual <sup>c</sup>	Rape, Sexual Coercion	Rape	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>c</sup>	Rape	Sodomy
	<b>With a body part</b>	Rape, Sexual Assault	Penetrative Sexual Assault	Rape	Assault-Sexual <sup>c</sup>	Rape	Rape <sup>c</sup>	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>c</sup>	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>c</sup>	Rape	Rape
	<b>With an object</b>	Rape, Sexual Assault	Penetrative Sexual Assault	Rape	Assault-Sexual <sup>d</sup>	Rape	Rape	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>d</sup>	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>c</sup>	Rape	Sexual Assault With An Object

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense (DOD)

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services

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NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of testimonial evidence and agency documentation. | GAO-16-546

<sup>a</sup>DSAID uses the following key terms to categorize sexual violence incidents that occurred prior to 2012 because these were the terms that were included in older versions of the Uniform Code of Military Justice (UCMJ): “aggravated sexual assault,” “indecent assault,” and “wrongful sexual contact.” However, for the purposes of this review, we only included DSAID terms that are derived from the current version of the UCMJ and are used for incidents occurring on or after June 28, 2012: “abusive sexual contact,” “aggravated sexual contact,” “attempts to commit offenses,” “forcible sodomy,” “rape,” and “sexual assault.” According to a DOD official, DOD’s Military Criminal Investigation Organizations (MCIOs) confirm that the acts of sexual violence that are described in this table are included in the measurements of these terms per their inclusion in the UCMJ definitions. MCIOs review reports for legal sufficiency and confirm and document the factors in each case.

<sup>b</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD’s prior measure of “unwanted sexual contact” to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the UCMJ. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the “WGRA” and use the measures of sexual violence developed by RAND—“penetrative sexual assault,” “nonpenetrative sexual assault,” and “attempted penetrative sexual assault”—for our analysis.

<sup>c</sup>Agency officials reported that the measurement of this sexual violence term includes this specific act of sexual violence, though reference to the act of sexual violence may be implicit rather than explicit.

<sup>d</sup>Agency officials reported that the measurement of this sexual violence term includes this specific act of sexual violence, though agency documentation neither implicitly nor explicitly supports this claim.

**Table 6: Terminology Federal Data Collection Efforts Use to Characterize Specific Acts of Sexual Violence Where a Victim Was Made to Penetrate**

	Acts of Sexual Violence	DSAID <sup>a</sup>	WGRA <sup>b</sup>	Clery Act data	NEISS-AIP	NISVS	NCVS	NIS	SSV	UCR-SRS	UCR-NIBRS
<b>Victim was made to penetrate</b>	<b>Vaginally</b>	—	—	—	Assault-Sexual <sup>c</sup>	Being Made To Penetrate Someone Else	—	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Rape <sup>c</sup>	Rape <sup>c</sup> , Sexual Assault With An Object <sup>c</sup>
	<b>Anally</b>	Forcible Sodomy	—	—	Assault-Sexual <sup>c</sup>	Being Made To Penetrate Someone Else	—	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Rape <sup>c</sup>	Sodomy <sup>c</sup> , Sexual Assault With An Object <sup>c</sup>
	<b>Orally</b>	Forcible Sodomy	—	—	Assault-Sexual <sup>c</sup>	Being Made To Penetrate Someone Else	—	Nonconsensual Sexual Acts, Staff Sexual Misconduct <sup>c</sup>	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Rape <sup>c</sup>	Sodomy <sup>c</sup>
	<b>With a body part</b>	—	—	—	Assault-Sexual <sup>c</sup>	—	—	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Rape <sup>c</sup>	Rape <sup>c</sup>
	<b>With an object</b>	—	—	—	Assault-Sexual <sup>d</sup>	—	—	Nonconsensual Sexual Acts <sup>d</sup> , Staff Sexual Misconduct <sup>d</sup>	Nonconsensual Sexual Acts <sup>c</sup> , Staff Sexual Misconduct <sup>c</sup>	Rape <sup>c</sup>	Sexual Assault With An Object <sup>c</sup>

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense (DOD)

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services

NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services



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NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of testimonial evidence and agency documentation. | GAO-16-546

<sup>a</sup>DSOID uses the following key terms to categorize sexual violence incidents that occurred prior to 2012 because these were the terms that were included in older versions of the Uniform Code of Military Justice (UCMJ): “aggravated sexual assault,” “indecent assault,” and “wrongful sexual contact.” However, for the purposes of this review, we only included DSOID terms that are derived from the current version of the UCMJ and are used for incidents occurring on or after June 28, 2012: “abusive sexual contact,” “aggravated sexual contact,” “attempts to commit offenses,” “forcible sodomy,” “rape,” and “sexual assault.” According to a DOD official, DOD’s Military Criminal Investigation Organizations (MCIOs) confirm that the acts of sexual violence that are described in this table are included in the measurements of these terms per their inclusion in the UCMJ definitions. MCIOs review reports for legal sufficiency and confirm and document the factors in each case.

<sup>b</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD’s prior measure of “unwanted sexual contact” to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the UCMJ. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the “WGRA” and use the measures of sexual violence developed by RAND—“penetrative sexual assault,” “nonpenetrative sexual assault,” and “attempted penetrative sexual assault”—for our analysis.

<sup>c</sup>Agency officials reported that the measurement of this sexual violence term includes this specific act of sexual violence, though reference to the act of sexual violence may be implicit rather than explicit.

<sup>d</sup>Agency officials reported that the measurement of this sexual violence term includes this specific act of sexual violence, though agency documentation neither implicitly nor explicitly supports this claim.

**Table 7: Terminology Federal Data Collection Efforts Use to Characterize Specific Acts of Nonpenetrative or Noncontact Sexual Violence**

	Acts of Sexual Violence	DSAID <sup>a</sup>	WGRA <sup>b</sup>	Clery Act data	NEISS-AIP	NISVS	NCVS	NIS	SSV	UCR-SRS	UCR-NIBRS
<b>Nonpenetrative contact</b>	<b>Touching/ Fondling</b>	Aggravated Sexual Contact, Abusive Sexual Contact	Nonpenetrative Sexual Assault	Fondling	Assault-Sexual	Unwanted Sexual Contact	Sexual Assault	Abusive Sexual Contacts Only	Abusive Sexual Contacts, Staff Sexual Misconduct	Sex Offenses	Fondling
	<b>Kissing</b>	Aggravated Sexual Contact <sup>c</sup> , Abusive Sexual Contact <sup>c</sup>	Nonpenetrative Sexual Assault <sup>c</sup>	—	—	Unwanted Sexual Contact	Sexual Assault <sup>c</sup>	—	—	Sex Offenses <sup>c</sup>	Fondling <sup>c</sup>
<b>Noncompleted or noncontact sexual acts</b>	<b>Attempted Acts</b>	Attempts To Commit Offenses	Attempted Penetrative Sexual Assault	Rape <sup>d</sup>	Assault-Sexual	Rape, Being Made to Penetrate Someone Else	Rape, Sexual Assault	Abusive Sexual Contacts Only <sup>d</sup>	Nonconsensual Sexual Acts <sup>d</sup> , Staff Sexual Misconduct	Rape, Sex Offenses	Rape, Sodomy, Sexual Assault With An Object, Fondling
	<b>Indecent Exposure, Invasion of Privacy, Voyeurism</b>	—	—	—	—	Noncontact Unwanted Sexual Experiences	—	—	Staff Sexual Misconduct	Sex Offenses	—
	<b>Non-Contact Sexual Violence</b>	—	—	—	—	Noncontact Unwanted Sexual Experiences	—	—	Staff Sexual Harassment	—	—

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense (DOD)

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

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Appendix II: Descriptive Tables of Federal Data Collection Efforts

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Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services

NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of testimonial evidence and agency documentation. | GAO-16-546

<sup>a</sup>DSOID uses the following key terms to categorize sexual violence incidents that occurred prior to 2012 because these were the terms that were included in older versions of the Uniform Code of Military Justice (UCMJ): “aggravated sexual assault,” “indecent assault,” and “wrongful sexual contact.” However, for the purposes of this review, we only included DSOID terms that are derived from the current version of the UCMJ and are used for incidents occurring on or after June 28, 2012: “abusive sexual contact,” “aggravated sexual contact,” “attempts to commit offenses,” “forcible sodomy,” “rape,” and “sexual assault.” According to a DOD official, DOD’s Military Criminal Investigation Organizations (MCIOs) confirm that the acts of sexual violence that are described in this table are included in the measurements of these terms per their inclusion in the UCMJ definitions. MCIOs review reports for legal sufficiency and confirm and document the factors in each case.

<sup>b</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD’s prior measure of “unwanted sexual contact” to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the UCMJ. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the “WGRA” and use the measures of sexual violence developed by RAND—“penetrative sexual assault,” “nonpenetrative sexual assault,” and “attempted penetrative sexual assault”—for our analysis.

<sup>c</sup>Agency officials reported that the measurement of this sexual violence term includes this specific act of sexual violence, though reference to the act of sexual violence may be implicit rather than explicit.

<sup>d</sup>Agency officials reported that the measurement of this sexual violence term includes this specific act of sexual violence, though agency documentation neither implicitly nor explicitly supports this claim.

**Table 8: Terminology Federal Data Collection Efforts Use to Characterize Sexual Violence When Contextual Factors of Consent Are Involved**

	Contextual Factors	DSAID <sup>a</sup>	WGRA <sup>b</sup>	Clery Act data	NEISS-AIP	NISVS	NCVS	NIS	SSV	UCR-SRS	UCR-NIBRS
<b>Consent</b>	<b>Lack of Consent/Against Victim's Will</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact, Forcible Sodomy	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	Rape, Fondling	Assault-Sexual	Rape, Sexual Coercion, Being Made to Penetrate Someone Else, Unwanted Sexual Contact, Non-contact Unwanted Sexual Experiences	Rape, Sexual Assault	Nonconsensual Sexual Acts, Abusive Sexual Contacts Only, Unwilling Activity, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Abusive Sexual Contacts Only, Staff Sexual Misconduct	Rape	Rape, Sodomy, Sexual Assault With An Object, Fondling
	<b>Victim Unable to Consent (or Refuse) (including asleep/unconscious or illness/disability)</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	Rape <sup>d</sup> , Fondling	Assault-Sexual	Rape, Being Made to Penetrate Someone Else	Rape <sup>d</sup> , Sexual Assault <sup>d</sup>	—	Nonconsensual Sexual Acts, Abusive Sexual Contacts	Rape	Rape, Sodomy, Sexual Assault With An Object, Fondling
	<b>Victim Alcohol/Drug Facilitated</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	Rape <sup>d</sup> , Fondling <sup>c</sup>	Assault-Sexual	Rape, Being Made to Penetrate Someone Else	Rape <sup>d</sup> , Sexual Assault <sup>d</sup>	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Abusive Sexual Contacts	Rape	Rape <sup>c</sup> , Sodomy <sup>c</sup> , Sexual Assault With An Object <sup>c</sup> , Fondling <sup>c</sup>
	<b>Willing Sexual Activity</b>	—	—	—	—	—	—	Willing Activity	Staff Sexual Misconduct	—	—

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense (DOD)

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## Appendix II: Descriptive Tables of Federal Data Collection Efforts

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WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services

NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of testimonial evidence and agency documentation. | GAO-16-546

<sup>a</sup>DSOID uses the following key terms to categorize sexual violence incidents that occurred prior to 2012 because these were the terms that were included in older versions of the Uniform Code of Military Justice (UCMJ): “aggravated sexual assault,” “indecent assault,” and “wrongful sexual contact.” However, for the purposes of this review, we only included DSOID terms that are derived from the current version of the UCMJ and are used for incidents occurring on or after June 28, 2012: “abusive sexual contact,” “aggravated sexual contact,” “attempts to commit offenses,” “forcible sodomy,” “rape,” and “sexual assault.” According to a DOD official, DOD’s Military Criminal Investigation Organizations (MCIOs) confirm that the contextual factors that are described in this table are included in the measurements of these terms per their inclusion in the UCMJ definitions. MCIOs review reports for legal sufficiency and confirm and document the factors in each case.

<sup>b</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD’s prior measure of “unwanted sexual contact” to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the UCMJ. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the “WGRA” and use the measures of sexual violence developed by RAND—“penetrative sexual assault,” “nonpenetrative sexual assault,” and “attempted penetrative sexual assault”—for our analysis.

<sup>c</sup>Agency officials reported that the measurement of this sexual violence term includes this specific contextual factor, though reference to the contextual factor may be implicit rather than explicit.

<sup>d</sup>Agency officials reported that the measurement of this sexual violence term includes this specific contextual factor, though agency documentation neither implicitly nor explicitly supports this claim.

**Table 9: Terminology Federal Data Collection Efforts Use to Characterize Sexual Violence When Contextual Factors of Force Are Involved**

Contextual Factors	DSAID <sup>a</sup>	WGRA <sup>b</sup>	Clery Act data	NEISS-AIP	NISVS	NCVS	NIS	SSV	UCR-SRS	UCR-NIBRS
<b>Force Physical Force</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact, Forcible Sodomy	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	—	Assault-Sexual	Rape, Being Made to Penetrate Someone Else	Rape, Sexual Assault	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Abusive Sexual Contacts, Staff Sexual Misconduct	—	Rape <sup>c</sup> , Sodomy <sup>c</sup> , Sexual Assault With An Object <sup>c</sup> , Fondling <sup>c</sup>
<b>Threat of Physical Force</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	—	Assault-Sexual	Rape, Being Made to Penetrate Someone Else	Rape, Sexual Assault	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Abusive Sexual Contacts	—	—
<b>Coercion</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	—	Assault-Sexual	Sexual Coercion	Rape	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Abusive Sexual Contacts	—	—

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

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NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services

NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

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SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of testimonial evidence and agency documentation. | GAO-16-546

<sup>a</sup>DSAIID uses the following key terms to categorize sexual violence incidents that occurred prior to 2012 because these were the terms that were included in older versions of the Uniform Code of Military Justice (UCMJ): “aggravated sexual assault,” “indecent assault,” and “wrongful sexual contact.” However, for the purposes of this review, we only included DSAIID terms that are derived from the current version of the UCMJ and are used for incidents occurring on or after June 28, 2012: “abusive sexual contact,” “aggravated sexual contact,” “attempts to commit offenses,” “forcible sodomy,” “rape,” and “sexual assault.” According to a DOD official, DOD’s Military Criminal Investigation Organizations (MCIOs) confirm that the contextual factors that are described in this table are included in the measurements of these terms per their inclusion in the UCMJ definitions. MCIOs review reports for legal sufficiency and confirm and document the factors in each case.

<sup>b</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD’s prior measure of “unwanted sexual contact” to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the UCMJ. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the “WGRA” and use the measures of sexual violence developed by RAND—“penetrative sexual assault,” “nonpenetrative sexual assault,” and “attempted penetrative sexual assault”—for our analysis.

<sup>c</sup>Agency officials reported that the measurement of this sexual violence term includes this specific contextual factor, though reference to the contextual factor may be implicit rather than explicit.

**Table 10: Terminology Federal Data Collection Efforts Use to Characterize Sexual Violence When Other Contextual Factors Are Involved**

	Contextual Factors	DSAID <sup>a</sup>	WGRA <sup>b</sup>	Clergy Act data	NEISS-AIP	NISVS	NCVS	NIS	SSV	UCR-SRS	UCR-NIBRS
<b>Other contextual factors</b>	<b>Influence/ Authority</b>	<sup>c</sup>	—	—	Assault-Sexual	Sexual Coercion	—	Nonconsensual Sexual Acts, Abusive Sexual Contact Only, Staff Sexual Misconduct	Staff Sexual Misconduct, Staff Sexual Harassment	—	—
	<b>Fraudulent Representation/ Professional Purpose</b>	Sexual Assault, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	—	—	—	—	—	—	—	Rape, Sodomy, Sexual Assault With An Object, Fondling
	<b>Fear</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	—	—	—	—	—	—	—	—
	<b>Abusive/ Humiliating/ Exploitative</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	—	Assault-Sexual	Sexual Coercion	—	—	Abusive Sexual Contacts, Staff Sexual Misconduct	—	—
	<b>For Sexual Gratification</b>	Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact	Penetrative Sexual Assault, Nonpenetrative Sexual Assault	Fondling	—	—	—	—	Staff Sexual Misconduct	—	Fondling



**Appendix II: Descriptive Tables of Federal Data Collection Efforts**

<b>Contextual Factors</b>	<b>DSAID<sup>a</sup></b>	<b>WGRA<sup>b</sup></b>	<b>Clery Act data</b>	<b>NEISS-AIP</b>	<b>NISVS</b>	<b>NCVS</b>	<b>NIS</b>	<b>SSV</b>	<b>UCR-SRS</b>	<b>UCR-NIBRS</b>
<b>Non-Threat Pressure</b>	—	—	—	Assault-Sexual	Sexual Coercion	—	Nonconsensual Sexual Acts, Staff Sexual Misconduct	Nonconsensual Sexual Acts, Abusive Sexual Contacts	—	—

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense (DOD)

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NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of testimonial evidence and agency documentation. | GAO-16-546

<sup>a</sup>DSAID uses the following key terms to categorize sexual violence incidents that occurred prior to 2012 because these were the terms that were included in older versions of the Uniform Code of Military Justice (UCMJ): “aggravated sexual assault,” “indecent assault,” and “wrongful sexual contact.” However, for the purposes of this review, we only included DSAID terms that are derived from the current version of the UCMJ and are used for incidents occurring on or after June 28, 2012: “abusive sexual contact,” “aggravated sexual contact,” “attempts to commit offenses,” “forcible sodomy,” “rape,” and “sexual assault.” According to a DOD official, DOD’s Military Criminal Investigation Organizations (MCIOs) confirm that the contextual factors that are described in this table are included in the measurements of these terms per their inclusion in the UCMJ definitions. MCIOs review reports for legal sufficiency and confirm and document the factors in each case.

<sup>b</sup>In 2014 DOD contracted with RAND to conduct an independent assessment of the WGRA and, if necessary, to update the WGRA methodology and to administer the 2014 WGRA. That year RAND created and administered two versions of the survey. One version of the survey employed DOD’s prior measure of “unwanted sexual contact” to estimate the past-year prevalence of sexual assault in DOD. The other survey version—called the RAND Military Workplace Study (RMWS)—employed a new measure of sexual violence that was designed to align with the terminology used and corresponding categories of crimes specified in Articles 80 and 120 of the UCMJ. In its Annual Report on Sexual Assault in the Military for Fiscal Year 2015, DOD stated that the next WGRA will utilize the same methodology as developed by RAND. For the purposes of this report, we refer broadly to this data collection effort as the “WGRA” and use the measures of sexual violence developed by RAND—“penetrative sexual assault,” “nonpenetrative sexual assault,” and “attempted penetrative sexual assault”—for our analysis.

<sup>c</sup>According to DOD officials, “influence/authority” is not currently included in DSAID’s measurements of sexual violence, but DOD has a legislative proposal to include this contextual factor in the Uniform Code of Military Justice’s definitions of sexual violence. If that proposal is passed, the contextual factor of “influence/authority” would be implied in the measurement of sexual violence in DSAID.

Tables 11 through 13 provide information on the contexts, data sources, and time frames used by federal data collection efforts identified by GAO.

**Table 11: Criminal Justice and Public Health Contexts for Federal Data Collection Efforts**

Data Collection Effort	Context	
	Criminal Justice	Public Health
DSAID	Yes	No
WGRA	Yes	Yes
Clery Act data	Yes	No
NEISS-AIP <sup>a</sup>	No	Yes
NISVS	No	Yes
NCVS	Yes	No
NIS	Yes	No
SSV	Yes	No
UCR-SRS	Yes	No
UCR-NIBRS	Yes	No

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

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NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of agency documentation. | GAO-16-546

<sup>a</sup>The Consumer Product Safety Commission collects NEISS-AIP data under an interagency agreement with HHS's Centers for Disease Control and Prevention .

**Table 12: Data Sources for Federal Data Collection Efforts**

Data Collection Effort	How Federal Agency Receives Data	
	Information Reported to Authorities	Information Obtained from Victim Surveys
DSAID	Yes	No
WGRA	No	Yes
Clery Act data	Yes	No
NEISS-AIP <sup>a</sup>	Yes	No
NISVS	No	Yes
NCVS	No	Yes
NIS	No	Yes
SSV	Yes	No
UCR-SRS	Yes	No
UCR-NIBRS	Yes	No

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

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UCR-NIBRS: Uniform Crime Reporting Program-National-Incident Based Reporting System, Department of Justice

Source: GAO analysis of agency documentation. | GAO-16-546

<sup>a</sup>The Consumer Product Safety Commission collects NEISS-AIP data under an interagency agreement with HHS's Centers for Disease Control and Prevention .

**Appendix II: Descriptive Tables of Federal Data Collection Efforts**

**Table 13: Time Frames Used in Federal Data Collection Efforts Concerning Sexual Violence**

Data Collection Effort	Period of time for which sexual violence took place	How often data are collected by data collector	How often data are reported by federal agency	Period of time covered in the report
DSAID	point in time <sup>a</sup>	ongoing	annually	fiscal year <sup>b</sup>
WGRA	previous 12 months, since joining the military, prior to joining the military, lifetime	biennially	biennially	covers previous year
Clery Act data	point in time	annual submissions by institutions of higher education to Education	annually	Includes data for 3 most recent calendar years (e.g., 2011 includes FY 08,09, and 10)
NEISS-AIP	point in time	daily	annually	covers the previous calendar year
NISVS	previous 12 months & lifetime	annually (except 2014) <sup>c</sup>	periodically (last report was in 2014, with 2011 data)	covers the previous calendar year
NCVS	previous 6 months	every 6 months from participating households	annually	covers victimizations reported during the same calendar year
NIS	previous 12 months, or admission to current facility	periodically	periodically	periodically
SSV	annually	annually	annually	covers the previous calendar year
UCR-SRS	point in time	ongoing by police; monthly submissions by authorities to FBI	annually	covers the previous calendar year
UCR-NIBRS	point in time	ongoing by police; monthly submissions by authorities to FBI	annually	covers the previous calendar year

Table legend:

DSAID: Defense Sexual Assault Incident Database, Department of Defense (DOD)

WGRA: Workplace and Gender Relations Survey of Active Duty Members, Department of Defense

Clery Act data: Data reported to the Department of Education under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NEISS-AIP: National Electronic Injury Surveillance System-All Injury Program, Department of Health and Human Services (HHS)

NISVS: National Intimate Partner and Sexual Violence Survey, Department of Health and Human Services

NCVS: National Crime Victimization Survey, Department of Justice

NIS: National Inmate Survey, Department of Justice

SSV: Survey of Sexual Victimization, Department of Justice

UCR-SRS: Uniform Crime Reporting Program-Summary Reporting System, Department of Justice

UCR-NIBRS: Uniform Crime Reporting Program-National Incident-Based Reporting System, Department of Justice

Source: GAO analysis of agency documentation. | GAO-16-546

<sup>a</sup>DSAID contains reports of sexual violence that occurred prior to the victim's military service.

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**Appendix II: Descriptive Tables of Federal Data  
Collection Efforts**

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<sup>b</sup>Data from DSAID is included in DOD's annual report on sexual assault in the military.

<sup>c</sup>According to HHS's Centers for Disease Control and Prevention officials, they plan to collect NISVS data biennially starting in 2016.

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# Appendix III: List of Relevant Articles and Reports

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National Academy of Sciences, Committee on National Statistics, *Estimating the Incidence of Rape and Sexual Assault*. Washington, DC, US: National Academies Press, Washington, DC, 2014.

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Gardella, J. H., C. A. Nichols-Hadeed, J. M. Mastrocinque, J. T. Stone, C. A. Coates, C. J. Sly, and C. Cerulli. "Beyond Clery Act Statistics: A Closer Look at College Victimization Based on Self-Report Data." *Journal of Interpersonal Violence*, vol. 30, no. 4 (2015).

Lynch, J. P. "Clarifying Divergent Estimates of Rape from Two National Surveys." *The Public Opinion Quarterly*, vol. 60, no. 3 (1996) 410-430.

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# Appendix IV: Comments from the Department of Education



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF POSTSECONDARY EDUCATION

THE ASSISTANT SECRETARY

June 29, 2016

Ms. Gretta L. Goodwin  
Acting Director, Homeland Security and Justice Issues  
United States Government Accountability Office  
Washington, DC 20548

Dear Ms. Goodwin:

Thank you for providing the Department of Education with a draft copy of the U.S. Government Accountability Office's (GAO's) report entitled, "Sexual Violence Data: Actions Needed to Improve Clarity and Address Differences Across Federal Data Collection Efforts" (GAO-16-546).

This study focuses on the federal efforts under way to collect data on sexual violence, and how, if at all, these efforts differ. Additionally, this report examines the differences across the data collection efforts and how they affect the understanding of sexual violence, and the extent to which federal agencies are addressing any challenges posed by the differences.

**Recommendation:** *To enhance the clarity and transparency of sexual violence data that is reported to the public, we recommend that the Secretary of Education direct the Assistant Secretary for the Office of Postsecondary Education, the Secretary of Health and Human Services direct the Director of CDC, and the Attorney General direct the Director of BJS to make information on the acts of sexual violence and contextual factors that are included in their measurements of sexual violence publicly available. This effort could entail revising their definitions of key terms used to describe sexual violence so that the definitions match the measurements of sexual violence.*

**Response:**

We agree with the recommendation that the Department of Education (the Department) make information on the acts of sexual violence and contextual measures that are included in our measurements publicly available. The Department's recent publication, *The Handbook for Campus Safety and Security (Handbook)*, includes the definitions of dating violence, domestic violence, and stalking, and provides examples of each type of offense (see <http://www2.ed.gov/admins/lead/safety/campus.html>).

The *Handbook* also includes definitions of the four types of sexual assault that are included in the Clery Act statistics: rape, fondling, incest, and statutory rape. The *Handbook* explains that institutions must count one offense per victim in each incident, and the *Handbook* includes 10 examples of sexual assault and explanations for how institutions should count each scenario in their crime statistics. The *Handbook* also reminds institutions that they must include attempted sexual assaults in their statistics.

400 MARYLAND AVENUE, S.W., WASHINGTON, DC 20202  
[www.ed.gov](http://www.ed.gov)

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

Page 2 – Gretta L. Goodwin

The Department is also improving the transparency of information about acts of sexual violence through our redesign of the publically available online Campus Safety and Security “Data Analysis Cutting Tool” located at <http://ope.ed.gov/campussafety/#!/>. This tool, which is intended to provide rapid customized reports for public inquiries relating to campus crime and fire data, draws upon data submitted annually by all postsecondary institutions that receive Title IV funding. The site includes an online glossary to help visitors understand key terminology and definitions relating to the measurement of Clery data.

The Department’s definitions of the various crimes are in the regulations and are based on statutory and other requirements. Any changes in those definitions would require statutory and regulatory changes. For example, Section 304 of the Violence Against Women Act of 2013 amended sections 485(f)(6)(A) and 485(f)(7) of the Higher Education Act of 1965, as amended, to specify that the definitions of dating violence, domestic violence, and stalking have the meaning given in section 40002(a) of the Violence Against Women Act of 1994. Any change to these definitions would have to be enacted by Congress, and could not otherwise be changed by the Department.

Similarly, the definitions of the various sex offenses included in the Department’s regulations conform with the definitions set out in the Federal Bureau of Investigation’s Uniform Crime Reporting program. Because the Clery Act is meant to capture the frequency of criminal acts on a given campus and the police departments on those campuses are familiar with those FBI definitions, using the FBI’s crime definitions in the Department’s program contributes to more consistent and accurate reporting of statistics on these crimes.

The Department also requests that GAO carefully consider the reasons for the long-standing differences in the definitions used by various agencies. While it is true that there is significant overlap, some of the differences are intentional and relate to the specific reasons why these data are collected in the first place (e.g., for purposes of crime-trend analysis vs. public health research). In the Department’s view, the public’s ability to use this information is not significantly compromised by the relatively subtle differences in the existing definitions. Because of this, the Department asks that the effort to “harmonize” definitions not be pursued solely to achieve symmetry for its own sake, but that the focus remain on the needs of each individual program.

Page 3 – Gretta L. Goodwin

I appreciate your examination of this important issue. We have provided to your staff a technical comment on the report, under separate cover. The Department of Education is committed to the continued development of clarity of Federal statistics on sexual violence.

Sincerely,



Lynn B. Mahaffie  
Deputy Assistant Secretary for  
Policy, Planning and Innovation  
Delegated the Duties of  
Assistant Secretary for Postsecondary Education

# Appendix V: Comments from the Department of Health and Human Services



DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF THE SECRETARY

Assistant Secretary for Legislation  
Washington, DC 20201

JUL 11 2016

Gretta Goodwin  
Acting Director, Homeland Security and Justice  
U.S. Government Accountability Office  
441 G Street NW  
Washington, DC 20548

Dear Ms. Goodwin:

Attached are comments on the U.S. Government Accountability Office's (GAO) report entitled, "*Sexual Violence Data: Actions Needed to Improve Clarity and Address Differences Across Federal Data Collection Efforts*" (GAO-16-546).

The Department appreciates the opportunity to review this report prior to publication.

Sincerely,

A handwritten signature in cursive script that reads "Jim R. Esquea".

Jim R. Esquea  
Assistant Secretary for Legislation

Attachment

**GENERAL COMMENTS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) ON THE GOVERNMENT ACCOUNTABILITY OFFICE'S DRAFT REPORT ENTITLED: SEXUAL VIOLENCE DATA: ACTIONS NEEDED TO IMPROVE CLARITY AND ADDRESS DIFFERENCES ACROSS FEDERAL DATA COLLECTION EFFORTS (GAO-16-546)**

The U.S. Department of Health and Human Services (HHS) appreciates the opportunity from the Government Accountability Office (GAO) to review and comment on this draft report.

**Recommendation**

To enhance the clarity and transparency of sexual violence data that is reported to the public, we recommend that the Secretary of Education direct the Assistant Secretary for the Office of the Postsecondary Education, the Secretary of HHS direct the Director of the Centers for Disease Control and Prevention, and the Attorney General Director of the Bureau of Justice Statistics to make information on the acts of sexual violence and contextual factors that are included in their measurements of sexual violence publicly available. This effort could entail revising their definitions of key terms used to describe sexual violence so that the definitions match the measurements of sexual violence.

**HHS Response**

HHS concurs with this recommendation. We appreciate the GAO team's thoughtful investigation and the opportunity to review and comment on the report. We are committed to providing the public with accurate data on the prevalence and characteristics of sexual violence, who is most likely to be victimized, and the health consequences to help guide prevention efforts. We are also committed to continuing to improve the quality of the data and the clarity of the descriptions and definitions of sexual violence. As stated in the report, the division is already working with federal partners to improve survey methods and to share lessons learned. We welcome the opportunity to work with additional federal partners to improve the measurement of sexual violence and contextual factors.

# Appendix VI: Comments from the Department of Justice



U.S. Department of Justice

Office of Justice Programs

Washington, D.C. 20531

JUN 30 2016

Ms. Gretta L. Goodwin  
Acting Director  
Homeland Security and Justice Issues  
Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Ms. Goodwin:

Thank you for the opportunity to review and comment on the draft Government Accountability Office (GAO) report entitled, "Sexual Violence Data: Actions Needed to Improve Clarity and Address Differences Across Federal Data Collection Efforts" (GAO-16-546). The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP) appreciates the GAO's work in planning and conducting this review and issuing the draft report.

As noted in the GAO draft report, OJP's Bureau of Justice Statistics (BJS) collects data on rape and sexual assault crimes in several of its data collection efforts, including the Survey of Sexual Violence (SSV), the National Inmate Survey (NIS), and the National Crime Victimization Survey (NCVS). However, BJS also collects this data in the National Survey of Youth in Custody (NSYC), which is not specifically mentioned in the draft GAO report.

The draft GAO report contains two Recommendations for Executive Action, one of which, in part, is directed to OJP's Director of BJS. For ease of review, the recommendation is restated in bold text below and is followed by OJP's response.

**To enhance the clarity and transparency of sexual violence data that is reported to the public, we recommend that the Secretary of Education direct the Assistant Secretary for the Office of Postsecondary Education, the Secretary of Health and Human Services direct the Director of CDC, and the Attorney General direct the Director of BJS to make information on the acts of sexual violence and contextual factors that are included in their measurements of sexual violence publicly available. This effort could entail revising their definitions of key terms used to describe sexual violence so that the definitions match the measurements of sexual violence.**

The Office of Justice Programs agrees with the Recommendation for Executive Action, and appreciates the feedback provided by the GAO. BJS currently provides definitions of terms and the text of specific survey items in each report related to the NIS, SSV, NCVS, and NSYC. BJS also provides summary measures, which are created from a combination of individual survey

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Appendix VI: Comments from the Department  
of Justice

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items in the data files that are stored in the National Archive of Criminal Justice Data, located at the University of Michigan. Recognizing the need for clarity and transparency, beginning with reports and data files released in calendar year 2017, BJS will provide the exact computer code used to construct measures of sexual violence in each data file released. Furthermore, BJS will augment the pertinent surveys with additional information on how sexual violence is defined and collected to ensure definitions match the measurement of sexual violence.

In addition, BJS welcomes future Office of Management and Budget efforts to coordinate data collection and reporting efforts on sexual violence, and stands ready to participate in any established Federal interagency forums on sexual violence statistics.

If you have any questions regarding this response, you or your staff may contact  
Ralph E. Martin, Director, Office of Audit, Assessment, and Management, at (202) 305-1802.

Sincerely,



Karol V. Mason  
Assistant Attorney General

cc: Lee Lofthus  
Assistant Attorney General for Administration  
U.S. Department of Justice

Beth McGarry  
Principal Deputy Assistant Attorney General  
Office of Justice Programs

Maureen A. Henneberg  
Deputy Assistant Attorney General  
for Operations and Management  
Office of Justice Programs

Jeri Mulrow  
Acting Director  
Bureau of Justice Statistics  
Office of Justice Programs

Leigh Benda  
Chief Financial Officer

Rafael A. Madan  
General Counsel



cc: Ralph E. Martin  
Director  
Office of Audit, Assessment, and Management  
Office of Justice Programs

Richard P. Theis  
Director, Audit Liaison Group  
Internal Review and Evaluation Office  
Justice Management Division

OJP Executive Secretariat  
Control Title IT 20160623090046

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# Appendix VII: GAO Contact and Staff Acknowledgments

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## GAO Contact

Gretta L. Goodwin, (202) 512-8777, [goodwing@gao.gov](mailto:goodwing@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, individuals making key contributions to this report were Kristy Love, Assistant Director; Meghan Squires, Analyst-in-Charge; Tim Young; Kirsten Leikem; Janelle House; David Alexander; and David Plocher. Diana Maurer, Tom Jessor, Janet Temko-Blinder, Tovah Rom and Eric Hauswirth also provided valuable assistance.

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# Appendix VIII: Accessible Data

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## Agency Comment Letter

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Text of Appendix IV:  
Comments from the  
Department of Education

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Page 1

UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF POSTSECONDARY EDUCATION  
400 MARYLAND AVENUE, S.W., WASHINGTON, DC 20202  
THE ASSISTANT SECRETARY

June 29, 2016

Ms. Gretta L. Goodwin

Acting Director, Homeland Security and Justice Issues

United States Government Accountability Office

Washington, DC 20548

Dear Ms. Goodwin:

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Recommendation : To enhance the clarity and transparency of sexual violence data that is reported to the public, we recommend that the

Secretary of Education direct the Assistant Secretary for the Office of Postsecondary Education, the Secretary of Health and Human Services direct the Director of CDC, and the Attorney General direct the Director of BJS to make information on the acts of sexual violence and contextual factors that are included in their measurements of sexual violence publicly available. This effort could entail revising their definitions of key terms used to describe sexual violence so that the definitions match the measurements of sexual violence.

Response:

We agree with the recommendation that the Department of Education (the Department) make information on the acts of sexual violence and contextual measures that are included in our measurements publicly available. The Department's recent publication, *The Handbook for Campus Safety and Security (Handbook)*, includes the definitions of dating violence, domestic violence, and stalking, and provides examples of each type of offense (see <http://www2.ed.gov/admins/lead/safety/campus.html>).

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[www.ed.gov](http://www.ed.gov)

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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Page 2

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The Department also requests that GAO carefully consider the reasons for the long-standing differences in the definitions used by various agencies. While it is true that there is significant overlap, some of the differences are intentional and relate to the specific reasons why these data are collected in the first place (e.g., for purposes of crime-trend analysis vs. public health research). In the Department's view, the public's ability to use this information is not significantly compromised by the relatively subtle differences in the existing definitions. Because of this, the Department asks that the effort to "harmonize" definitions not be pursued solely to achieve symmetry for its own sake, but that the focus remain on the needs of each individual program.

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Page 3

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Sincerely,

Lynn B. Mahaffie

---

Deputy Assistant Secretary for Policy, Planning and Innovation

Delegated the Duties of Assistant Secretary for Postsecondary Education

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Text of Appendix V:  
Comments from the  
Department of Health and  
Human Services

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Page 1

DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF THE SECRETARY

Assistant Secretary for Legislation

Washington, DC 20201

JUL 11 2016

Gretta Goodwin

Acting Director, Homeland Security and Justice

U.S. Government Accountability Office

441 G Street NW

Washington, DC 20548

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Sincerely,

---

Jim R. Esquea

Assistant Secretary for Legislation

Attachment

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Page 2

GENERAL COMMENTS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) ON THE GOVERNMENT ACCOUNTABILITY OFFICE'S DRAFT REPORT ENTITLED: SEXUAL VIOLENCE DATA: ACTIONS NEEDED TO IMPROVE CLARITY AND ADDRESS DIFFERENCES ACROSS FEDERAL DATA COLLECTION EFFORTS (GAO-16-546)

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partners to improve the measurement of sexual violence and contextual factors.

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Text of Appendix VI:  
Comments from the  
Department of Justice

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Page 1

U.S. Department of Justice

Office of Justice Programs

Washington, D.C. 20531

JUN 30 2016

Ms. Gretta L. Goodwin

Acting Director

Homeland Security and Justice Issues

Government Accountability Office

441 G Street, NW

Washington, DC 20548

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In addition, BJS welcomes future Office of Management and Budget efforts to coordinate data collection and reporting efforts on sexual violence, and stands ready to participate in any established Federal interagency forums on sexual violence statistics.

If you have any questions regarding this response, you or your staff may contact Ralph E. Martin, Director, Office of Audit, Assessment, and Management, at (202) 305-1802.

Sincerely,

Karol V. Mason

Assistant Attorney General

cc: Lee Lofthus

Assistant Attorney General for Administration

U.S. Department of Justice

Beth McGarry

Principal Deputy Assistant Attorney General

Office of Justice Programs

Maureen A. Henneberg

Deputy Assistant Attorney General for Operations and Management

Office of Justice Programs

Jeri Mulrow

Acting Director

Bureau of Justice Statistics

Office of Justice Programs

Leigh Benda

Chief Financial Officer

---

Rafael A. Madan

General Counsel

---

Page 3

cc: Ralph E. Martin

Director

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