United States Government Accountability Office

Report to Congressional Committees

May 2021

DOMESTIC ABUSE

Actions Needed to Enhance DOD's Prevention, Response, and Oversight

Accessible Version

GAO@100
A Century of Non-Partisan Fact-Based Work

GAO-21-289

GAO Highlights

Highlights of GAO-21-289, a report to congressional committees

May 2021

DOMESTIC ABUSE

Actions Needed to Enhance DOD's Prevention, Response, and Oversight

Why GAO Did This Study

Domestic abuse can result in devastating personal consequences and societal costs, and according to DOD, is incompatible with military values and reduces mission readiness. In fiscal year 2019, the military services recorded 8,055 incidents that met DOD's criteria for domestic abuse.

House Reports 116-120 and 116-333 included provisions for GAO to review the military services' efforts to prevent and respond to domestic abuse, including domestic violence. This report examines, among other objectives, the extent to which (1) DOD has met statutory requirements to collect and report complete data on reports of domestic abuse, and describes how many incidents were recorded by DOD in fiscal years 2015-2019; (2) DOD and the military services have implemented and overseen domestic abuse prevention and response activities in accordance with DOD policy; and (3) the military services have developed domestic abuse training for key personnel that meets DOD requirements. GAO analyzed program data, policies, and guidance; assessed documents from a nongeneralizable sample of 20 military installations; and interviewed 68 domestic abuse survivors as well as DOD, service, and civilian officials.

What GAO Recommends

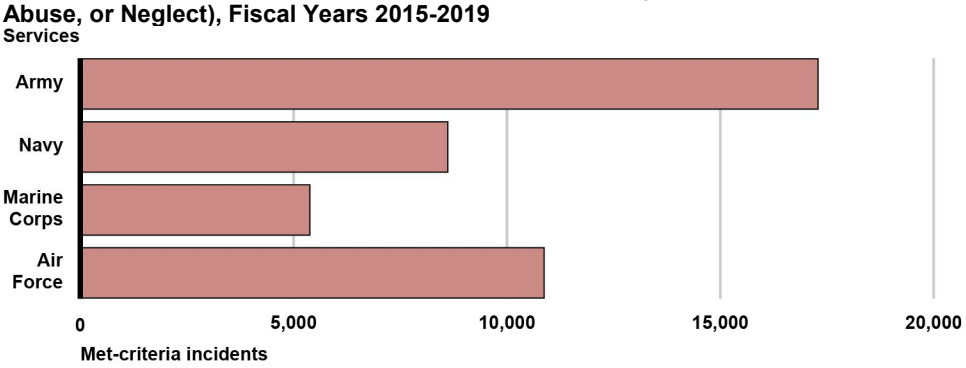
GAO is making 32 recommendations, including that DOD improve its data collection and awareness efforts and that the military services improve monitoring of incident screening and provide guidance for training of key personnel. DOD concurred and described actions planned or underway, as discussed in the report.

View GAO-21-289. For more information, contact Brenda S. Farrell at (202) 512-3604 or farrellb@gao.gov.

What GAO Found

The Department of Defense (DOD) met a statutory requirement to collect and report data for incidents that it determined met its criteria for domestic abuse. In fiscal years 2015-2019, DOD determined that over 40,000 domestic abuse incidents met its criteria (see figure), of which 74 percent were physical abuse. However, DOD has not collected and reported accurate data for all domestic abuse allegations received, including those that did not meet DOD's criteria, as statutorily required. Thus, DOD is unable to assess the scope of alleged abuse and its rate of substantiation. In addition, despite a statutory requirement since 1999, DOD has not collected comprehensive data on the number of allegations of domestic violence—a subcategory of different types of domestic abuse that constitute offenses under the Uniform Code of Military Justice—and related actions taken by commanders. Improving collection of these data could enhance DOD's visibility over actions taken by commanders to address domestic violence.

Incidents That Met DOD Criteria for Domestic Abuse (Physical, Emotional, or Sexual Abuse, or Neglect), Fiscal Years 2015-2019



Source: GAO analysis of military service Family Advocacy Program data. | GAO-21-289

Data table for Incidents That Met DOD Criteria for Domestic Abuse (Physical, Emotional, or Sexual Abuse, or Neglect), Fiscal Years 2015-2019

Services	Met-criteria incidents
Army	17,289
Navy	8,614
Marine Corps	5,381
Air Force	10,871

DOD and the military services have taken steps to implement and oversee domestic abuse prevention and response activities, but gaps exist in key areas. For example, the military services perform limited monitoring of installation incident-screening decisions and therefore lack reasonable assurance that all domestic abuse allegations are screened in accordance with DOD policy. In addition, while DOD and the military services have taken steps to promote awareness of reporting options and resources, DOD has not fully addressed challenges in reaching its audience, or developed metrics to assess the effectiveness of its awareness efforts. As a result, DOD and the military services may miss opportunities to provide available resources to victims.

The military services have developed domestic abuse prevention and response training for key personnel that meets some DOD requirements. For example, installation Family Advocacy Programs provide such training to commanders and senior enlisted advisors, but the training GAO assessed from a nongeneralizable sample of 20 installations did not consistently cover all DOD-required topics, and the services have not provided guidance to ensure that training addresses these requirements. As a result, commanders and senior enlisted advisors may not be aware of key responsibilities for domestic abuse prevention and response.

Contents

GAO Highlights 2

Why GAO Did This Study 2
What GAO Recommends 2
What GAO Found 2

Letter 1

Background 8
DOD Has Collected and Reported Some Statutorily Required Domestic Abuse Data, but Has Not Met Requirements for Allegation and Command Action Data 20
Military Service Domestic Abuse Policies Generally Align with DOD Requirements, but the Number of MOUs with Civilian Organizations May Be Insufficient 34
DOD and the Military Services Have Taken Steps to Implement and Oversee Domestic Abuse Prevention and Response Activities, but Gaps Remain in Key Areas 43
Training for Key Personnel Meets Some DOD Requirements, and Required Training Completion Data Is Incomplete 77
Conclusions 95
Recommendations for Executive Action 98
Agency Comments and Our Evaluation 102

Appendix I: Objectives, Scope, and Methodology 105

Appendix II: Severity Levels of Met-Criteria Incidents during Fiscal Years 2015 through 2019 124

Appendix III: Comments from the Department of Defense 127

Text of Appendix III: Comments from the Department of Defense 136
DoD RESPONSE: Concur. The Department agrees with providing clarifying guidance on submitting the number of domestic abuse allegations by abuse types into the Central Registry as part of the reissuance of DoD Manual 6400.01, Volume 2, “Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System.” 137
DoD RESPONSE: Concur. The Department will consider the development of a quality assurance process for reporting accurate data, by including checks for the alleged abuse code Central Registry data field along with appropriate policy in the reissuance of DoD Manual

6400.01, Vol 2, “Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System.” 137
DoD RESPONSE: Concur. The Department of Defense will explore expanding the scope of its annual reporting to include analysis of the types of allegations of abuse, after issuing data submission guidance for the relevant Central Registry data fields as discussed in Recommendation 1. 137
DoD RESPONSE: Concur. The Department agrees on the need to evaluate tracking domestic violence incident data from law enforcement, command actions, and family advocacy programs 138
DoD RESPONSE: Concur. The Department of the Army acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Navy acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Air Force acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138

DoD RESPONSE: Concur. The Department of the Army will assess if incorporating a holistic review and development of all needed memoranda of understanding with civilian organizations as a responsibility of the installation Family Advocacy Committee, and include this requirement in Army Regulation 608-18 is necessary. 139
DoD RESPONSE: Concur. The Department of the Navy is in the process of assessing the need for a revision to the Navy Fleet and Family Support Programs Certification standards in accordance with release of an update to Department of Defense Instruction 1342.22, “Military Family Readiness.” 139
DoD RESPONSE: Concur. The Marine Corps certification reviews require that installation Family Advocacy Programs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. The certification standard is Family Advocacy Program 1.6 Memoranda of Understanding and the standard maps to National Standard Military Administration Management 3.03. The standard is detailed in enclosure (1). Based on actions completed via the certification reviews, the Marine Corps requests GAO close recommendation 10. 139
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider the necessity of adding this information as an Interim Change to the Department of the Air Force Instruction 40-301. 140
DoD RESPONSE: Concur. A current change action is in process for Department of Defense Manual 6400.01, Volume 3, “Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)” to add Medical as a core member of the Incident Determination Committee, following the previous GAO review recommendation made in GAO Report 20-110, “Increased Guidance and Collaboration Needed to Improve DoD’s Tracking and Response to Child Abuse”. 140
DoD RESPONSE: Concur. The Department of the Army uses a reasonable suspicion standard, rather than knowledge or justified belief, to support maximum abuse detection while establishing a minimum threshold for reports. The Army will investigate the feasibility of adding functionality to the Family Advocacy System of Records information technology system to support tracking of all

referrals, including those that do not meet the reasonable suspicion standard. 140
DoD RESPONSE: Concur. The Department of the Navy agrees that consistency is needed to ensure all domestic abuse allegations are screened, appropriately triaged, and presented to the Incident Determination Committee as warranted. The Department of the Navy will consider directing the Family Advocacy Program to implement a process to monitor and track domestic abuse allegations that do not meet the reasonable suspicion criteria for abuse. 141
DoD RESPONSE: Concur. The Marine Corps will consider the development of a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all allegations that should be presented to an Incident Determination Committee are consistently presented in accordance with updated policy/guidance from the Under Secretary of Defense for Personnel and Readiness. 141
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of adding this information as an Interim Change to the Department of the Air Force Air Force Instruction 40-301. 141
DoD RESPONSE: Concur. The Department of the Army is looking into the development of standard risk assessment tools and updating Army Regulation 608-18 to incorporate specific guidance for Family Advocacy Program risk assessment tool use by domestic abuse victim advocates and Family Advocacy Program clinical staff. 141
DoD RESPONSE: Concur. The Department of the Navy will investigate the feasibility of updating Family Advocacy Program policy to specify the risk assessment tools to be used and the type of personnel responsible for implementing each tool. 142
DoD RESPONSE: Concur. The Marine Corps will consider issuing guidance, such as through updating its service Family Advocacy Program policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool. 142
DoD RESPONSE: Concur. DoD will investigate a plan to coordinate with other DoD components addressing the

prevention of harmful and violent behaviors to identify best practice communications strategies. 142
DoD RESPONSE: Concur. The Department will investigate the development of metrics for evaluating the effectiveness of Department- and Service-level awareness campaigns. 142
DoD RESPONSE: Concur. The Department of the Army is working closely with DoD to identify required resources for Army-wide implementation of the Incident Determination Committee. 143
DoD RESPONSE: Concur. The DoD Family Advocacy Program will consider updating its oversight framework to include oversight of Incident Determination Committee proceedings and to reflect the current Incident Determination Committee and Decision Tree Algorithm Quality Assurance Project, in collaboration with Penn State University, to test and track fidelity to these models. 143
DoD RESPONSE: Concur. The Department of the Army will consider publishing an Army Directive and Execution Order provide guidance to support Army-wide Incident Determination Committee implementation, including a formal process to monitor Incident Determination Committee fidelity in accordance with Department of Defense Manual 6400.01, Volume 3, “Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)”..... 143
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of establishing a formal process to monitor Incident Determination Committees to help ensure they are conducted in accordance with DoD and Air Force Family Advocacy Program policy..... 143
DoD RESPONSE: Concur. This recommendation mirrors statutory language in the National Defense Authorization Act for Fiscal Year 2021, Section 549C, requiring the Department to enter into a contract for conducting of an analysis and developing recommendations to improve the effectiveness of responding to and preventing domestic violence. DoD will comply with the law. Implementation of this requirement is currently under review. 144
DoD RESPONSE: Concur. The Department of the Army is currently considering an update to Army Regulation 608-18,

Army Regulation 600-20, and Army Regulation 350-1 to include 144
DoD RESPONSE: Concur. The Department of the Navy agrees that training for Commanders and Senior Leaders must cover the 13 DoD requirements. The Family Advocacy Program Training Curriculum was presented in virtual Navy Counseling Advocacy and Prevention training provided to clinical staff and educators on 18 February 2021. This curriculum is downloadable on the Navy Counseling Advocacy and Prevention iShare, and hard copies (books and DVDs) were sent to regions for each installation in February 2021. The virtual training was recorded and can be accessed by new staff and those who were not able to attend the showcase. All DoD required training topics have been addressed in the newly released curriculum. Based on actions completed, the Navy requests GAO close recommendation 28. 144
DoD RESPONSE: Concur. The Marine Corps updated guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DoD requirements in October 2020. The required content areas are in alignment with DoD policy requirements. In addition to the content areas, the updated guidance included slides, handouts, and fact sheets. Based on actions completed in 2020, the Marine Corps requests GAO close recommendation 29. 145
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider providing additional guidance and sample training materials for the installation level commander and senior enlisted adviser domestic abuse training that meets all DoD requirements. 145
DoD RESPONSE: Concur. The Department will explore the feasibility of collaboration with representatives of the Military Departments to develop courses of actions to ensure the quality and completeness of commander and senior enlisted advisor domestic abuse training completion data. 145
DoD RESPONSE: Concur. DoD will explore the feasibility of coordination with the Military Department Chaplains Corps to include specific learning objectives for chaplain training in Department of Defense Instruction 6400.06, “DoD Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel,”

currently in the reissuance process, and any additional pertinent policies..... 145
Appendix IV: Questionnaire for Interviews with Military-Affiliated Survivors of Domestic Abuse 147
I. Background Information 148
II. Awareness 150
III. Status of Reporting 151
IV. Reporting 154
V. Response to Abuse 155
VI. Investigation/Resolution of Abuse 158
Appendix V: Perspectives of 68 Military-Affiliated Survivors of Domestic Abuse 162
Appendix VI: Department of Defense Office of Inspector General Recommendations and Associated Service Actions 173
Appendix VII: GAO Contact and Staff Acknowledgments 176
Related GAO Products 177

Tables

Data table for Incidents That Met DOD Criteria for Domestic Abuse (Physical, Emotional, or Sexual Abuse, or Neglect), Fiscal Years 2015-2019 2
Text of Figure 1: DOD and Civilian Organizations Involved in the Prevention of and Response to Domestic Abuse 9
Table 1: Department Of Defense (DOD) Definitions for Types of Domestic Abuse 15
Data table for Figure 2: Number of Incidents That Met Department of Defense Criteria for Domestic Abuse by Abuse Type and Military Service, Fiscal Years 2015 – 2019 23
Data table for Figure 3: Number of Allegations of Domestic Abuse Received, by Abuse Type, for the Army, the Air Force, and the Marine Corps, Fiscal Years 2015-2019 26
Table 2: Key Department of Defense Domestic Abuse Procedures Included in Military Service Policies 34
Text of Figure 4: Outcomes of Military and Civilian Protective Orders Most Frequently Cited by 36 Survivors GAO Interviewed with Orders in Place 37
Text of Figure 5: Types of Civilian Services or Resources Most Frequently Cited by 58 Survivors Who Reported Domestic Abuse to the Military 41

Table 3: Lethality Risk Factors Required to Be Assessed by Military Family Advocacy Programs in Evaluating a Report of Domestic Abuse 50
Table 4: Installations Using Required Risk Assessment Tools in a Nongeneralizable Sample of 80 Reported Domestic Abuse Incidents at 20 Selected Military Installations 52
Data table for Figure 7: Sources of Awareness of Military Family Advocacy Program Cited by 68 Survivors of Domestic Abuse56
Text of Figure 8: Types of Information, Resources, or Services That 58 Survivors Who Reported Domestic Abuse to the Military Most Frequently Stated Would Have Been Helpful but Were Not Available 57
Text of Figure 9: Suggestions for Improving the Military's Prevention of and Response to Domestic Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse 58
Table 5: Effect of Command Actions for Domestic Violence on Eligibility for Transitional Compensation for Victims and Applicability of Lautenberg Amendment for Alleged Abusers 74
Data table for Figure 11: Inclusion of DOD-Required Topics in Service and Selected Installation Domestic Abuse Training for Servicemembers 79
Data table for Figure 12: Extent to which Selected Commander and Senior Enlisted Advisor Domestic Abuse Training Addresses Content Requirements 82
Text of Figure 13: Actions Reportedly Taken By Commanders in Response to Domestic Abuse Most Frequently Cited by 55 Survivors Who Reported Domestic Abuse to a Commander 86
Text of Figure 14: Actions Reportedly Taken By Military Chaplains in Response to Abuse Most Frequently Cited by 29 Survivors Who Reported Domestic Abuse to a Chaplain 93
Table 6: DOD and Non-DOD Locations Visited or Contacted by GAO121
Data table for Figure 15: Proportion of Severity Levels of Met-Criteria Incidents by Service and Abuse Type, Fiscal Years 2015-2019 125
DoD RESPONSE: Concur. The Department agrees with providing clarifying guidance on submitting the number of domestic abuse allegations by abuse types into the Central Registry as part of the reissuance of DoD Manual 6400.01,

Volume 2, “Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System.” 137
DoD RESPONSE: Concur. The Department will consider the development of a quality assurance process for reporting accurate data, by including checks for the alleged abuse code Central Registry data field along with appropriate policy in the reissuance of DoD Manual 6400.01, Vol 2, “Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System.” 137
DoD RESPONSE: Concur. The Department of Defense will explore expanding the scope of its annual reporting to include analysis of the types of allegations of abuse, after issuing data submission guidance for the relevant Central Registry data fields as discussed in Recommendation 1. 137
DoD RESPONSE: Concur. The Department agrees on the need to evaluate tracking domestic violence incident data from law enforcement, command actions, and family advocacy programs 138
DoD RESPONSE: Concur. The Department of the Army acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Navy acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Air Force acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the

Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Army will assess if incorporating a holistic review and development of all needed memoranda of understanding with civilian organizations as a responsibility of the installation Family Advocacy Committee, and include this requirement in Army Regulation 608-18 is necessary. 139
DoD RESPONSE: Concur. The Department of the Navy is in the process of assessing the need for a revision to the Navy Fleet and Family Support Programs Certification standards in accordance with release of an update to Department of Defense Instruction 1342.22, “Military Family Readiness.” 139
DoD RESPONSE: Concur. The Marine Corps certification reviews require that installation Family Advocacy Programs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. The certification standard is Family Advocacy Program 1.6 Memoranda of Understanding and the standard maps to National Standard Military Administration Management 3.03. The standard is detailed in enclosure (1). Based on actions completed via the certification reviews, the Marine Corps requests GAO close recommendation 10. 139
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider the necessity of adding this information as an Interim Change to the Department of the Air Force Instruction 40-301. 140
DoD RESPONSE: Concur. A current change action is in process for Department of Defense Manual 6400.01, Volume 3, “Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)” to add Medical as a core member of the Incident Determination Committee, following the previous GAO review recommendation made in GAO Report 20-110, “Increased Guidance and Collaboration Needed to Improve DoD’s Tracking and Response to Child Abuse”. 140

DoD RESPONSE: Concur. The Department of the Army uses a reasonable suspicion standard, rather than knowledge or justified belief, to support maximum abuse detection while establishing a minimum threshold for reports. The Army will investigate the feasibility of adding functionality to the Family Advocacy System of Records information technology system to support tracking of all referrals, including those that do not meet the reasonable suspicion standard. 140
DoD RESPONSE: Concur. The Department of the Navy agrees that consistency is needed to ensure all domestic abuse allegations are screened, appropriately triaged, and presented to the Incident Determination Committee as warranted. The Department of the Navy will consider directing the Family Advocacy Program to implement a process to monitor and track domestic abuse allegations that do not meet the reasonable suspicion criteria for abuse. 141
DoD RESPONSE: Concur. The Marine Corps will consider the development of a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all allegations that should be presented to an Incident Determination Committee are consistently presented in accordance with updated policy/guidance from the Under Secretary of Defense for Personnel and Readiness. 141
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of adding this information as an Interim Change to the Department of the Air Force Air Force Instruction 40-301. 141
DoD RESPONSE: Concur. The Department of the Army is looking into the development of standard risk assessment tools and updating Army Regulation 608-18 to incorporate specific guidance for Family Advocacy Program risk assessment tool use by domestic abuse victim advocates and Family Advocacy Program clinical staff. 141
DoD RESPONSE: Concur. The Department of the Navy will investigate the feasibility of updating Family Advocacy Program policy to specify the risk assessment tools to be used and the type of personnel responsible for implementing each tool. 142

DoD RESPONSE: Concur. The Marine Corps will consider issuing guidance, such as through updating its service Family Advocacy Program policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool. 142
DoD RESPONSE: Concur. DoD will investigate a plan to coordinate with other DoD components addressing the prevention of harmful and violent behaviors to identify best practice communications strategies. 142
DoD RESPONSE: Concur. The Department will investigate the development of metrics for evaluating the effectiveness of Department- and Service-level awareness campaigns. 142
DoD RESPONSE: Concur. The Department of the Army is working closely with DoD to identify required resources for Army-wide implementation of the Incident Determination Committee. 143
DoD RESPONSE: Concur. The DoD Family Advocacy Program will consider updating its oversight framework to include oversight of Incident Determination Committee proceedings and to reflect the current Incident Determination Committee and Decision Tree Algorithm Quality Assurance Project, in collaboration with Penn State University, to test and track fidelity to these models. 143
DoD RESPONSE: Concur. The Department of the Army will consider publishing an Army Directive and Execution Order provide guidance to support Army-wide Incident Determination Committee implementation, including a formal process to monitor Incident Determination Committee fidelity in accordance with Department of Defense Manual 6400.01, Volume 3, “Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)”..... 143
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of establishing a formal process to monitor Incident Determination Committees to help ensure they are conducted in accordance with DoD and Air Force Family Advocacy Program policy..... 143
DoD RESPONSE: Concur. This recommendation mirrors statutory language in the National Defense Authorization Act for Fiscal Year 2021, Section 549C, requiring the

Department to enter into a contract for conducting of an analysis and developing recommendations to improve the effectiveness of responding to and preventing domestic violence. DoD will comply with the law. Implementation of this requirement is currently under review. 144
DoD RESPONSE: Concur. The Department of the Army is currently considering an update to Army Regulation 608-18, Army Regulation 600-20, and Army Regulation 350-1 to include 144
DoD RESPONSE: Concur. The Department of the Navy agrees that training for Commanders and Senior Leaders must cover the 13 DoD requirements. The Family Advocacy Program Training Curriculum was presented in virtual Navy Counseling Advocacy and Prevention training provided to clinical staff and educators on 18 February 2021. This curriculum is downloadable on the Navy Counseling Advocacy and Prevention iShare, and hard copies (books and DVDs) were sent to regions for each installation in February 2021. The virtual training was recorded and can be accessed by new staff and those who were not able to attend the showcase. All DoD required training topics have been addressed in the newly released curriculum. Based on actions completed, the Navy requests GAO close recommendation 28. 144
DoD RESPONSE: Concur. The Marine Corps updated guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DoD requirements in October 2020. The required content areas are in alignment with DoD policy requirements. In addition to the content areas, the updated guidance included slides, handouts, and fact sheets. Based on actions completed in 2020, the Marine Corps requests GAO close recommendation 29. 145
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider providing additional guidance and sample training materials for the installation level commander and senior enlisted adviser domestic abuse training that meets all DoD requirements. 145
DoD RESPONSE: Concur. The Department will explore the feasibility of collaboration with representatives of the Military Departments to develop courses of actions to ensure the

quality and completeness of commander and senior enlisted advisor domestic abuse training completion data..... 145
DoD RESPONSE: Concur. DoD will explore the feasibility of coordination with the Military Department Chaplains Corps to include specific learning objectives for chaplain training in Department of Defense Instruction 6400.06, "DoD Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel," currently in the reissuance process, and any additional pertinent policies..... 145
Table 7: Year of First Report of Domestic Abuse Cited by 60 Survivors Who Stated They Reported the Abuse to the Military or to Civilian Law Enforcement 164
Table 8: Organizations to Which 68 Military-Affiliated Survivors of Domestic Abuse Stated Their Abuse Had Been Reported 165
Table 9: Motivations for Reporting Abuse Described by 68 Military-Affiliated Survivors of Domestic Abuse 166
Table 10: Barriers to Reporting Abuse Described by 59 Military-Affiliated Survivors of Domestic Abuse Who Reported Experiencing Barriers 166
Table 11: Perceived Actions Taken By Commanders in Response to Abuse Cited by 55 Survivors Who Reported Domestic Abuse to a Commander 167
Table 12: Military Domestic Abuse Resources and Services Reported Being Received by 58 Survivors Who Stated They Reported Domestic Abuse to the Military 169
Table 13: Resources or Services That Would Have Been Helpful But Were Not Available Cited by 58 Survivors Who Stated They Reported Abuse to the Military 170
Table 14: Status of Department of Defense Office of Inspector General (DODIG) Recommendations to Service Law Enforcement Agencies as of January 2021 174

Figures

Incidents That Met DOD Criteria for Domestic Abuse (Physical, Emotional, or Sexual Abuse, or Neglect), Fiscal Years 2015-2019 2
Figure 1: DOD and Civilian Organizations Involved in the Prevention of and Response to Domestic Abuse 9
Figure 2: Number of Incidents That Met Department of Defense Criteria for Domestic Abuse by Abuse Type and Military Service, Fiscal Years 2015 – 2019 22

Figure 3: Number of Allegations of Domestic Abuse Received, by Abuse Type, for the Army, the Air Force, and the Marine Corps, Fiscal Years 2015-2019 25
Figure 4: Outcomes of Military and Civilian Protective Orders Most Frequently Cited by 36 Survivors GAO Interviewed with Orders in Place 37
Figure 5: Types of Civilian Services or Resources Most Frequently Cited by 58 Survivors Who Reported Domestic Abuse to the Military 41
Figure 6: Examples of Department of Defense, Military Service, and Installation Family Advocacy Program Domestic Abuse Awareness Efforts 55
Figure 7: Sources of Awareness of Military Family Advocacy Program Cited by 68 Survivors of Domestic Abuse 56
Figure 8: Types of Information, Resources, or Services That 58 Survivors Who Reported Domestic Abuse to the Military Most Frequently Stated Would Have Been Helpful but Were Not Available 57
Figure 9: Suggestions for Improving the Military's Prevention of and Response to Domestic Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse 58
Figure 10: Barriers and Motivations to Report Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse 72
Text of Figure 10: Barriers and Motivations to Report Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse 72
Figure 11: Inclusion of DOD-Required Topics in Service and Selected Installation Domestic Abuse Training for Servicemembers 78
Figure 12: Extent to which Selected Commander and Senior Enlisted Advisor Domestic Abuse Training Addresses Content Requirements 82
Figure 13: Actions Reportedly Taken By Commanders in Response to Domestic Abuse Most Frequently Cited by 55 Survivors Who Reported Domestic Abuse to a Commander 86
Figure 14: Actions Reportedly Taken By Military Chaplains in Response to Abuse Most Frequently Cited by 29 Survivors Who Reported Domestic Abuse to a Chaplain 93
Figure 15: Proportion of Severity Levels of Met-Criteria Incidents by Service and Abuse Type, Fiscal Years 2015-2019 125
DoD RESPONSE: Concur. The Department agrees with providing clarifying guidance on submitting the number of

domestic abuse allegations by abuse types into the Central Registry as part of the reissuance of DoD Manual 6400.01, Volume 2, “Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System.” 137
DoD RESPONSE: Concur. The Department will consider the development of a quality assurance process for reporting accurate data, by including checks for the alleged abuse code Central Registry data field along with appropriate policy in the reissuance of DoD Manual 6400.01, Vol 2, “Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System.” 137
DoD RESPONSE: Concur. The Department of Defense will explore expanding the scope of its annual reporting to include analysis of the types of allegations of abuse, after issuing data submission guidance for the relevant Central Registry data fields as discussed in Recommendation 1. 137
DoD RESPONSE: Concur. The Department agrees on the need to evaluate tracking domestic violence incident data from law enforcement, command actions, and family advocacy programs 138
DoD RESPONSE: Concur. The Department of the Army acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Navy acknowledges that Department of Defense Instruction 6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Air Force acknowledges that Department of Defense Instruction

6400.06 “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel” Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice. 138
DoD RESPONSE: Concur. The Department of the Army will assess if incorporating a holistic review and development of all needed memoranda of understanding with civilian organizations as a responsibility of the installation Family Advocacy Committee, and include this requirement in Army Regulation 608-18 is necessary. 139
DoD RESPONSE: Concur. The Department of the Navy is in the process of assessing the need for a revision to the Navy Fleet and Family Support Programs Certification standards in accordance with release of an update to Department of Defense Instruction 1342.22, “Military Family Readiness.” 139
DoD RESPONSE: Concur. The Marine Corps certification reviews require that installation Family Advocacy Programs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. The certification standard is Family Advocacy Program 1.6 Memoranda of Understanding and the standard maps to National Standard Military Administration Management 3.03. The standard is detailed in enclosure (1). Based on actions completed via the certification reviews, the Marine Corps requests GAO close recommendation 10. 139
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider the necessity of adding this information as an Interim Change to the Department of the Air Force Instruction 40-301. 140
DoD RESPONSE: Concur. A current change action is in process for Department of Defense Manual 6400.01, Volume 3, “Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)” to add Medical as a core member of the Incident Determination Committee, following the previous GAO review recommendation made in GAO Report 20-110,

"Increased Guidance and Collaboration Needed to Improve DoD's Tracking and Response to Child Abuse". 140
DoD RESPONSE: Concur. The Department of the Army uses a reasonable suspicion standard, rather than knowledge or justified belief, to support maximum abuse detection while establishing a minimum threshold for reports. The Army will investigate the feasibility of adding functionality to the Family Advocacy System of Records information technology system to support tracking of all referrals, including those that do not meet the reasonable suspicion standard. 140
DoD RESPONSE: Concur. The Department of the Navy agrees that consistency is needed to ensure all domestic abuse allegations are screened, appropriately triaged, and presented to the Incident Determination Committee as warranted. The Department of the Navy will consider directing the Family Advocacy Program to implement a process to monitor and track domestic abuse allegations that do not meet the reasonable suspicion criteria for abuse. 141
DoD RESPONSE: Concur. The Marine Corps will consider the development of a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all allegations that should be presented to an Incident Determination Committee are consistently presented in accordance with updated policy/guidance from the Under Secretary of Defense for Personnel and Readiness. 141
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of adding this information as an Interim Change to the Department of the Air Force Air Force Instruction 40-301. 141
DoD RESPONSE: Concur. The Department of the Army is looking into the development of standard risk assessment tools and updating Army Regulation 608-18 to incorporate specific guidance for Family Advocacy Program risk assessment tool use by domestic abuse victim advocates and Family Advocacy Program clinical staff. 141
DoD RESPONSE: Concur. The Department of the Navy will investigate the feasibility of updating Family Advocacy Program policy to specify the risk assessment tools to be

used and the type of personnel responsible for implementing each tool. 142
DoD RESPONSE: Concur. The Marine Corps will consider issuing guidance, such as through updating its service Family Advocacy Program policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool. 142
DoD RESPONSE: Concur. DoD will investigate a plan to coordinate with other DoD components addressing the prevention of harmful and violent behaviors to identify best practice communications strategies. 142
DoD RESPONSE: Concur. The Department will investigate the development of metrics for evaluating the effectiveness of Department- and Service-level awareness campaigns. 142
DoD RESPONSE: Concur. The Department of the Army is working closely with DoD to identify required resources for Army-wide implementation of the Incident Determination Committee. 143
DoD RESPONSE: Concur. The DoD Family Advocacy Program will consider updating its oversight framework to include oversight of Incident Determination Committee proceedings and to reflect the current Incident Determination Committee and Decision Tree Algorithm Quality Assurance Project, in collaboration with Penn State University, to test and track fidelity to these models. 143
DoD RESPONSE: Concur. The Department of the Army will consider publishing an Army Directive and Execution Order provide guidance to support Army-wide Incident Determination Committee implementation, including a formal process to monitor Incident Determination Committee fidelity in accordance with Department of Defense Manual 6400.01, Volume 3, “Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)”..... 143
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of establishing a formal process to monitor Incident Determination Committees to help ensure they are conducted in accordance with DoD and Air Force Family Advocacy Program policy..... 143

DoD RESPONSE: Concur. This recommendation mirrors statutory language in the National Defense Authorization Act for Fiscal Year 2021, Section 549C, requiring the Department to enter into a contract for conducting of an analysis and developing recommendations to improve the effectiveness of responding to and preventing domestic violence. DoD will comply with the law. Implementation of this requirement is currently under review. 144
DoD RESPONSE: Concur. The Department of the Army is currently considering an update to Army Regulation 608-18, Army Regulation 600-20, and Army Regulation 350-1 to include 144
DoD RESPONSE: Concur. The Department of the Navy agrees that training for Commanders and Senior Leaders must cover the 13 DoD requirements. The Family Advocacy Program Training Curriculum was presented in virtual Navy Counseling Advocacy and Prevention training provided to clinical staff and educators on 18 February 2021. This curriculum is downloadable on the Navy Counseling Advocacy and Prevention iShare, and hard copies (books and DVDs) were sent to regions for each installation in February 2021. The virtual training was recorded and can be accessed by new staff and those who were not able to attend the showcase. All DoD required training topics have been addressed in the newly released curriculum. Based on actions completed, the Navy requests GAO close recommendation 28. 144
DoD RESPONSE: Concur. The Marine Corps updated guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DoD requirements in October 2020. The required content areas are in alignment with DoD policy requirements. In addition to the content areas, the updated guidance included slides, handouts, and fact sheets. Based on actions completed in 2020, the Marine Corps requests GAO close recommendation 29. 145
DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider providing additional guidance and sample training materials for the installation level commander and senior enlisted adviser domestic abuse training that meets all DoD requirements. 145

DoD RESPONSE: Concur. The Department will explore the feasibility of collaboration with representatives of the Military Departments to develop courses of actions to ensure the quality and completeness of commander and senior enlisted advisor domestic abuse training completion data..... 145
DoD RESPONSE: Concur. DoD will explore the feasibility of coordination with the Military Department Chaplains Corps to include specific learning objectives for chaplain training in Department of Defense Instruction 6400.06, "DoD Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel," currently in the reissuance process, and any additional pertinent policies..... 145
Figure 16: Types of Abuse Cited by 68 Military-Affiliated Survivors of Domestic Abuse Interviewed by GAO 164

Abbreviations

DOD	Department of Defense
DODIG	Department of Defense Office of Inspector General
FAP	Family Advocacy Program
IDC	Incident Determination Committee
MOU	Memorandum of Understanding
UCMJ	Uniform Code of Military Justice

GAO@100 U.S. GOVERNMENT ACCOUNTABILITY OFFICE
A Century of Non-Partisan Fact-Based Work

441 G St. N.W.
Washington, DC 20548

May 6, 2021

The Honorable Jack Reed
Chairman
The Honorable James M. Inhofe
Ranking Member
Committee on Armed Services
United States Senate

The Honorable Adam Smith
Chairman
The Honorable Mike Rogers
Ranking Member
Committee on Armed Services
House of Representatives

Domestic abuse, including physical, emotional, or sexual abuse and neglect committed by a spouse or intimate partner, can result in devastating personal consequences and is a significant public health issue that engenders substantial societal costs.[1] According to the Department of Defense (DOD), domestic abuse is incompatible with military values and reduces mission readiness.

In fiscal year 2019, the military services recorded 8,055 incidents that met DOD's criteria for domestic abuse.[2] DOD defines domestic abuse as a pattern of behavior resulting in emotional or psychological abuse, economic control, or interference with personal liberty that is directed toward a current or former spouse, a person with whom the abuser shares a child in common, or a current or former intimate partner with

[1]According to the Centers for Disease Control and Prevention, domestic abuse results in considerable societal costs associated with medical services for domestic abuse related injury and health consequences, mental health services, lost productivity from paid work, childcare, and household chores, and criminal justice and child welfare costs.

[2]For this review, we obtained domestic abuse data from each military service Family Advocacy Program data system. Because the data in each service data system may be updated following its submission to DOD, there may be differences in the data included in DOD's reporting and this report. We did not find significant differences in the number and type of incidents that met DOD's criteria for domestic abuse determined by our analyses and reported by DOD.

whom the abuser shares or has shared a common domicile.[3] In addition, DOD defines domestic violence, which is an offense under the Uniform Code of Military Justice (UCMJ), as a subcategory of domestic abuse.[4] DOD categorizes the types of domestic abuse—including domestic violence—as physical, emotional, sexual, or neglect.

Domestic abuse in the military has been a subject of congressional concern for over 20 years. From 2000 through 2003, DOD convened a congressionally directed Defense Task Force on Domestic Violence, which issued three reports containing nearly 200 recommendations for improvement. In 2006, we reported on the status of these recommendations, finding that further management action was needed to improve domestic violence data tracking, guidance, and training, among other things. We made seven recommendations for improvement in these areas.[5] Subsequently, DOD took action to address three recommendations related to entering actions taken by commanders in response to domestic violence into law enforcement data systems, establishing a communications strategy to inform DOD and service officials of new guidance, and developing chaplain guidance and training concerning privileged communications.[6]

In 2010, we found that sustained leadership and oversight were needed to improve DOD's prevention and treatment of domestic abuse, and we recommended that DOD develop an oversight framework to assess the

[3]Department of Defense (DOD) Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personnel*, (Aug. 21, 2007) (incorporating change 4, May 26, 2017).

[4]10 U.S.C. §928b. The crime of domestic violence, added to the UCMJ in 2019 as Article 128b, involves the use, attempted use, or threatened use of force or violence against a person, or a violation of a lawful order used for the protection of a person who is a spouse, immediate family member, or intimate partner.

[5]GAO, *Military Personnel: Progress Made in Implementing Recommendations to Reduce Domestic Violence, but Further Management Action Needed,* GAO-06-540 (Washington, D.C.: May 24, 2006).

[6]DOD did not take action to address the four other recommendations, which we closed as not implemented. These related to developing a management plan to address deficiencies in DOD's domestic violence database, procedures and metrics to track data for chaplain training, a plan to ensure the availability of adequate personnel, and an oversight plan to monitor the implementation of Task Force recommendations.

effectiveness of its efforts and finalize a key policy.[7] Subsequently, in 2015, DOD issued an instruction and manual for the Family Advocacy Program (FAP)—a DOD program that is intended to prevent and respond to domestic abuse in military families, among other things—along with an oversight framework in 2016.[8] However, the Office of the Under Secretary of Defense for Personnel and Readiness—which is responsible for FAP policy and oversight—has been led by 13 officials in turn since 2010, including eight in an acting capacity. In 2019, the DOD Office of Inspector General found that military service law enforcement organizations did not consistently comply with DOD policies when responding to adult nonsexual incidents of domestic violence.[9]

House Reports 116-120 and 116-333, accompanying proposed bills for the National Defense Authorization Act for Fiscal Year 2020, included provisions for us to report on the military services' efforts to prevent and respond to domestic abuse, including domestic violence.[10] This report assesses the extent to which (1) DOD has met statutory requirements to collect and report complete data on reports of domestic abuse, and describes how many incidents were recorded by DOD in fiscal years 2015-2019; (2) the military services have issued domestic abuse policies in accordance with DOD policy and taken steps to ensure memoranda of understanding are appropriately established with civilian response organizations; (3) DOD and the military services have implemented and overseen domestic abuse prevention and response activities in accordance with DOD policy; and (4) the military services have developed domestic abuse training for key personnel that meets DOD requirements

[7]GAO, *Military Personnel: Sustained Leadership and Oversight Needed to Improve DOD's Prevention and Treatment of Domestic Abuse*, GAO-10-923 (Washington, D.C.: Sept. 22, 2010).

[8]Office of the Secretary of Defense, *Family Advocacy Program Oversight Framework Operating Instruction* (Jan. 2016). The 2015 versions of the DOD instruction and manual have since been replaced by the current versions, which are DOD Instruction 6400.01, *Family Advocacy Program* (FAP) (May 1, 2019) and DODM 6400.01, Vol. 1*, Family Advocacy Program (FAP): FAP Standards* (July 22, 2019). According to DOD FAP officials, the instruction and manual were based on FAP policy that had been in place since 1992.

[9]Department of Defense Office of Inspector General, *Evaluation of Military Services' Law Enforcement Responses to Domestic Violence Incidents*, DODIG-2019-075 (Apr. 19, 2019).

[10]H.R. Rep. No. 116-120, at 126-127 (2019); H.R. Rep. No. 116-333, at 1256-1257 (2019) (Conf. Rep.).

and tracked training completion for commanders and senior enlisted advisors.[11]

For the first objective, we reviewed DOD domestic abuse data and annual reports against statutory and policy requirements related to the collection and reporting of domestic abuse data. Specifically, we evaluated DOD's annual reports on Child Abuse and Neglect and Domestic Abuse in the Military for fiscal years 2016-2019 against the requirements set forth in Section 574 of the National Defense Authorization Act for Fiscal Year 2017.[12] We also evaluated data related to domestic violence and related actions taken by commanders for fiscal years 2015 through 2019, as well as associated collection procedures, against the requirements of Section 594 of the National Defense Authorization Act for Fiscal Year 2000 and DOD policies related to responsibilities for collecting such data.[13] We determined the control environment and information and communication components of the *Standards for Internal Control in the Federal Government* were significant to this objective, along with the underlying principles that management should establish an organizational structure, assign responsibility, and delegate authority and should use quality information and communicate the information internally and externally to achieve the entity's objectives.[14]

To determine how many incidents of domestic abuse were recorded by DOD during fiscal years 2015 through 2019, we analyzed FAP data from the military services to determine the number and characteristics of domestic abuse incidents reported to the military from fiscal years 2015 through 2019. We selected data from this time frame because it

[11]On December 20, 2019, the National Defense Authorization Act for Fiscal Year 2020, Pub. L. No. 116-92, established the United States Space Force as a military service within DOD. We did not gather data from the Space Force given its status as a new organization. Throughout this report we refer to only four military services within DOD. According to DOD officials, the Space Force will not have a separate FAP, and FAP incidents involving Space Force members are managed by the Air Force FAP.

[12]The statute, enacted in December 2016, required the first report to be issued in April 2017, covering 2016 data. Pub. L. No. 114-328, § 574.

[13]DOD Manual 7730.47-M, Volume 1, *Defense Incident Based Reporting System (DIBRS): Data Segments and Elements* (Dec. 7, 2010) (incorporating change 3, Sept. 18, 2020); DOD Instruction 6400.06.

[14]GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G (Washington, D.C.: September 2014). Internal control is a process effected by an entity's oversight body, management, and other personnel that provides reasonable assurance that the objectives of an entity will be achieved.

constituted the most recent and complete data available at the time of the review. We also analyzed domestic violence incident and command action data collected by DOD FAP annually from the military services during fiscal years 2015 through 2019 to determine the number and types of domestic violence incidents and actions taken by commanders. We selected data from this time frame because it was consistent with the period that the DOD FAP data collection requirement was in place.

We assessed the reliability of incident and command action data by reviewing the data for errors, omissions, and inconsistencies; reviewing documentation on data collection procedures and systems; interviewing cognizant officials; and administering questionnaires on data collection and synthesis. We determined that the FAP incident data were sufficiently reliable to describe the number and types of incidents that met DOD's criteria for domestic abuse across the services and the number of total allegations each for the Army, the Air Force, and the Marine Corps during fiscal years 2015 through 2019.[15] We found that the FAP command action data were of undetermined reliability due to the military services' different compilation processes, but we present the data in this report because they are the most comprehensive data available to DOD decision makers to determine the number and type of command actions taken.

For the second objective, we reviewed military service FAP and domestic abuse policies against key elements of DOD Instructions 6400.01 and 6400.06, including responsibilities of the military services, commanders, and FAP.[16] We also reviewed memoranda of understanding (MOU) between military and civilian domestic and sexual response organizations drawn from a nongeneralizable sample of 20 installations that we selected to reflect a range of installations' volume of domestic abuse incidents during fiscal years 2015 through 2019. We evaluated 45 MOUs provided by these 20 installations against content requirements in DOD Instruction 6400.06. We assessed the services' monitoring of these MOUs against requirements in DOD Instructions 6400.01 and 1342.22.[17]

[15]Due to a system error impacting Marine Corps data for incidents that did not meet DOD's criteria in fiscal years 2017 and 2018, we are unable to report the number of total allegations received by the Marine Corps in those years. In addition, we identified issues with the reliability of reporting the number of total allegations received by the Navy, as discussed later in this report.

[16]Department of Defense (DOD) Instruction 6400.01, *Family Advocacy Program (FAP)* (May 1, 2019); DOD Instruction 6400.06.

[17]DOD Instruction 1342.22, *Military Family Readiness* (July 3, 2012) (incorporating change 2, Apr. 11, 2017).

In addition, to obtain perspectives on coordination of domestic abuse prevention and response efforts between military and civilian organizations, we interviewed officials from four installations and four civilian organizations proximate to those installations.

For the third objective, we reviewed documentation for a nongeneralizable sample of 80 domestic abuse incidents from the 20 selected installations to determine the installations' adherence to key FAP program standards identified in DOD Manual 6400.01 and responsibilities in DOD Instruction 6400.06.[18] This review included documentation related to four domestic abuse incidents at each installation. The four incidents included two that were determined to meet DOD's criteria for domestic abuse and two that were determined not to meet these criteria. We also selected four installations, one installation per military service, and conducted 13 or 14 interviews with installation personnel from each one who have roles in responding to domestic abuse. We selected the installations to reflect a range of volume of domestic abuse incidents, among other factors.

We listened by phone to an Incident Determination Committee (IDC) proceeding—the process used to determine whether an allegation meets DOD's criteria for domestic abuse—at each of the four installations and at two additional installations per service to assess the extent to which the IDCs were conducted in accordance with DOD policy. For each military service, we assessed installation FAP certification status and processes against DOD requirements for certification scope and periodicity. We also conducted voluntary, confidential, semistructured interviews with 68 survivors of domestic abuse who were military servicemembers, spouses, or intimate partners, to obtain their perspectives on the military's domestic abuse prevention and response efforts.[19]

In key areas, such as risk assessment and incident determination, we evaluated DOD and the military services' implementation, oversight, and planning against the *Standards for Internal Control in the Federal Government* and, as applicable, the *Guide to the Project Management*

[18]Department of Defense (DOD) Manual 6400.01, Volume 1, *Family Advocacy Program (FAP): FAP Standards* (July 22, 2019); DOD Instruction 6400.06.

[19]Domestic and sexual abuse response organizations use both the terms victim and survivor to describe those who experience abuse. In this report, we generally use the term victim to acknowledge that not all who experience abuse survive. We refer to those we interviewed as survivors.

Body of Knowledge (PMBOK® Guide).[20] We determined that the control activities, information and communication, and monitoring components of internal control were significant to this objective, along with the underlying principles that management should design control activities to achieve objectives and respond to risks, use and externally communicate quality information, and remediate internal control deficiencies on a timely basis. In addition, we determined the risk assessment and control environment components of internal control were significant to the objective, along with the underlying principles that management should define program objectives in measurable terms so that performance toward achieving those objectives can be assessed; identify, analyze, and respond to risks related to achieving defined objectives; and oversee the design, implementation, and operation of the entity's internal control system.

For our fourth objective, we evaluated domestic abuse-related training materials for all servicemembers, commanders and senior enlisted advisors, victim advocates, and chaplains to assess their adherence to DOD requirements specified in DOD Instructions 6400.01 and 6400.06, and our *Guide for Strategic Training and Development Efforts*.[21] In addition, we reviewed available training completion data for commanders and senior enlisted advisors to assess the extent to which these personnel received training within the time frames prescribed by DOD Instruction 6400.01 and training completion was monitored consistent with *Standards for Internal Control in the Federal Government*. We determined that the information and communication component of internal control was significant to this objective, along with the underlying principle that management should receive quality information about the entity's operational processes. We assessed the reliability of the training completion data by reviewing the data for errors, omissions, and inconsistencies; reviewing documentation on data collection requirements and procedures; interviewing cognizant officials; and administering questionnaires on data collection and synthesis. We determined that the data were not sufficiently reliable to report on the completion of the training, which is discussed in more detail later in this report.

[20]Project Management Institute, Inc. *A Guide to the Project Management Body of Knowledge (PMBOK® Guide*), Sixth Edition, 2017. *PMBOK* is a trademark of Project Management Institute, Inc.

[21]GAO, *Human Capital: A Guide for Assessing Strategic Training and Development Efforts in the Federal Government,* GAO-04-546G (Washington, D.C., Mar. 1, 2004).

For all objectives, we interviewed relevant DOD and military service officials regarding policies, procedures, and responsibilities related to domestic abuse prevention and response. We also interviewed officials from six domestic abuse related nonprofit organizations to obtain their perspectives on leading practices in domestic abuse prevention and response, both generally and in relation to military families. Appendix I provides additional details about our objectives, scope, and methodology.

We conducted this performance audit from September 2019 to May 2021 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.

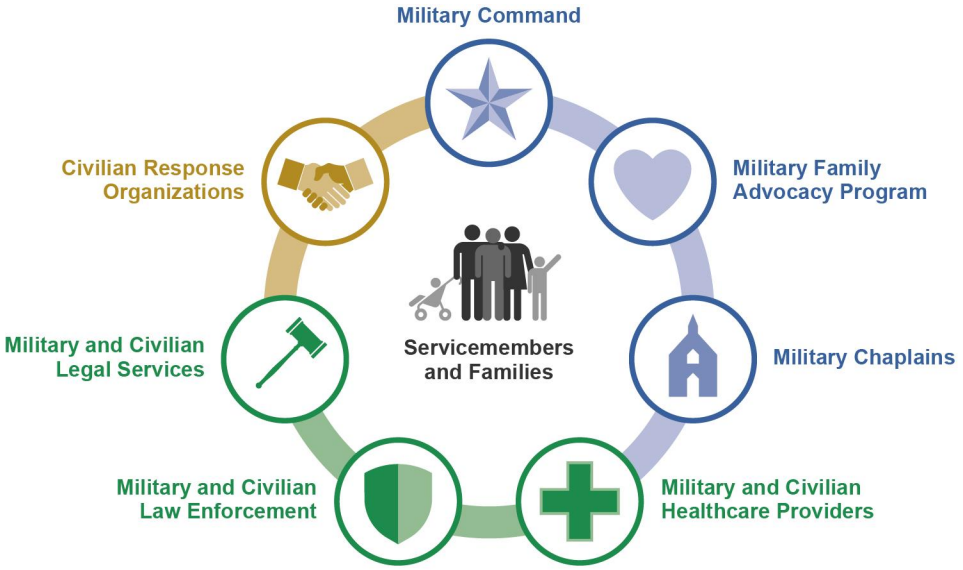
Background

DOD and Civilian Organizations with Roles and Responsibilities Related to Domestic Abuse

DOD and civilian organizations share responsibility for preventing, responding to, and resolving incidents of domestic abuse, as shown in figure 1. This shared responsibility is known as coordinated community response—a model first developed by the Domestic Abuse Intervention Program in Duluth, Minnesota—which DOD defines as a comprehensive, collaborative, and victim-centered response that includes prevention, education, response, and recovery components. The model includes multiple offices and agencies within the military and civilian community.[22]

[22]DOD Instruction 6400.01.

Figure 1: DOD and Civilian Organizations Involved in the Prevention of and Response to Domestic Abuse



Source: GAO analysis of Department of Defense (DOD) information. | GAO-21-289

Text of Figure 1: DOD and Civilian Organizations Involved in the Prevention of and Response to Domestic Abuse

- Military Command
- Military Family Advocacy Program
- Military Chaplains
- Military and Civilian Healthcare providers
- Military and civilian law enforcement
- Military and civilian legal services
- Civilian response organizations

Under Secretary of Defense for Personnel and Readiness. The Under Secretary of Defense for Personnel and Readiness collaborates with DOD component heads to establish programs and guidance to implement the FAP, among other things. It also programs, budgets, and allocates funds and other resources for the FAP. The Assistant Secretary of Defense for Manpower and Reserve Affairs, under the authority of the Under Secretary of Defense for Personnel and Readiness, provides policy, direction, and oversight of the FAP. Under the authority, direction and control of the Assistant Secretary of Defense for Manpower and Reserve Affairs, the Deputy Assistant Secretary of Defense for Military

Community and Family Policy is responsible for collaborating with service Secretaries to monitor compliance with FAP standards.

DOD FAP. DOD FAP serves as the policy proponent for, and a key element of, DOD's coordinated community response system to prevent and respond to reports of domestic abuse in military families.[23] To execute these responsibilities, DOD funds approximately 2,000 positions to deliver FAP services, including credentialed and licensed clinical providers. The department prescribes uniform standards for all service FAPs through DOD Manual 6400.01, Volume 1, *FAP Standards*.[24] DOD uses these standards to promote public awareness; aid in prevention, early identification, reporting, and coordinated, comprehensive intervention and assessment; and to support victims of domestic abuse. In addition, DOD prescribes uniform standards for the recording and submission of service domestic abuse incident data through DOD Manual 6400.01 Volume 2, *FAP: Child Abuse and Domestic Abuse Incident Reporting System*.[25]

Military Service FAPs. Each military department Secretary is responsible for developing service-wide FAP policy that addresses any unique requirements for their respective installation FAPs. The department Secretaries are also responsible for requiring that all installation personnel receive the appropriate training to implement FAP standards. In addition, each military service has a FAP headquarters entity that develops and issues implementing guidance for the installation FAPs over which they provide oversight. Among other things, the installation FAPs provide trauma-informed assessment, rehabilitation, and treatment generally to persons who are involved in alleged incidents of domestic abuse who are eligible to receive treatment in a military treatment facility.[26] At the installations, commanders are to establish an installation Family Advocacy Committee with a chairperson that serves as

[23]FAP is also responsible for preventing and responding to incidents of child abuse and problematic sexual behavior in children and youth. We previously reported on these issues in GAO, *Child Welfare: Increased Guidance and Collaboration Needed to Improve DOD's Tracking and Response to Child Abuse*, GAO-20-110 (Washington, D.C., Feb. 12, 2020).

[24]DOD Manual 6400.01, Vol. 1.

[25]Department of Defense (DOD) Manual 6400.01, Vol. 2, *Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System* (Aug. 11, 2016).

[26]DOD Instruction 6400.01. When involved individuals are not eligible for treatment in a military treatment facility—such as non-spouse intimate partners who are civilians and their children—FAP can provide safety planning and referral to civilian resources.

the policy implementing, coordinating, and advisory body to address domestic abuse at the installation.

Military Criminal Investigative Organizations and Law Enforcement Agencies. The Under Secretary of Defense for Intelligence and Security exercises planning, policy, and strategic oversight over DOD security, including law enforcement, policy, plans, and programs. The DOD Office of Inspector General establishes policy, provides guidance, and monitors and evaluates program performance for all DOD activities relating to criminal investigations and military law enforcement programs. Military law enforcement entities include both military criminal investigative organizations and law enforcement agencies. Each military department has established a military criminal investigative organization that may initiate investigations on incidents with a DOD nexus, such as if a crime occurred on a military installation or involved military personnel or dependents.[27] In addition, service law enforcement agencies providing law enforcement support to installations include the Army Directorates of Emergency Services and Provost Marshal Offices, Naval Security Forces, Air Force Security Forces, and the Marine Corps Provost Marshal Office and Criminal Investigative Division.

Each military criminal investigative organization provides an element of DOD's special victim investigation and prosecution capability. DOD defines special victims as adults or children who are sexually assaulted or suffer aggravated assault with grievous bodily harm. A special victim investigation and prosecution designation allows the military criminal investigative organizations to assign specially-trained investigators who work collaboratively with other relevant trained personnel, such as judge advocates, victim witness assistance personnel, and FAP managers, to provide services to the victim.[28] While military criminal investigative organizations can investigate any crime within their investigative purview, officials from each organization stated that they primarily investigate

[27]These are the Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigations. The Naval Criminal Investigative Service investigates serious cases arising in the Navy and the Marine Corps.

[28]According to Air Force officials, the Air Force has developed best practices for integrating law enforcement and legal personnel into integrated teams to provide a Criminal Investigation and Prosecution capability. Each team consists of military criminal investigative organization personnel, an installation level judge advocate and paralegal, and an assigned senior prosecutor. According to DOD officials, the Army has maintained a similar practice for special victim cases, having 23 Special Victim Prosecution teams, each with a specially trained prosecutor, paralegal, and Special Victim Witness Liaison, who provides victim support.

serious felony-level offenses and sexual offenses. Military service law enforcement agencies that provide services at military installations primarily serve as first responders to incidents and will notify a military criminal investigative organization for more serious incidents requiring an investigation, according to service officials.

DOD Office of the General Counsel and Service Judge Advocates. The DOD Office of General Counsel provides advice to the Secretary of Defense regarding all legal matters and services performed within, or involving, DOD. The DOD Office of General Counsel also provides for the coordination of significant legal issues, including litigation involving DOD and other matters before the Department of Justice. Each military department is headed by a Judge Advocate General, or in the case of the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps, who oversees the delivery of legal services to eligible clients, which includes providing legal assistance to eligible personnel on personal, civil, and legal matters; advising commanders on military justice and disciplinary matters; and providing legal advice to military investigative agencies.

In addition, victims of offenses under the UCMJ (or in violation of the law of another jurisdiction if any portion of the investigation is conducted primarily by the DOD components) are to be notified of their rights under DOD's Victim and Witness Assistance Program; informed about the military justice process; and provided other services to support victims, witnesses, and their families. Beginning in 2014, Congress required the military services to designate legal counsel, known as Special Victims' Counsel or Victims' Legal Counsel, to provide legal advice and representation to military and dependent sexual assault and stalking victims. The National Defense Authorization Act for Fiscal Year 2020 required DOD to expand these services to qualifying victims of domestic violence offenses, not later than December 2020.[29] Consequently, eligible domestic violence victims may receive representation and advocacy throughout the military justice process.

Military Chaplains. Chaplains provide unique services to the military community and to victims and alleged abusers in domestic abuse situations, including pastoral counseling, information on available resources and services, and guidance about how to report the abuse to FAP. Communications with a chaplain are considered privileged, meaning

[29]Pub. L. No. 116-92 § 548 (2019).

that when abuse is reported to a chaplain, the chaplain cannot divulge that information to others, such as FAP or law enforcement, unless this privilege is waived by the person reporting the abuse to the chaplain.

Civilian Organizations. Civilian organizations may assist in responding to and resolving incidents of domestic abuse. Depending on the military installation, there may be local memoranda of understanding between the installation and civilian organizations, such as domestic abuse shelters, legal services organizations, medical facilities, and civilian law enforcement that help guide the reporting of and response to these incidents. For example, installations may rely on domestic abuse shelters in the local area to provide safe housing to victims of domestic abuse, and legal services organizations can help victims obtain a civilian protective order or with family law issues, such as child custody and divorce. Additionally, the military may refer victims who are not eligible for care at a military medical treatment facility, such as intimate partners, to civilian hospitals or clinicians. Civilian law enforcement can provide critical information to the military when it is the first to respond to an incident of abuse.

FAP Prevention and Response to Domestic Abuse

DOD, service, and installation FAPs are responsible for many aspects of the military services' efforts to prevent and respond to domestic abuse. To carry out these responsibilities, FAP offices provide prevention and education resources, receive restricted and unrestricted reports of domestic abuse, assess risk and identify appropriate safety measures, and provide victim advocacy and clinical counseling to victims and clinical treatment to abusers when appropriate.

Prevention and Education. DOD FAP is a member of the Office of the Secretary of Defense Prevention Collaboration Forum, which oversees DOD's Policy on Integrated Primary Prevention of Self Directed Harm and Prohibited Abuse or Harm, including domestic abuse.[30] Installation FAPs offer prevention programs to servicemembers and families, including the New Parent Support Program, preventative counseling services, and voluntary and targeted classes for stress and anger management.

[30]DOD Instruction 6400.09, *DOD Policy on Integrated Primary Prevention of Self Directed Harm and Prohibited Abuse or Harm* (Sept. 11, 2020).

Restricted and Unrestricted Reporting. Adult victims of domestic abuse who report the abuse to the military and are eligible to receive military medical treatment have the option to make a restricted report or unrestricted report. A restricted report does not require notification to the command or law enforcement, but allows the victim to receive support services from the military. An unrestricted report requires notification to the command and law enforcement and may trigger an investigation and administrative or disciplinary action. In some cases, a victim may not have the option to make a restricted report if the command or law enforcement have otherwise been notified of the abuse, if there is reasonable belief child abuse has also occurred, or if FAP determines the victim is in immediate risk of serious harm.

Risk Assessment and Safety. Installation FAPs conduct risk assessments of alleged abusers, victims, and other family members to determine risk of re-abuse and communicate any increased levels of risk to appropriate agencies for action, as appropriate. Based on the identified level of risk, command-directed safety measures may be taken, such as removing the alleged abuser from the home or imposing a military protective order to prohibit the alleged abuser from contacting or communicating with the victim.

Victim Advocacy. FAP victim advocates can provide support to victims of domestic abuse, including risk assessment and safety planning, information on protective orders, assistance gaining access to military and civilian services and resources, and information on available benefits, such as transitional compensation. According to DOD FAP officials, FAP victim advocates may also provide support to those who may not have been victimized but request information about domestic abuse to determine what may be happening in their relationship.

Clinical Treatment. Each reported incident is discussed at a clinical case staff meeting comprising personnel from FAP and others to coordinate the management of the case. The clinical case staff meeting determines clinical recommendations for support services and clinical counseling for victims and treatment for abusers who are eligible for treatment at a military medical treatment facility. DOD FAP officials stated that treatment is not dependent on whether an incident is determined to meet DOD's criteria for abuse—discussed further below—meaning that a victim or alleged abuser may voluntarily receive support services, clinical counseling, and treatment prior to and regardless of that determination.

Incident Determination Process for Domestic Abuse

Each military installation with a FAP has an IDC that reviews reported incidents of domestic abuse to determine whether they meet DOD's criteria for abuse.[31] In August 2016, DOD issued guidance standardizing the IDC process across the services.[32] According to this guidance, every reported incident of abuse or neglect must be presented to the IDC unless there is no possibility that the incident could meet any of the criteria for physical, emotional, or sexual abuse or neglect. According to DOD officials, each type of abuse is defined for use by the IDC to determine whether incidents should be recorded in FAP's Central Registry, which is intended for data collection and analysis. DOD's definitions for each type of domestic abuse are provided in table 1.

Table 1: Department Of Defense (DOD) Definitions for Types of Domestic Abuse

Abuse category	DOD definition
Physical	The non-accidental use of physical force such as grabbing, pushing, holding, slapping, choking, punching, kicking, sitting or standing upon, lifting and throwing, burning, immersing in hot liquids or pouring hot liquids upon, hitting with an object (such as a belt or electrical cord), and assaulting with a knife, firearm, or other weapon that causes or may cause significant impact.
Emotional	A type of domestic abuse including acts or threats adversely affecting the psychological well-being of a current or former spouse or intimate partner, including those intended to intimidate, coerce, or terrorize the spouse or intimate partner. Such acts and threats include those presenting likely physical injury, property damage or loss, or economic injury.
Sexual	A sexual act or sexual contact with the spouse or intimate partner without the consent of the spouse or intimate partner or against the expressed wishes of the spouse or intimate partner. Includes abusive sexual contact with a spouse or intimate partner, aggravated sexual assault of a spouse or intimate partner, aggravated sexual contact of a spouse or intimate partner, rape of a spouse or intimate partner, sodomy of a spouse or intimate partner, and wrongful sexual contact of an intimate partner.

[31]The Navy, the Marine Corps, and the Air Force have implemented the IDC process. The Army's implementation of the IDC process was ongoing as of November 2020. For purposes of this report, we refer to the Army's process as the IDC since the committee makes determinations whether reported incidents of child abuse meet DOD's criteria for abuse. The IDC reviews unrestricted reports of domestic abuse. Restricted reports of domestic abuse allow victims to report an incident of domestic abuse to a specified individual without initiating the investigative process or notification to the victim's or alleged abuser's commander.

[32]Department of Defense (DOD) Manual 6400.01, Vol. 3, *Family Advocacy Program (FAP): Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)* (Aug. 11, 2016).

Abuse category	DOD definition
Neglect	A type of domestic abuse in which the alleged abuser withholds necessary care or assistance for his or her current spouse who is incapable of self-care physically, psychologically, or culturally, although the caregiver is financially able to do so or has been offered other means to do so.

Source: DOD Manual 6400.01, Volume 3. | GAO-21-289

According to DOD, physical abuse, emotional abuse, and neglect each have two primary associated criteria: (a) an act or failure to act, and (b) an impact in the form of physical injury or harm, or the reasonable potential for physical injury or harm; psychological harm, or the reasonable potential for psychological harm; or stress-related somatic symptoms resulting from such act or failure to act.[33] Any act of partner sexual abuse that is found to have occurred under part (a) is automatically considered to have had a significant impact on the partner, which is the criterion for part (b); therefore, the IDC considers only part (a) for incidents of partner sexual abuse, and if the IDC determines the act occurred, then the incident is found to have met the criteria. In addition, in some circumstances, the IDC votes on a third criterion of whether any applicable exclusions apply, such as whether the alleged act was committed in self-defense. According to DOD, the IDC is not a disciplinary process and is separate and distinct from any law enforcement or military criminal investigative organization process.

Voting members of the IDC include the deputy to the installation commander (Chair); the senior enlisted advisor to the installation commander; representatives from each involved servicemember's command, the Staff Judge Advocate's office, and military police; and the FAP manager or FAP supervisor of clinical services.[34] According to DOD policy, the IDC may request that additional personnel, such as medical personnel and military criminal investigative organizations, attend the IDC when necessary to provide input on incidents and to answer any questions about the results of a medical examination or an investigation. In February 2020, we recommended that DOD expand the voting membership of the IDC to include knowledgeable medical personnel, and DOD partially concurred with the recommendation.[35] Subsequently, the William M. (Mac) Thornberry National Defense Authorization Act for

[33]DOD Manual 6400.01, Vol. 3.

[34]A command representative is included for each involved servicemember, who may be the victim or alleged abuser in an incident. When both the victim and alleged abuser are servicemembers, a representative from each servicemember's command is included.

[35]GAO-20-110.

Fiscal Year 2021 included a provision requiring DOD to implement the recommendation.[36]

IDC members—including the voting members and any additional personnel—review what is known about the incident, and then the voting members vote to determine whether the incident meets each of DOD's criteria for abuse. The final incident determination is made by a simple majority vote, and the IDC Chair serves as the tiebreaker in the event of a tie. The IDC's determination is communicated to the servicemember via the servicemember's command and through FAP, when possible. When requested by the victim or alleged abuser, IDC determinations may be reconsidered through an incident status determination review process, which varies by service.

Adjudication of Criminal Offenses of Domestic Violence

The process for adjudicating an incident of domestic violence—a subset of domestic abuse that is considered a criminal offense—depends in part on the military status of the alleged abuser and whether the exact location where the violence occurred was covered by federal or state jurisdiction. When domestic violence is committed by servicemembers, commanders have a responsibility to hold alleged abusers accountable for their conduct through appropriate disposition under the UCMJ or administrative regulations, as appropriate. When domestic violence is committed by a civilian, the venue for adjudication (e.g., state or federal court) can depend on whether the act was committed on or off an installation and the legal jurisdiction of the installation where the act was committed.

Uniform Code of Military Justice. According to the 2015 report ordered by the Secretary of Defense and issued by the Military Justice Review Group, the military justice system is designed to ensure discipline and order in the armed forces, since crimes committed by servicemembers have the potential to destroy the bonds of trust, seriously damage unit cohesion, and compromise military operations.[37] The jurisdiction of the UCMJ extends to all places and applies to all active-duty servicemembers. UCMJ jurisdiction applies to other individuals as well, including members of the National Guard or reserves who are performing active-duty service and during certain other periods, such as training.

[36]Pub. L. No. 116-283 § 549B (2021).

[37]Military Justice Review Group, *Report of the Military Justice Review Group Part I: UCMJ Recommendations*, at 17 (Dec. 22, 2015).

Under the UCMJ, commanders at every level are responsible to decide whether to take action regarding misconduct occurring in a command over which they have authority, which can include judicial, nonjudicial, or administrative action. A commander can also determine to take no action against an alleged abuser. According to Air Force officials, a commander's ability to take action in domestic violence cases can be affected by a victim's level of participation in the investigative, disciplinary, or prosecutorial processes.

In 2019, Congress added to the UCMJ a punitive article for domestic violence (article 128b); prior to the addition of article 128b, domestic violence offenses were typically prosecuted under the general offense of assault (article 128) or other applicable offenses, such as stalking, sexual assault, or destruction of property. The punitive article for domestic violence prescribes punishment, as a court-martial may direct, for any person subject to UCMJ jurisdiction who:

> (1) commits a violent offense against a spouse, an intimate partner, or an immediate family member of that person;
>
> (2) with intent to threaten or intimidate a spouse, an intimate partner, or an immediate family member of that person-
>
> > (A) commits an offense under [the UCMJ] against any person; or
> >
> > (B) commits an offense under [the UCMJ] against any property, including an animal;
>
> (3) with intent to threaten or intimidate a spouse, an intimate partner, or an immediate family member of that person, violates a protection order;
>
> (4) with intent to commit a violent offense against a spouse, an intimate partner, or an immediate family member of that person, violates a protection order; or
>
> (5) assaults a spouse, an intimate partner, or an immediate family member of that person by strangling or suffocating.[38]

DOD requires that commanders refer allegations of domestic violence perpetrated by a military member to law enforcement, and law

[38]10 U.S.C. §928b. The maximum punishment for UCMJ offenses, such as domestic violence, are prescribed by executive orders of the President of the United States. However, as of April 2021, a necessary executive order to establish the maximum punishment for domestic violence under the UCMJ has not yet been issued.

enforcement personnel must complete a report of the investigation and forward it to the alleged abuser's commander. The commander must then review the report and obtain advice from an appropriate legal officer before determining disposition.[39]

Military Installation Jurisdictions. Legal jurisdiction in the precise area of the installation where an alleged crime—such as domestic violence—is committed can also affect the process for adjudication. In the United States, military installations have one or more of four types of legislative jurisdiction that, among other things, help determine the proper adjudication venue for any criminal offense alleged to have been committed by a civilian on the property of the installation.[40] The four types of jurisdiction are described below.

- **Exclusive federal jurisdiction** gives the federal government sole authority to adjudicate alleged criminal misconduct. Exclusive federal jurisdiction exists when the federal government elected to reserve authority at the time the real property was granted to the state, or when the state transferred real property to the federal government and did not reserve jurisdictional authority as part of the transfer.
- **Concurrent jurisdiction** applies when both the federal government and the state have the authority to adjudicate alleged civilian criminal misconduct. In the event of a conflict, the federal government prevails under the Supremacy Clause of the Constitution.
- **Partial jurisdiction** applies when both the federal government and the state have some legislative authority, but neither one has absolute power. The sharing of authority is not exclusive to adjudication of criminal misconduct and federal supremacy applies in the event of a conflict.
- **Proprietary jurisdiction** applies to instances where the federal government has virtually no legislative authority. The only federal laws that apply in such situations are those that do not rely upon federal jurisdiction, such as espionage, bank robbery, tax fraud, and counterfeiting.

When a crime, such as domestic violence, is committed by a civilian on a military installation, the jurisdiction of the installation may determine the

[39]DOD Instruction 6400.06.

[40]DOD defines an installation as a military base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of DOD, including leased space, that is controlled by, or primarily supports DOD's activities.

process for criminal adjudication. For example, if a civilian commits a crime in an area of the installation that is subject to exclusive federal jurisdiction, he or she may be prosecuted under federal law through the appropriate United States Attorney's Office. Each military service permits the appointment of DOD attorneys to serve as Special Assistant United States Attorneys, who can represent the United States in the prosecution of alleged misdemeanor civilian crimes occurring on military installations within areas of exclusive federal or concurrent jurisdiction, among other duties.[41] However, if a civilian commits a crime in an area of that installation that is subject to concurrent jurisdiction, he or she may be prosecuted by either the state or federal authorities. If a civilian commits a crime in an area that is subject to proprietary jurisdiction, he or she may be prosecuted by the state.

DOD Has Collected and Reported Some Statutorily Required Domestic Abuse Data, but Has Not Met Requirements for Allegation and Command Action Data

During fiscal years 2015 through 2019, DOD collected and reported data for over 40,000 incidents of domestic abuse that met DOD's associated criteria (referred to as met-criteria incidents), meeting a statutory requirement for annual data reporting. However, DOD has not met a statutory requirement to collect and report data for all domestic abuse allegations received, because the allegation data DOD has collected and reported are neither accurate nor complete. In addition, DOD has not developed a statutorily required database or otherwise comprehensively collected data for incidents of domestic violence—a subset of domestic abuse—and related disciplinary or administrative actions taken by commanders.

[41]28 USC § 543 and 10 USC § 806(d).

DOD Met a Statutory Requirement to Collect and Report Data for Domestic Abuse Incidents That Met Its Criteria, but Not for All Allegations Received

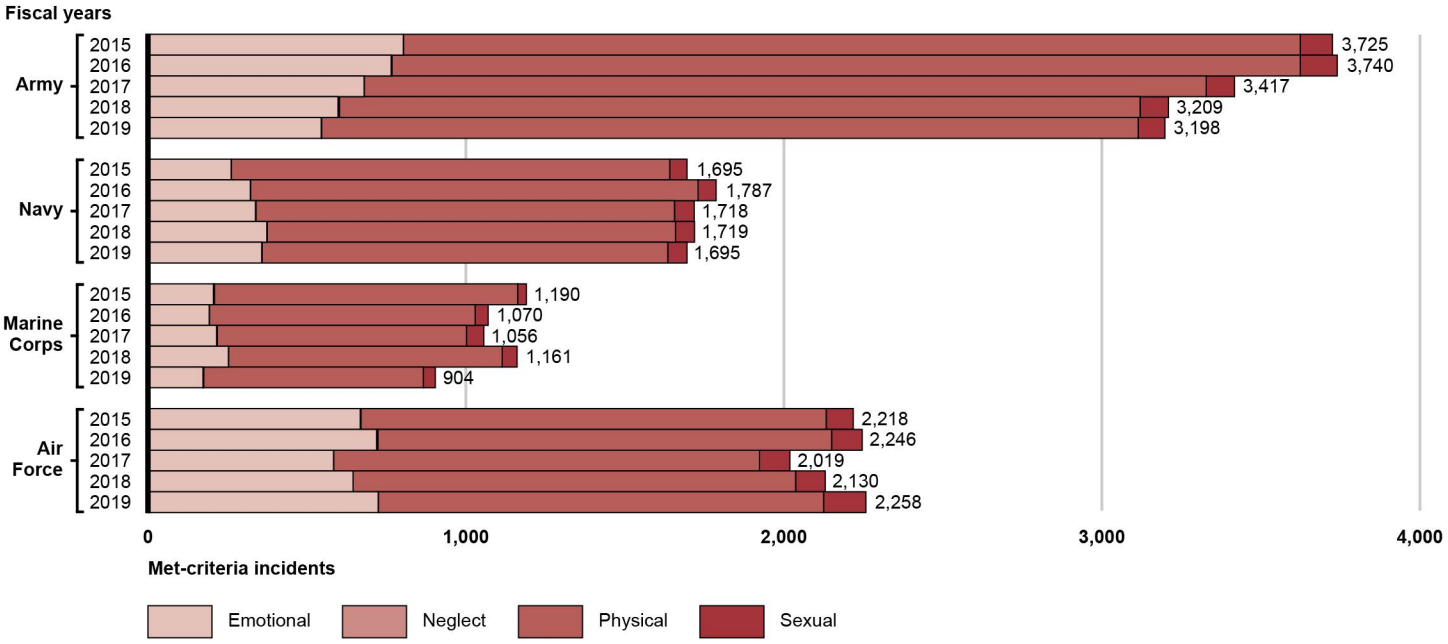
DOD Collected and Reported Statutorily Required Data for Over 40,000 Met-Criteria Incidents of Domestic Abuse during Fiscal Years 2015 through 2019

During fiscal years 2015 through 2019, the military services collected data on 42,155 incidents that met DOD's criteria for domestic abuse.[42] Of these, 74 percent (31,221) were physical abuse, 22 percent (9,426) were emotional abuse, 4 percent (1,482) were sexual abuse, and less than 1 percent (26) were neglect. The military services determine through the IDC whether each alleged type of abuse meets DOD's criteria. When a report of abuse includes more than one type of alleged abuse—for example, physical and emotional abuse—the IDC makes a separate determination for each type of abuse. For the purpose of this report, we refer to each alleged abuse type as an allegation; as such, a single report of abuse involving one victim and alleged abuser may include more than one allegation. DOD considers each allegation received that is found to have met its criteria for domestic abuse to be a distinct met-criteria incident.[43] See figure 2 for the number and type of met-criteria incidents by fiscal year and military service during fiscal years 2015 through 2019.

[42]For this review, we obtained domestic abuse data from each military service FAP data system. Because the data in each service data system may be updated following submission to DOD, differences in the data may occur, for example, due to correction of identified errors. We did not find significant differences in the number and type of met-criteria incidents determined by our analyses and reported by DOD.

[43]In accordance with DOD's procedures, FAP clinicians are required to use an algorithm-based incident severity scale to determine a severity level (i.e., mild, moderate, or severe) for each met-criteria incident, which is recorded in the data. To mitigate differences in the services' methods for recording domestic abuse incident data, described further in this section, DOD uses the severity level data field to count the number of met-criteria incidents in a consistent manner across the services. For consistency, we also used this method in our analysis of service FAP data to calculate the number of met-criteria incidents. For more information on severity levels of met-criteria incidents, see appendix II of this report.

Figure 2: Number of Incidents That Met Department of Defense Criteria for Domestic Abuse by Abuse Type and Military Service, Fiscal Years 2015 – 2019



Met-criteria incidents

	Type of abuse			
	Emotional	Neglect	Physical	Sexual
Army				
2015	803	0	2,821	101
2016	765	3	2,856	116
2017	680	0	2,648	89
2018	598	4	2,518	89
2019	545	1	2,568	84
Navy				
2015	262	0	1,379	54
2016	322	1	1,407	57
2017	338	2	1,316	62
2018	374	1	1,284	60
2019	358	1	1,276	60

Met-criteria incidents

	Type of abuse			
	Emotional	Neglect	Physical	Sexual
Marine Corps				
2015	206	3	954	27
2016	193	0	836	41
2017	216	2	784	54
2018	253	0	861	47
2019	173	2	691	38
Air Force				
2015	668	2	1,463	85
2016	719	4	1,427	96
2017	584	0	1,339	96
2018	645	0	1,392	93
2019	724	0	1,401	133

Source: GAO analysis of military service Family Advocacy Program data. | GAO-21-289

Data table for Figure 2: Number of Incidents That Met Department of Defense Criteria for Domestic Abuse by Abuse Type and Military Service, Fiscal Years 2015 – 2019

		Met-criteria incidents				
	Fiscal Years	**Emotional**	**Neglect**	**Physical**	**Sexual**	**Total**
Army	2015	803	0	2,821	101	3,725
	2016	765	3	2,856	116	3,740
	2017	680	0	2,648	89	3,417
	2018	598	4	2,518	89	3,209
	2019	545	1	2,568	84	3,198
	Navy					
	2015	262	0	1,379	54	1,695
	2016	322	1	1,407	57	1,787
	2017	338	2	1,316	62	1,718
	2018	374	1	1,284	60	1,719
	2019	358	1	1,276	60	1,695
Marine Corps	2015	206	3	954	27	1,190
	2016	193	0	836	41	1,070
	2017	216	2	784	54	1,056
	2018	253	0	861	47	1,161
	2019	173	2	691	38	904
Air Force	2015	668	2	1,463	85	2,218
	2016	719	4	1,427	96	2,246
	2017	584	0	1,339	96	2,019
	2018	645	0	1,392	93	2,130
	2019	724	0	1,401	133	2,258

The National Defense Authorization Act for Fiscal Year 2017 requires DOD to report domestic abuse data annually to Congress that includes the number and types of met-criteria domestic abuse incidents, and DOD has met this requirement since 2017.[44] DOD's reports have also included related information on military status and sex of victims and abusers in met-criteria incidents, the number of fatalities resulting from domestic abuse incidents, and metrics related to the effectiveness of FAP.

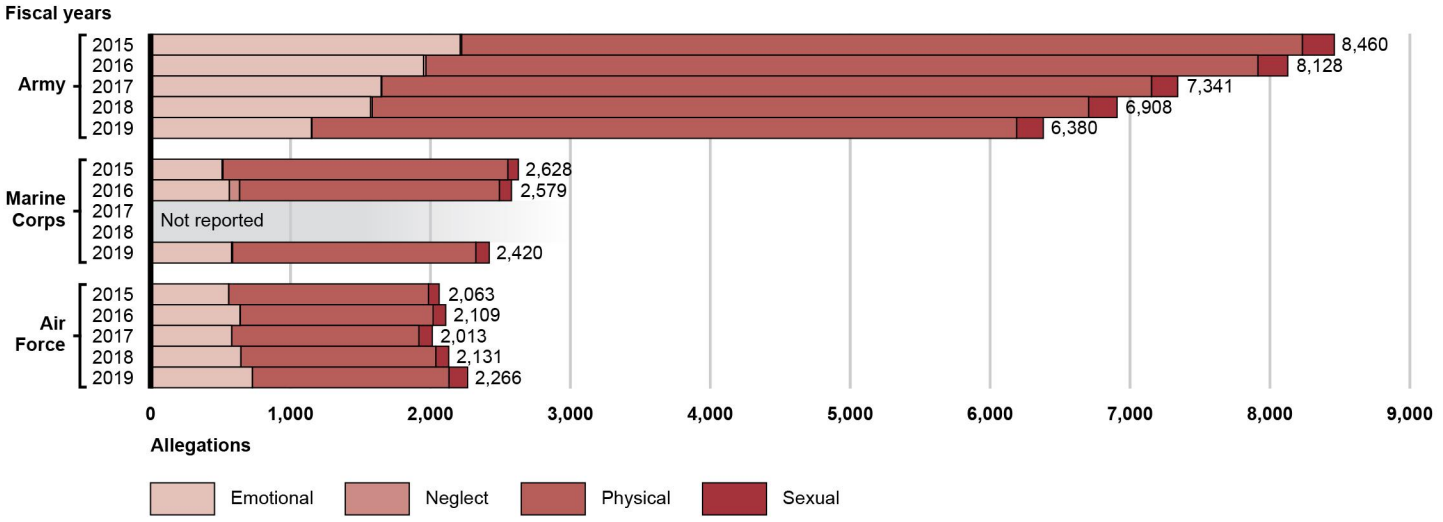
[44]National Defense Authorization Act for Fiscal Year 2017, Pub. L. No. 114-328 § 574 (2016).

DOD Has Not Met a Statutory Requirement to Collect and Report Data on All Domestic Abuse Allegations Received

DOD has not collected and reported accurate and complete data on the number and type of domestic abuse allegations received, as required by statute. Based on our review of military service FAP data, we found that it is not possible to determine the total number and type of domestic abuse allegations received across DOD because the services use different data collection methods. Specifically, the Army and the Air Force document multiple allegations received that are associated with a report as a single data record, while the Navy and Marine Corps document each allegation received as a separate data record. For the Army, the Air Force, and the Marine Corps, each distinct allegation received can be identified based on an alleged abuse type code. However, although each Navy data record is intended to represent a single allegation received, it can contain multiple alleged abuse types associated with an initial report. When multiple alleged abuse types are recorded for a single data record, it is not possible to validate that the record corresponds to a single allegation received. Moreover, according to Navy data officials, the alleged abuse types identified in a data record do not always correspond to allegations that were presented to the IDC if FAP obtains new information between receiving the initial report and the IDC regarding the type(s) of abuse that were alleged to have occurred. As a result, it is not possible to determine how many or what types of allegations of abuse were received by the Navy and therefore across the department.

According to Navy officials, the difference in Navy's interpretation of DOD's guidance regarding the alleged abuse type data field was not known prior to our review. These officials further stated DOD FAP has since requested that the Navy make adjustments to collect this data, consistent with the other services and DOD's intent, and that the Navy intends to do so. Figure 3 provides the number and type of allegations received by year for the Army, the Air Force, and the Marine Corps during fiscal years 2015 through 2019.

Figure 3: Number of Allegations of Domestic Abuse Received, by Abuse Type, for the Army, the Air Force, and the Marine Corps, Fiscal Years 2015-2019



Allegations

	Type of abuse			
	Emotional	Neglect	Physical	Sexual
Army				
2015	2,212	10	6,010	228
2016	1,950	17	5,947	214
2017	1,647	6	5,500	188
2018	1,572	12	5,120	204
2019	1,149	3	5,037	191
Marine Corps				
2015	511	6	2,036	75
2016	562	73	1,857	87
2017	Not reported			
2018	Not reported			
2019	578	7	1,739	96

Allegations

	Type of abuse			
	Emotional	Neglect	Physical	Sexual
Air Force				
2015	558	0	1,428	77
2016	639	2	1,378	90
2017	579	0	1,338	96
2018	645	0	1,393	93
2019	727	0	1,405	134

Source: GAO analysis of military service Family Advocacy Program data. | GAO-21-289

Data table for Figure 3: Number of Allegations of Domestic Abuse Received, by Abuse Type, for the Army, the Air Force, and the Marine Corps, Fiscal Years 2015-2019

		Allegations				
	Fiscal Years	Emotional	Neglect	Physical	Sexual	Total
Army	2015	2,212	10	6,010	228	8,460
	2016	1,950	17	5,947	214	8,128
	2017	1,647	6	5,500	188	7,341
	2018	1,572	12	5,120	204	6,908
	2019	1,149	3	5,037	191	6,380
Marine Corps	2015	511	6	2,036	75	2,628
	2016	562	73	1,857	87	2,579
	2017	Not reported				
	2018	Not reported				
	2019	578	7	1,739	96	2,420
Air Force	2015	558	0	1,428	77	2,063
	2016	639	2	1,378	90	2,109
	2017	579	0	1,338	96	2,013
	2018	645	0	1,393	93	2,131
	2019	727	0	1,405	134	2,266

Note: Due to a system error that has since been resolved, data on total allegations of domestic abuse are not available for the Marine Corps during fiscal years 2017 and 2018. The number of allegations for Navy are not presented because we found the Navy's domestic abuse incident data were not sufficiently reliable for this purpose.

As previously stated, the National Defense Authorization Act for Fiscal Year 2017 requires DOD to annually report domestic abuse data to Congress.[45] This statutory requirement includes the number of incidents reported each calendar year—referred to in this report as allegations received—involving alleged spouse or intimate partner physical or sexual abuse. In its annual reports to Congress covering data for the preceding fiscal year, DOD has reported a total number of allegations received for

[45]Pub. L. No. 114-328, § 574 (2016).

each spouse and intimate partner abuse. However, in part due to the previously described differences in the services' methods for data collection, these total numbers are not accurate and therefore do not fully address the reporting requirement. Specifically, in its reporting, DOD counts each data record as an allegation received although, as previously described, each data record for the Army and the Air Force can represent multiple allegations received.[46] As such, this method is not accurate because it effectively results in undercounting the number of allegations received for the Army and Air Force. It also obscures the rate at which allegations received department-wide were found to meet DOD's criteria.[47] Further, while the statutory requirement specifies that the number of reported incidents—referred to in this report as allegations received—of physical or sexual abuse should be provided, DOD has reported only a total number of allegations received across all abuse types and has not specified the number of allegations received that were physical or sexual abuse. In addition, due to the Navy's aforementioned method for recording allegations received, it is not possible to determine the abuse type for allegations received that did not meet DOD's criteria.

Our analysis also found that certain Army and Marine Corps data included in DOD's reports to Congress included inaccuracies.[48] For example, the Army data reported to DOD FAP for fiscal years 2015 through 2017 inaccurately indicated that no victims of abuse had been servicemembers. Army officials responsible for FAP data stated that since 2019 the Army has undertaken efforts to manually correct inaccuracies resulting from data entry errors in past years' data. In addition, the Army is in the process of modernizing its FAP data system, which the officials stated should enhance system controls and prevent future errors from occurring. According to Marine Corps and DOD FAP officials, the Marine Corps data reported to DOD FAP for fiscal years 2017 and 2018 included

[46]To present the number of allegations for Army, Air Force, and Marine Corps in this report, we counted each alleged abuse type in the service data as a separate allegation, which differs from DOD's method of counting each data record as an allegation. In its reporting, DOD uses the term "reported incidents" to refer to allegations of abuse, including those which did not meet DOD's criteria for domestic abuse.

[47]This rate is not reported by DOD and is not requested by the statutory requirement, but nonetheless could provide valuable information regarding the incidence of domestic abuse.

[48]The inaccuracies described in this paragraph are not reflected in the data presented in this report, because the Army data we obtained had been corrected, and we excluded the inaccurate Marine Corps data from our reporting.

some child abuse allegations received in the count of domestic abuse allegations received. Marine Corps officials stated data inaccuracies were caused by a system error in 2016 that has since been corrected.[49] DOD FAP officials stated the inaccurate Marine Corps data were included in the annual report, but that because the Marine Corps is the smallest military service with the fewest domestic and child abuse incidents, the relative impact on the aggregate data was small.

Standards for Internal Control in the Federal Government state that management should use quality information to achieve the entity's objectives, such as by processing data into information and evaluating the processed information to ensure its quality. These standards also state that management should internally and externally communicate the necessary quality information to meet the organization's objectives.

However, DOD has not collected and reported accurate and complete data because:

- DOD's guidance to the services on the submission of domestic abuse data by the services is unclear. DOD's manual prescribing standardized procedures for submission of domestic abuse data provides guidelines for how each military service should submit data for domestic abuse allegations received and states the Deputy Assistant Secretary of Defense for Military Community and Family Policy is responsible to ensure compliance and provide guidance on the implementation of the manual.[50] However, the manual does not clearly specify whether each allegation received should be submitted to DOD as a separate data record. Instead, it allows multiple alleged abuse types to be submitted as a single data record. Additionally, the manual does not specify how to submit data when some but not all alleged abuse types submitted as a single data record were found to have met DOD's criteria for domestic abuse.
- DOD does not have a quality control process to ensure its ability to report accurate and complete data on all abuse allegations received. According to DOD FAP officials, they determined in 2015 that efforts were needed to address differences in the services' FAP data collection, and they have since semi-annually convened a data quality

[49]According to Marine Corps officials, this error was caused by a system upgrade that resulted in the loss of the data field that indicates whether an incident related either to child abuse or adult victim domestic abuse and defaulted the field to domestic abuse for all records.

[50]DOD Manual 6400.01, Volume 2.

working group. However, the officials stated that because the focus of these efforts has been on data for met-criteria incidents, they do not have a process to assess the reliability of data on allegations received that did not meet DOD's criteria. Therefore, they stated, they are unable to reliably report on aspects of allegations received that did not meet DOD's criteria, such as the associated types of abuse. DOD FAP officials stated they do not believe an analysis of the types of allegations received is mandated by the statute. However, the current statutory requirement specifies that DOD must report the number of incidents reported during the previous year involving, among other things, "spouse physical or sexual abuse" and "intimate partner physical or sexual abuse." Moreover, accurate data on the number of allegations received that did not meet DOD's criteria would provide visibility over the total number of allegations received and allow DOD to assess the rate at which allegations received meet DOD's criteria.

The statutory reporting requirement is scheduled to expire following the 2021 report of 2020 data. In January 2021, DOD FAP officials stated they plan to continue reporting the data to Congress and noted they did so prior to the statutory requirement.

Without clarifying guidance on the submission of data for reports that include multiple allegations of abuse, DOD lacks reasonable assurance that each service will submit this data in a consistent manner that will allow for its aggregation. Further, without a quality control process to help ensure accurate and complete reporting of all domestic abuse allegations received, decision makers in Congress and DOD will lack key information—including the total number of allegations received by type of abuse and the rate of met-criteria incidents—to evaluate the effectiveness of DOD's efforts to prevent and respond to incidents of domestic abuse. By expanding its planned future reporting to include an analysis of the types of domestic abuse allegations received as the current statute requires, DOD can provide additional visibility of its domestic abuse prevention and response efforts to help ensure they are effective and implemented in accordance with DOD policy.

DOD Has Not Developed a Required Database or Otherwise Collected Comprehensive Data on Domestic Violence Allegations Received and Related Command Actions

DOD has not developed a statutorily required database to track data for domestic violence—a subset of domestic abuse—and related command

actions, that is, actions taken by commanders in response to domestic violence. In addition, the domestic violence and command action data collected from systems across DOD are not comprehensive. Section 594 of the National Defense Authorization Act for Fiscal Year 2000 required that DOD maintain a database to track each domestic violence incident reported to the military (referred to in this report as an allegation received); the number and description of incidents determined to be substantiated and unsubstantiated; and for each substantiated incident, the action taken by command authorities in the incident.[51] In 2001, the Defense Task Force on Domestic Violence recommended that DOD develop guidance to capture this required data, such as through the Defense Incident-Based Reporting System—a system intended to collect law enforcement data and statistics across the department—or the FAP Central Registry. In 2006, we found that the Defense Incident-Based Reporting System was not yet operational and did not contain complete information on domestic violence, and recommended that DOD develop a comprehensive management plan to address deficiencies in the system's collection of the data. Section 543 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 required DOD to implement our 2006 recommendation, which we closed as not implemented because no management plan was developed as of 2010.[52] According to DOD FAP officials, a management plan was developed in 2015, which stated DOD FAP would collect and report the domestic violence incident and command action data annually until an adequate database could be developed. DOD FAP's collection of these data is discussed below.

DOD Instruction 6400.06 requires commanders to report command actions related to domestic violence to law enforcement. DOD's manual for its Defense Incident-Based Reporting System requires the military departments to annually submit to the system data regarding domestic violence allegations reported to a commander, service law enforcement,

[51]Pub. L. No. 106-65, § 594 (*codified* at 10 U.S.C. § 1562) (1999). The determination of whether an incident is substantiated for command action is distinct from the determination of whether an incident meets DOD's criteria for domestic abuse. The IDC—which determines whether an incident meets DOD's criteria—is not a disciplinary process.

[52]Pub. L. No. 111-383, § 543 (2011).

or FAP and associated command action data.[53] Officials from each military service law enforcement agency and military criminal investigative organization told us that commanders are expected to provide information on command actions taken for investigated allegations, and that this information is recorded in their respective service law enforcement data systems. However, according to a cognizant official from the Office of the Under Secretary of Defense for Intelligence and Security—an office with responsibility for oversight of service law enforcement programs—the Defense Incident-Based Reporting System does not include a required database on domestic violence because it is primarily used to fulfill other law enforcement data reporting requirements.

In 2014, to address challenges in tracking domestic violence data across the department, such as through the Defense Incident-Based Reporting System, the Office of the Under Secretary of Defense for Personnel and Readiness issued a memorandum requiring that each military service FAP annually submit to DOD FAP data involving certain types of incidents that met DOD's criteria for domestic abuse and related command actions.[54] Pursuant to this requirement, starting in fiscal year 2015, each military service FAP has provided to DOD FAP data on domestic violence incidents and related command actions covering a subset of domestic violence incidents and broad categories of command actions.

However, these data do not include all allegations that may be considered domestic violence under the UCMJ and do not provide a sufficient level of detail regarding command actions to determine whether an incident was substantiated for action by the command. Specifically,

- whereas the 2014 Office of the Under Secretary of Defense for Personnel and Readiness memorandum requires the services to report domestic abuse incidents that FAP classified as sexual abuse or moderate or severe physical abuse, the UCMJ defines domestic

[53]DOD Manual 7730.47M, Vol. 1. Responsibility for this manual and for DOD Instruction 7730.47, *Defense Incident Based Reporting System (DIBRS)* was transferred in 2018 from the Office of the Under Secretary of Defense for Personnel and Readiness to the Office of the Under Secretary of Defense for Intelligence and Security. The manual and instruction still assign responsibility to the Under Secretary of Defense for Personnel and Readiness to develop overall policy for the Defense Incident-Based Reporting System and the manual makes the Office of the Under Secretary of Defense for Personnel and Readiness responsible for overseeing operation and maintenance of the system.

[54]Acting Under Secretary of Defense for Personnel and Readiness Memorandum, *Domestic Violence Incident Count and Consequent Command Actions* (Apr. 10, 2014).

violence as also including offenses against property, including animals, committed with the intent to threaten the spouse or intimate partner. DOD FAP policy categorizes such acts as emotional abuse and they are therefore not required by the memo to be reported.[55]

- the UCMJ definition for domestic violence includes violation of a protection order with intent to threaten, intimidate, or commit a violent offense against a spouse, intimate partner, or family member of that person, but DOD FAP does not identify this act in its criteria for any type of domestic abuse.
- DOD FAP requires the services to report command actions for met-criteria incidents, thus it does not collect data on all domestic violence allegations received, obscuring the rate of substantiation for command action. In addition, it excludes disciplinary actions taken by commanders for allegations that did not meet DOD's criteria for abuse but are considered domestic violence under the UCMJ.[56]

In addition, the FAP reporting requirement in the 2014 Office of the Under Secretary of Defense for Personnel and Readiness memorandum does not provide for the collection of detailed information regarding the types of command actions taken for the reported met-criteria incidents. According to the requirement, command actions are to be reported in categories of administrative action, nonjudicial punishment, court-martial, and other. During fiscal years 2015 through 2019, nearly half of the reported non-pending command actions were categorized as "other."[57] Based on DOD's definition for this category, it is unknown whether the command determined the allegation was unfounded for these incidents or if the incidents were not prosecutable for other reasons. In addition, 20 percent of command actions reported during the 5-year time frame were classified as "pending," meaning they had not yet been adjudicated for final determination. Officials responsible for the collection and reporting of data

[55]DOD Manual 6400.01, Vol. 3.

[56]According to DOD policy, the IDC is not a disciplinary proceeding, and commanders are to determine appropriate command action independent of the IDC determination of whether an incident is found to meet DOD's criteria for domestic abuse.

[57]Of a total of 7,930 reported command actions during fiscal years 2015-2019 (excluding those reported as "pending"), 45 percent of those reported for moderate physical abuse, 43 percent reported for severe physical abuse, and 44 percent reported for sexual abuse were categorized as "other." DOD defines "other" command actions as those for incidents which are not prosecutable for various reasons including: the military did not have legal jurisdiction; the allegation was unfounded by command (meaning it was false or did not meet the elements/criteria of a domestic violence offense/incident); the statute of limitations expired; the subject died or deserted; the evidence was insufficient; or the victim declined or refused to cooperate with the investigation or prosecution.

from each military service stated that actions reported as pending for a given fiscal year would not be reported in a subsequent year once finalized. As a result, the outcome of these command actions is not reflected in the data DOD FAP collects.

Standards for Internal Control in the Federal Government state that management should establish an organizational structure, assign responsibility, and delegate authority to achieve the entity's objectives. However, current DOD policies do not assign responsibility for tracking domestic violence allegations received and associated command actions in a manner that has enabled the department to achieve these objectives. Specifically, while DOD FAP is currently responsible to collect domestic violence and command action data, DOD FAP officials told us that tracking command action data is not compatible with FAP's mission as a social services program and that FAP therefore neither tracks information on command actions in its data system nor identifies in the system whether allegations received are considered domestic violence under the UCMJ. Additionally, although service law enforcement officials stated both of these elements are generally tracked in various service law enforcement data systems—such as the Army Law Enforcement Reporting and Tracking System, the Navy and Marine Corps' Consolidated Law Enforcement Operations Center, and the Air Force's Investigative Information Management System—they are not aggregated at the department level due to the limitations of the Defense Incident-Based Reporting System previously described.[58] Officials from the Office of the Under Secretary of Defense for Intelligence and Security stated that because they understand that office to hold responsibility for policy oversight of the Defense Incident-Based Reporting System and the Office of the Under Secretary of Defense for Personnel and Readiness to own the system, this dynamic creates coordination difficulty when changes to either the policy or the system are needed. An official stated that the Defense Incident-Based Reporting System may be retired, and that the offices continue to work toward a solution for tracking domestic violence incident and command action data.

By evaluating and, if needed, clarifying or adjusting assignment of responsibilities for tracking domestic violence and related command action data, DOD may be able to address its long-standing challenges

[58]Data regarding some types of command actions are also tracked in military justice data systems such as the Air Force Automated Military Justice Analysis and Management System, the Army Courts-Martial Information System, Military Justice Online (Army), and the Case Management System (Navy and Marine Corps).

associated with meeting its statutory requirement to track these data. Improving collection of these data would allow DOD to determine the incidence of domestic violence, the rate that domestic violence allegations received are substantiated for command action, and the number and types of associated command actions that are taken.

Military Service Domestic Abuse Policies Generally Align with DOD Requirements, but the Number of MOUs with Civilian Organizations May Be Insufficient

Military Service Policies Are Generally Consistent with DOD Requirements, but Do Not Address the Violation of Civilian Protective Orders

The military services have established FAP policies with procedures to implement key DOD requirements for domestic abuse response. DOD Instruction 6400.06 requires each military department to issue FAP policies to implement the response procedures outlined in the instruction, such as commander and FAP responsibilities, and to issue related guidance on procedures for restricted reporting, access to firearms for individuals convicted of domestic violence, prompt and effective command action, and the violation of military and civilian protective orders. Table 2 shows examples of key domestic abuse procedures included in military service policies.

Table 2: Key Department of Defense Domestic Abuse Procedures Included in Military Service Policies

DOD requirements	Military service policy examples
Commander and Family Advocacy Program (FAP) responsibilities[a]	• All service policies require that each incident of domestic abuse be assessed for risk whether or not violence was used in the incident in question, and that each victim be offered clinical assessment and supportive services on a voluntary basis. • Navy, Air Force, and Marine Corps FAP policies require commanders to report domestic abuse incidents directly to the appropriate law enforcement organization. Army policy requires commanders report domestic abuse incidents to an installation reporting point of contact who is then responsible for alerting law enforcement.

DOD requirements	Military service policy examples
Restricted reporting	All service FAP policies require: • victim advocates to communicate reporting options in their first contact with the victim, • victim advocates to report aggregate restricted reporting numbers while maintaining anonymity of victims, and • medical providers to provide appropriate care and treatment for victims who make restricted reports, and conduct any forensic medical exams deemed appropriate.
Access to firearms	Navy FAP policy, and Army, Air Force and Marine Corps law enforcement policies, include guidance that: • governs how completed DD Forms 2760, "Qualification to Possess Firearms or Ammunition," are to be filed and maintained to ensure they are retrievable if needed; • ensures compliance with the Domestic Violence Amendment to the Gun Control Act with respect to privately owned firearms under Government control or permitted in Government quarters[b] and • governs the transfer of firearms and ammunition to individuals in morale, welfare, and recreation activities and other Government-sponsored or sanctioned activities.
Command action	All four services have established guidance for prompt and effective command action through FAP and other policies. For example, • Army, Navy, and Marine Corps FAP policies state commanders are responsible for taking appropriate disciplinary action to hold military abusers accountable, including through administrative action or court-martial. • Air Force FAP policy requires commanders to document that a servicemember engaged in domestic abuse when taking disciplinary action, such as a court-martial or administrative separation.

Source: GAO analysis of military service policies. | GAO-21-289

[a]In some cases, service policies may not specify every commander and FAP responsibility. For example, Navy, Air Force, and Marine Corps policies establish procedures for addressing domestic abuse incidents that occur during the deployment cycle, while Army policy does not have a parallel requirement. DOD Instruction 6400.06 includes multiple procedures related to commander and FAP responsibilities, but does not require service policies to address every procedure in the instruction.

[b]18 U.S.C. § 922(g)(9).

While the military services have issued FAP policies and guidance to implement key DOD requirements, the Army, the Navy, and the Air Force have not established required procedures for handling the violation of civilian protective orders. DOD Instruction 6400.06 requires the military departments to issue regulations specifying that persons subject to the UCMJ must comply with civilian and military protective orders, and that

failure to comply may result in prosecution under the UCMJ.[59] We found that each service has issued guidance to meet this requirement for military protective orders, but that only the Marine Corps has issued guidance pertaining to civilian protective orders. Specifically, all of the military services require commanders to use DD Form 2873, a standardized DOD form for military protective orders, which states that a violation of the order shall constitute a violation under Article 90 of the UCMJ.[60] In addition, Marine Corps FAP policy states that military personnel failing to comply with a civilian protective order may be subject to administrative and disciplinary action under the UCMJ. In contrast, Army, Navy, and Air Force FAP policies do not include similar guidance.

Victim advocates at the four installations where we conducted interviews stated they provide victims with information and assistance regarding military and civilian protective orders. In addition, we discussed outcomes of protective orders with domestic abuse survivors we interviewed. Of the 36 domestic abuse survivors we interviewed who had a protective order in place, five said that protective orders were effective, and 19 said there were no consequences for violation of the order. For example, one survivor told us that there is only so much a military protective order can do when an abuser figures out there will not likely be any punishment from the military.[61] Similarly, another survivor told us that her abuser consistently violated the civilian protective order, and she perceived that the lack of consequences seemed to encourage the abuser to continue to

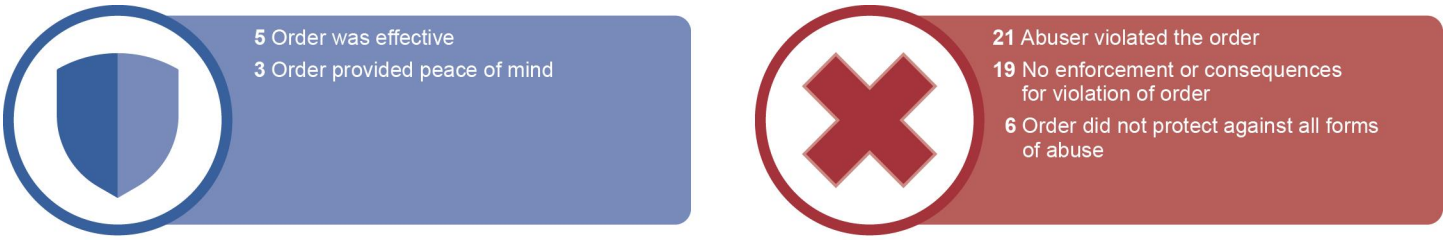
[59]In 2001, the Defense Task Force on Domestic Violence recommended that DOD take appropriate action to make violations of a valid civilian order of protection by a military member an offense under the UCMJ. DOD addressed this recommendation, among others, by issuing a memorandum, *Implementation of the Armed Forces Domestic Security Act* (Nov. 10, 2003). This directive-type memorandum was superseded by DOD Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personnel* (Aug. 21, 2007) (incorporating change 4, May 26, 2017).

[60]10 U.S.C. § 890. Willfully disobeying superior commissioned officer. In 2001, the Defense Task Force on Domestic Violence recommended that DOD use a standard military protective order. In 2006, we reported that DOD addressed this recommendation by issuing a memorandum, *Military Protective Orders (MPOs)* (Mar. 10, 2004). This directive-type memorandum was superseded by DOD Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personnel* (Aug. 21, 2007) (incorporating change 4, May 26, 2017), which states commanders may use DD Form 2873, “Military Protective Order” to issue a military protective order.

[61]Commanders are responsible for issuing military protective orders, which remain in effect until the issuing commander modifies or rescinds the order. Violation of a military protective order is punishable under Article 90 of the UCMJ, as previously mentioned, as well as under Article 92 of the UCMJ, failure to obey an order or regulation. A violation could result in nonjudicial punishment, court-martial proceedings, or other disciplinary measures.

violate the order. The outcomes of protective orders most frequently cited by the survivors we interviewed are illustrated in figure 4.

Figure 4: Outcomes of Military and Civilian Protective Orders Most Frequently Cited by 36 Survivors GAO Interviewed with Orders in Place



Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Text of Figure 4: Outcomes of Military and Civilian Protective Orders Most Frequently Cited by 36 Survivors GAO Interviewed with Orders in Place

- **5** Order was effective
- **3** Order provided peace of mind
- **21** Abuser violated the order
- **19** No enforcement or consequences for violation of order
- **6** Order did not protect against all forms of abuse

Note: GAO interviewed 68 military-affiliated survivors of domestic abuse, of which 36 stated a military or civilian protective order had been issued as a result of the abuse. These 36 survivors included 15 who stated both a military and civilian protective order were issued, 13 who stated only a civilian protective order had been issued, and eight who stated only a military protective order had been issued. The survivors who had been issued both military and civilian protective orders did not always distinguish between the two types of orders when discussing their outcomes.

Army, Navy, and Air Force officials told us that service-level regulations to address discipline for violation of civilian protective orders—as required by DOD policy—are not needed because commanders are already able to prosecute such violations under existing UCMJ articles. For example, Air Force legal officials stated that violations of civilian protective orders can be punished under the UCMJ through assimilation of state law, as a failure to obey an order or regulation under Article 92 of the UCMJ, or under other UCMJ articles, depending on the factual circumstances of a given case.

However, service officials also stated that forthcoming or existing publications related to civilian protective orders are intended to address implementation of the DOD requirement. Army policy currently requires civilian protective orders to be reported to its law enforcement data system, and Army officials told us that forthcoming Army FAP policy will

require commanders to issue a military protective order that mirrors any existing civilian protective order. Navy officials stated current FAP policy is sufficient, because, for example, it requires commanders to advise victims seeking military protective orders to seek a civilian protective order as well, and requires that military protective orders shall not contradict civilian protective orders. However, the policy does not state that a member of the military is subject to prosecution under the UCMJ for violating a civilian protective order. Air Force officials stated existing policies address how to enforce military and civilian protective orders.[62] However, the Air Force policies focus on military protective orders, state that commanders may issue a military protective order in conjunction with protective orders civilian courts have issued, and require servicemembers to generally follow civilian laws. The policies do not include the specific direction that, should a servicemember violate a civilian protective order, they would be subject to prosecution under the UCMJ, as DOD Instruction 6400.06 requires.

By issuing regulations DOD requires that address violation of civilian protective orders, the Army, the Navy, and the Air Force may better ensure that members of the coordinated community response—such as victim advocates responsible for advising victims of available legal actions and commanders responsible for taking appropriate disciplinary action—are aware of and communicate commanders' ability to address violation of a civilian protective order. In turn, this may increase victims' awareness of opportunities to report violation of a civilian protective order to the military and help ensure abusers who are servicemembers understand the potential consequences from the military of violating such an order.

Selected MOUs Are Generally Consistent with DOD Requirements, but the Number of MOUs with Civilian Organizations May Be Insufficient

MOUs provided through our nongeneralizable sample of 20 installations were generally consistent with DOD content requirements. MOUs are intended to enhance installations' coordination with civilian organizations; however, services and support from civilian organizations may still be

[62]See Department of the Air Force Instruction 51-201, *Administration of Military Justice*, Sec 16I (Jan. 18, 2019) (incorporating Department of the Air Force Guidance Memorandum 2021-02 (Apr. 15, 2021)), and Air Force Instruction 1-1, *Air Force Standards*, para. 1.7.4.2.1 (Aug. 7, 2012) (incorporating change 1, Nov. 12, 2014).

provided in the absence of an MOU. DOD Instruction 6400.06 states that MOUs should include (1) a statement of purpose, (2) procedures for exchanging information, (3) information on jurisdictional issues, (4) an installation point of contact, (5) procedures for meetings between the offices to review cases and MOU procedures, and (6) an understanding of the use of involved facilities.[63] Among the 20 installations in our sample, 15 had established a total of 45 MOUs with civilian organizations.[64] Of these, 28 included all of the elements required by DOD guidance, and 14 included all but one of the six elements. Seven MOUs did not include language specific to fostering an understanding of the use of facilities. These seven MOUs included three agreements with child protective services, two agreements with civilian law enforcement, and one each with a civilian hospital and a civilian school district. According to military service FAP officials, MOUs may not address a required element if not relevant to coordination efforts. For example, Navy FAP officials stated that language addressing the use of facilities is not relevant to MOUs that do not involve the shared use of facilities.

Although the content of selected MOUs was generally consistent with DOD guidance, installations in our nongeneralizable sample may not have comprehensively established formal MOUs with appropriate civilian domestic abuse response organizations, such as those an installation relies on to provide services like safe shelter and victim advocacy. DOD Manual 6400.01 Volume 1 states that installations should ensure formal MOUs are established, as appropriate, in areas relevant to domestic

[63]DOD Instruction 6400.06.

[64]Two overseas installations had not established MOUs with civilian or military partner organizations. One installation had previously established MOUs with civilian organizations, but did not renew the MOUs due to concerns related to the quality of facilities and quality of medical care provided, according to officials. Two installations had established MOUs with military partners, such as a nearby military installation, but had not established MOUs with civilian organizations.

abuse, such as trauma-informed assessment, criminal investigation and arrests, victim advocacy, and safe shelter, among others.[65] However,

- five of the 20 installations in our nongeneralizable sample had not established MOUs with any civilian response organizations.
- While the installations had established a total of 23 MOUs with child protective services organizations, they had established 11 MOUs with domestic abuse shelters, five MOUs with civilian law enforcement, and three MOUs with civilian medical facilities.[66]

Additionally, we observed instances where installations in our sample may have had opportunities to establish MOUs with one or more civilian organizations, but had not done so. For example, two installations relied on civilian organizations to provide a required 24-hour response hotline, but neither had established MOUs with the civilian hotline organization. According to DOD FAP officials, installations are encouraged to enter into MOUs to improve coordination if they rely on civilian providers for shelters or hotlines. Additionally, officials from a legal service organization located near two of our selected installations stated they would be interested in establishing an MOU with the installations to improve coordination when serving military affiliated victims of domestic abuse. Service and installation officials cited other factors that may prevent installations from entering into formal MOUs, such as the presence of relevant civilian organizations in the local area, time needed to negotiate terms, and the willingness of civilian organizations to enter into MOUs.

MOUs with civilian organizations can provide a valuable mechanism to facilitate coordination and support an effective coordinated community response. According to installation officials, installations rely on civilian organizations to provide services to domestic abuse victims as well as information about domestic abuse incidents. For example, officials at each of the four installations where we conducted interviews stated that coordination with civilian law enforcement is a source of information for

[65]In 2001, the Defense Task Force on Domestic Violence recommended that DOD amend DOD Directive 6400.01 to require installation and regional commanders to seek memoranda of understanding with local communities to address responses to domestic violence. In 2006, we reported that DOD addressed this recommendation by issuing a memorandum, *Establishing Domestic Violence Memoranda of Understanding Between Military and Local Civilian Officials* (Jan. 29, 2004), which was superseded by the issuance of DOD Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personnel* (Aug. 21, 2007) (incorporating change 4, May 26, 2017).

[66]In addition, installations in our sample had established one MOU with a victim advocacy services organization, and one with a rape crisis center.

IDC determinations, and that they rely on domestic abuse organizations for the provision of certain services—including emergency shelter, counseling, and victim advocacy. Similarly, officials from a civilian organization we spoke with stated that MOUs can enable communication and information sharing, which is sometimes a challenge due to the turnover of installation personnel. Also, civilian law enforcement officials from a jurisdiction neighboring two of the installations where we conducted interviews told us that MOUs can help manage the otherwise time consuming process of coordinating with installation FAPs, military law enforcement, and other installation offices—each of which may request the same police report for a domestic abuse incident. Finally, domestic abuse survivors we interviewed told us that they also relied on civilian organizations for a variety of services, such as counseling and legal services, as illustrated in figure 5 below.

Figure 5: Types of Civilian Services or Resources Most Frequently Cited by 58 Survivors Who Reported Domestic Abuse to the Military

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Text of Figure 5: Types of Civilian Services or Resources Most Frequently Cited by 58 Survivors Who Reported Domestic Abuse to the Military

- 23 Counseling
- 12 Legal services
- 8 Victim advocacy
- 7 Medical care

Note: GAO interviewed 68 military-affiliated survivors of domestic abuse, of which 58 stated they had reported the abuse to the military. In addition to the responses above, seven survivors stated they received services or resources from a local domestic abuse resource organization but did not always specify the type of services or resources received.

The extent to which installations have established MOUs with appropriate civilian response organizations may also be insufficient, in part, because the military services have not developed formal processes to help ensure installation FAPs engage in MOUs with appropriate civilian organizations. DOD Manual 6400.01 Volume 1 states that the military departments are

responsible for oversight of installations' compliance with the MOU policy, including through conducting certification reviews. Navy and Marine Corps certification standards require the review of content for existing MOUs.[67] However, they do not require a review of whether MOUs have been established as appropriate. Navy officials stated that these standards may unintentionally result in an inadequate focus on MOU development for domestic abuse coordination. Air Force procedures do not require that MOUs be reviewed at the service level.[68] However, Air Force officials stated MOUs are to be reviewed at the installation level, such as by the installation Family Advocacy Committee. Army installations have a form to document whether they have established MOUs for specific services, including safe shelter and victim advocacy, through a self-assessment, but the majority of Army installations had not received a certification during the last 4 years, as described later in this report.

A revision of DOD Instruction 1342.22, expected to be issued in early 2021, includes a proposed certification standard to review whether installation Family Advocacy Committees have established, or shown efforts to establish, MOUs with essential external agencies or organizations, such as domestic abuse shelters. FAP officials from each service have stated they are taking or planning steps to include these revised standards as part of their certification inspections. Specifically, Navy FAP officials stated they have taken initial steps to update their standards upon release of the DOD Instruction and expect the revised standards to be in use beginning in 2022. Similarly, Air Force FAP officials stated that they plan to establish a position to conduct installation certification reviews according to the new standards, while Marine Corps FAP officials stated they will ensure their certifications are in compliance with any new DOD guidance issued. As of October 2020, the Army has begun to implement the revised standards as part of a certification pilot program, and Army FAP officials stated that the standards would be finalized upon completion of the pilot in September 2021. While these steps to improve service-level monitoring of installation MOUs are positive, they have not yet been finalized, and it is therefore uncertain that

[67]*Fleet and Family Services Program (FFSP) Certification Standards Administration and Management Standards*, Administration and Management, N-MIL-AM (Dec. 10, 2014). *Marine Corps Family Program Certification Reference Guide*, Behavioral Program, Family Advocacy Program, Fiscal Year 2020.

[68]U.S. Air Force FAP, Fiscal Year 2019 Annual Report of Compliance; Air Force Instruction 90-201*, The Air Force Inspection System* (Nov. 20, 2018) (incorporating Air Force Guidance Memorandum 2021-01, (Jan. 29, 2021).

each service will implement these plans in a manner consistent with the proposed certification standard.

By establishing formal processes to ensure that installations establish—or attempt to establish—MOUs with all appropriate civilian partners, military service FAPs will have greater assurance that installations are appropriately engaging civilian response partners and establishing processes necessary to successfully operationalize relationships. This may enable installations to identify new opportunities to leverage available civilian resources for victims of domestic abuse who report abuse to the military and help ensure that the military can obtain necessary information from civilian partners.

DOD and the Military Services Have Taken Steps to Implement and Oversee Domestic Abuse Prevention and Response Activities, but Gaps Remain in Key Areas

DOD and the military services have taken steps to implement and oversee domestic abuse prevention and response activities, including by establishing FAP offices at the service and installation level for responding to incidents of domestic abuse and conducting certification reviews of installation FAPs. However, gaps exist in key areas, including monitoring of the process for initial screening of reports, ensuring awareness of FAP among victims, and overseeing IDC proceedings and command actions related to domestic violence incidents.

DOD and the Military Services Have Taken Steps to Implement Domestic Abuse Prevention and Response Activities, but Gaps Exist in Key Areas

DOD and the Military Services Have Taken Steps to Implement Domestic Abuse Prevention and Response Activities

DOD and the military services have taken steps to implement domestic abuse prevention and response activities. The Deputy Assistant Secretary of Defense for Military Community and Family Policy is responsible for providing policy, oversight, standardized guidelines, and technical assistance for FAP's domestic abuse prevention and response

across the department. DOD FAP has addressed these responsibilities by issuing guidance, conducting quarterly meetings of FAP managers, and collecting data from the services related to selected performance measures.[69] Each military service has established a service-level FAP to provide policy and oversight at the service level, including by issuing policies and guidance, conducting oversight through certification reviews of the installation FAPs, and, in some cases, providing resources such as standardized tools and training materials. Installation FAPs play a key role in responding to domestic abuse by establishing Family Advocacy Committees, which facilitate the installation's coordinated community response; conducting risk and clinical assessments; managing the incident determination process; and providing clinical treatment and services such as victim advocacy. We reviewed documentation related to key domestic abuse response requirements for a nongeneralizable sample of 20 installations and found that the installations generally met these requirements. Of the 20 nongeneralizable installations:

- All 20 provided documentation of procedures for responding to restricted and unrestricted reports of abuse, and of having established an incident determination process.
- All 20 had established Family Advocacy Committees, which should include representatives from FAP, law enforcement, legal services, and the installation command.
- Nineteen provided documentation of procedures related to transitional compensation, a financial benefit available to some victims of domestic abuse.
- Eighteen provided documentation of the assignment of a FAP manager, a position responsible for issuing installation-level guidance and overseeing FAP staff.
- Eighteen provided documentation of the availability of 24-hour victim advocacy services.
- Seventeen provided documentation of a 24-hour emergency response plan for incidents of domestic abuse.

In addition, we reviewed documentation for a nongeneralizable sample of 80 reported domestic abuse incidents, of which 40 were found to meet

[69]DOD Instruction 6400.01. DOD Instruction 6400.06.Department of Defense, *Family Advocacy Program Strategic Plan for Prevention, Fiscal Years 2014-2018.* Office of the Secretary of Defense, *Family Advocacy Program Oversight Framework Operating Instruction* (Jan. 2016).

DOD's criteria for domestic abuse. We found that key requirements had generally been followed. Specifically,

- 78 of the 80 incidents included documentation of the incident determination - the decision of whether or not the reported incident was found to meet DOD's criteria;[70]
- 77 of the 80 incidents included documentation of the incident being discussed at a clinical case staff meeting;
- 33 of 36 met-criteria incidents included documentation of a supportive services plan for the victim;[71] and
- 31 of 34 met-criteria incidents included documentation of clinical treatment recommendations for the alleged abuser.[72]

The Military Services May Inappropriately Screen Out Allegations of Abuse Prior to the IDC

Installation FAP personnel are responsible for screening initial allegations of domestic abuse to determine if they should be presented to the IDC, and we found that, in some cases, this process can result in allegations being screened out inappropriately. DOD guidance states that every allegation of domestic abuse must be presented to the IDC for a determination unless there is no possibility that the allegation could meet any of the criteria for domestic abuse.[73] According to FAP officials, installation FAP personnel are responsible for screening initial allegations to ensure they fall within FAP's purview—meaning the alleged abuse happened within a spousal or intimate partner relationship involving an active-duty servicemember—and that the allegation meets an initial threshold of "reasonable suspicion." For example, allegations involving dating couples who are not considered intimate partners by DOD's

[70]According to service FAP data, an incident determination had been made for the remaining two incidents, but the installations were unable to provide documentation.

[71]Documentation for four met-criteria incidents for which a supportive services plan was not provided indicated that the victim declined FAP services.

[72]Documentation for six met-criteria incidents for which clinical treatment recommendations were not provided indicated that the alleged abuser declined FAP services.

[73]DOD's criteria include (1) whether an abusive act or omission occurred, (2) whether there was an impact or potential for impact on the victim, and (3) whether there were any applicable exclusions, such as self-defense. DOD Manual 6400.01, Vol. 3.

definition, should not be sent to the IDC.[74] According to installation FAP officials, an allegation may not meet the threshold of reasonable suspicion if, for example, a disgruntled neighbor reports a domestic disturbance, but it is subsequently discovered that the couple was not involved in an altercation. Installation FAP officials stated that in the event of uncertainty of whether an allegation meets the screening criteria, the installation FAP manager would be consulted to make the final decision.

However, service and installation FAP personnel also described allegations of domestic abuse that had been screened out that, per DOD guidance, should have been presented to the IDC for a determination. For example:

- FAP officials at one installation described routinely screening out all allegations of physical or emotional abuse if FAP personnel determined there had been no impact to the victims, although such impact is one of the criteria to be determined later by the IDC.
- A FAP official at another installation described screening out an allegation that an individual slapped and pushed the spouse because the spouse was simultaneously pushing and grabbing the individual. However, the presence of a qualifying exclusion due to self-defense is another criterion to be determined only by the IDC.
- A service FAP official described that it would be appropriate to screen out an allegation that was referred to FAP by law enforcement if the victim recanted the initial statement—for example, saying that there was overreaction or it was a mistake—as long as FAP personnel determined the victim was not at risk of imminent harm. The official stated this practice respects a victim's right to practice self-determination and preserves the victim's relationship with FAP so the victim may be more likely to call FAP in the future. However, DOD guidance states that recantation by the victim, in and of itself, should not be used to conclude that abuse did not occur and that every allegation of domestic abuse must be presented to the IDC for a determination unless there is no possibility that the allegation could meet any of the criteria for domestic abuse. DOD FAP officials confirmed that this practice was not consistent with DOD guidance.

According to DOD FAP officials, the initial screening is a judgement call based on the presence of reasonable suspicion, which can be based on

[74]In addition to current and former spouses, DOD's definition for domestic abuse includes intimate partners who share a child in common or share or have shared a common domicile. DOD Instruction 6400.06.

whether there is sufficient information to take the case, including an identified victim and alleged abuser, and whether there is an indication the allegation is retaliatory or malicious. However, DOD FAP officials acknowledged that existing DOD policy does not define what should be considered reasonable suspicion, and stated that the military services have asked for more specificity. Currently the services differ in their use of the term. The Army and the Navy have developed similar definitions for reasonable suspicion that include determinations of whether the allegation includes sufficient information; represents an act or omission which may support an allegation of or reasonable potential for abuse or neglect; represents an allegation that is more than simply poor judgement; and is not malicious, harassing, or retaliatory in nature.[75] In contrast, the Air Force definition does not include information regarding the interpretation of poor judgement versus abuse or whether an allegation may be malicious or retaliatory in nature.[76] Additionally, the Marine Corps does not use the term reasonable suspicion in its guidance and has therefore not developed an associated definition. According to the DOD FAP officials, they are currently developing a definition for reasonable suspicion, to be included in an update of DOD Manual 6400.01 Volume 3, targeted for issuance in June 2022.

In addition, the military services also perform limited monitoring of the installations' incident screenings. Specifically:

- Army officials stated that there was no service-level monitoring of screening decisions.
- Navy officials stated that they employ multiple approaches to monitor screening decisions. However, while these approaches amount to some monitoring, they are neither timely nor consistent, and therefore do not fully account for the risk associated with improper screening decisions. Specifically, the Navy reviews screening decisions as part of its certification of installation FAPs not more than every 4 years by using a case review checklist as a supplement to its certification standards. The checklist states that the reviewer should assess whether the screening decision was consistent with the reasonable suspicion standard and the documentation includes an explanation of

[75]U.S. Army Medical Command *Family Advocacy Program Decision Tree Algorithm and Definitions* (Sept. 1, 2012); Chief of Naval Operations Instruction 1752.2C, *Navy Family Advocacy Program* (May 20, 2020).

[76]Department of the Air Force Instruction 40-301, *Family Advocacy Program* (Nov. 13, 2020).

the basis for the decision. However, this quadrennial review does not account for the time-sensitive nature of risks to victims whose cases may be improperly screened. In addition, according to Navy officials, the Navy conducts quarterly quality assurance reviews at the installation and service levels that may also use the case review checklist. However, the checklist is not required for the installation-level review, and Navy officials were unsure of the extent of its use. These officials further stated that the sampling method and focus of the service-level review may differ by quarter, based on identified trends or areas of concern. As a result, the reviews may not, for example, include allegations that are screened out, and screening decisions may not always be assessed.

- Air Force officials stated they monitor screening decisions by tracking how many allegations are classified as not meeting the threshold of "reasonable suspicion," which installation FAP personnel are required to enter in the service's FAP data system. If an installation has an elevated number of such allegations, the service level FAP would review the allegations to determine if additional information was required from the installation. However, they would not otherwise review such decisions on an individual basis.
- According to a Marine Corps FAP official, screening decisions are not reviewed by the service FAP. Additionally, although Marine Corps policy states that installation FAPs must maintain a log for documenting all allegations, it does not require the documentation of a supporting rationale for screening decisions, such as whether an allegation met the threshold for reasonable suspicion.[77]

In our 2020 report on DOD's response to incidents of child abuse, we similarly found that FAP's discretion in screening allegations hindered the department's overall visibility over such allegations and recommended the military services develop processes to monitor how allegations of child abuse are screened at installations.[78] The Army, the Navy, and the Air Force each concurred with this recommendation.[79] Subsequently, the William M. (Mac) Thornberry National Defense Authorization Act for

[77]Marine Corps Order 1754.11, *Marine Corps Family Advocacy and General Counseling Program*, (Mar. 26, 2012).

[78]GAO-20-110.

[79]The Secretary of the Navy concurred with the recommendation, both as directed to the Navy and the Marine Corps.

Fiscal Year 2021 required each military service to develop a process to monitor installations' screening of allegations of child abuse.

DOD Instructions 6400.01 and 6400.06 require the Deputy Assistant Secretary of Defense for Military Community and Family Policy to issue DOD-wide policies and guidelines regarding FAP procedures and response to domestic abuse. Further, *Standards for Internal Control in the Federal Government* state that management should design control activities to achieve objectives and respond to risks. These standards also state that management should, on a timely basis, obtain data for monitoring; evaluate and document internal control issues; and determine appropriate corrective actions. However, DOD has not yet defined reasonable suspicion or provided standardized criteria for determining whether an allegation meets the reasonable suspicion threshold, and the targeted reissuance of the instruction to include the planned definition was delayed during the course of our review. Additionally, while the Navy and the Air Force have taken positive steps to monitor screening decisions, no military service FAP has developed a timely process for consistently monitoring installations' screening decisions that is commensurate with the risks associated with incorrectly making such decisions.

Without clear guidance concerning reasonable suspicion, DOD lacks reasonable assurance that allegations are properly screened to determine whether they meet the initial threshold for reasonable suspicion and should be presented to the IDC. Also, without developing timely, risk-based processes to consistently monitor how allegations of domestic abuse are screened at installations, the military services lack reasonable assurance that all qualified domestic abuse allegations are being presented to the IDC.

DOD and the Military Services Have Developed Risk Assessment Tools, but the Services Have Not Ensured Their Consistent Implementation

DOD and the military services have developed risk assessment tools in accordance with DOD policy, but the services have not ensured their consistent implementation across installations. DOD requires FAP to assess the risk of lethality and re-abuse using standardized instruments required by DOD and service policies on an ongoing basis from the initial

report until case closure.[80] In addition, DOD Instruction 6400.06 identifies 16 lethality risk factors that are required to be assessed. According to service FAP officials, domestic abuse victim advocates are generally responsible for assessing the risk of lethality during initial contact with a victim. Subsequently, FAP clinicians are to use a variety of assessment instruments to determine the risk of re-abuse, which can also include lethality risk factors. Domestic abuse risk assessment is an iterative process and can vary based on the intent of the assessment, which entity is assessing the risk, whether the victim or alleged abuser or both are being assessed, and at what point in the response process the assessment takes place. See table 3 for the complete list of lethality risk factors that DOD requires FAP to assess in evaluating risk.

Table 3: Lethality Risk Factors Required to Be Assessed by Military Family Advocacy Programs in Evaluating a Report of Domestic Abuse

Risk factor
Access to the victim
Victimization patterns have increased in severity or frequency
Alleged abuser has threatened, attempted, or has a plan to kill the victim or their children
Alleged abuser has threatened, attempted, or has a plan to commit suicide
Alleged abuser has strangled the victim
Alleged abuser has used a weapon, threatened to use a weapon, or has access to a weapon that may be used against the victim
Victim has sustained serious injury during the abusive incidents
History of law enforcement involvement regarding domestic abuse or other criminal behavior
Victim has a restraining order or protection order against the alleged abuser
Alleged abuser has violated a protection order
Victim is estranged, separated, or attempting to separate from the alleged abuser. Does the victim have a place to go?
Alleged abuser has stalked the victim
Alleged abuser exhibits obsessive behavior, extreme jealousy, extreme dominance, rage, agitation, or instability
History of drug or alcohol abuse
Alleged abuser has forced sex on the victim
Alleged abuser isolates the victim

Source: Department of Defense Instruction 6400.06. | GAO-21-289

[80]DOD Manual 6400.01, Vol. 1.

DOD and the military services have developed various risk assessment tools that cover the lethality risk factors and other factors. For example, in 2016, DOD FAP issued the Intimate Partner Physical Injury Risk Assessment Tool, an evidence-based, 15-item instrument that DOD has found to be statistically more accurate at predicting physical injury than other available risk assessment tools. The Intimate Partner Physical Injury Risk Assessment Tool fully or partially includes six of the 16 lethality risk factors that DOD requires to be assessed and is required for use by FAP clinicians as part of a comprehensive clinical assessment. In addition, each service has developed tools for lethality risk assessment and clinical assessment. Specifically:

- Air Force FAP requires victim advocates to complete the Risk of Imminent Harm Assessment Form, which fully or partially includes all 16 DOD-required lethality risk factors. In addition, Air Force FAP clinicians are required to complete the Intimate Partner Physical Injury Risk Assessment Tool and an Intake Assessment, which fully or partially includes 14 of the 16 lethality risk factors.
- Army FAP officials stated victim advocates are required to complete the Army Lethality Assessment Checklist, which fully or partially includes all 16 DOD-required lethality risk factors. In addition, an Army Medical Command official stated Army FAP clinicians are required to complete the Intimate Partner Physical Injury Risk Assessment Tool; assessments included in Medical Command Form 811, which fully or partially include all 16 of the lethality risk factors; and assessments included in the Spouse Abuse Manual, which fully or partially include nine of the 16 lethality risk factors.[81]
- Marine Corps FAP officials stated victim advocates are required to assess lethality risk by completing the Danger Assessment, an assessment used in the private sector, which fully or partially includes 13 of the 16 lethality risk factors required by DOD. The officials stated Marine Corps FAP clinicians are required to complete an Incident Assessment tool, which fully or partially includes all 16 of the lethality risk factors. According to Marine Corps FAP officials, clinicians generally also complete the Intimate Partner Physical Injury Risk Assessment Tool, but the officials were unsure if this tool would be used in all cases.

[81]The U.S. Army Family Advocacy Program Spouse Abuse Manual (1996) includes a Spouse Abuse Risk Assessment and a Spouse Abuse Manual Assessment Worksheet. We assessed both tools together to determine how many risk factors were cumulatively included.

- Navy FAP officials stated victim advocates are required to complete the Victim Advocate Lethality Assessment Checklist, which fully or partially includes all 16 of the DOD-required lethality risk factors. The officials stated Navy FAP clinicians are required to complete the Intimate Partner Physical Injury Risk Assessment Tool; the Domestic Abuse Risk Assessment, which fully or partially includes five of the lethality risk factors; and the Safety and Lethality Assessment Form, which fully or partially includes eight of the lethality risk factors.

However, in our review of documents from a nongeneralizable sample of 80 reported incidents from 20 selected installations, we found that the required tools were not always used, as shown in table 4.

Table 4: Installations Using Required Risk Assessment Tools in a Nongeneralizable Sample of 80 Reported Domestic Abuse Incidents at 20 Selected Military Installations

Required risk assessment tools	Number of installations that provided tool (out of 20)	Number of incidents that included all or portions of tool (out of 80)
Department of Defense-required Intimate Partner Physical Injury Risk Assessment Tool	17	63
Service-required clinical assessment tool[a]	14	54
Service-required lethality assessment tool	6	21
All required risk assessment tools	4	16

Source: GAO analysis of military installation documentation. | GAO-21-289

Note: We considered a tool to have been used if at least part of that tool was present in the incident documentation.

[a]Army and Navy officials identified two clinical assessment tools that are required for use. The figures in the table reflect the number of installations or incidents that provided both of the required tools.

Similarly, we found that the risk assessment documentation provided by the 20 selected installations did not always include all of the 16 lethality risk factors DOD requires to be assessed. Specifically,

- 9 of 20 installations provided templates of risk assessment tools that, when combined, fully or partially included all 16 lethality risk factors;

- 12 of 80 incidents included documentation that all 16 required lethality risk factors were fully or partially assessed;[82] and
- 58 of 80 incidents included documentation that at least half of the 16 risk factors were fully or partially assessed.

Standards for Internal Control in the Federal Government states that management should define objectives in specific terms so they are understood at all levels of the entity. This involves clearly defining what is to be achieved, who is to achieve it, how it will be achieved, and the time frames for achievement. However, while service FAP officials stated installations should use the required risk assessment tools, only the Air Force's FAP policy specifies required risk assessment tools and the personnel required to complete them. Prior to 2020, Air Force policy required only the Intimate Partner Physical Injury Risk Assessment Tool and its clinical assessment form to be completed. However, the Air Force issued a revised FAP policy in November 2020 that also requires its lethality assessment form to be completed by a domestic abuse victim advocate.[83] In contrast, Army policy identifies content requirements for risk assessments and requires that clinicians complete the assessments according to guidelines in the Spouse Abuse Manual, but does not require completion or specify responsibilities for the remaining tools Army officials stated were required.[84] Similarly, Navy policy requires that clinicians complete the Intimate Partner Physical Injury Risk Assessment Tool and the Domestic Abuse Risk Assessment, and Navy officials stated its case management system requires completion of the Domestic Abuse Risk Assessment and the Safety and Lethality Assessment, which is also intended to be completed by a clinician.[85] However, these forms do not include all of the DOD-required lethality risk factors, and Navy's risk assessment form intended for use by victim advocates—the only Navy form that includes all of the required lethality risk factors—is neither required by Navy's FAP policy nor its case management system. The

[82]We sometimes found that required tools had been used but the documentation did not address all the lethality risk factors addressed by that tool. For example, the documentation for some incidents included portions of a required risk assessment tool but not the entire template, and thus some lethality risk factors included in the template may not have been present in the documentation.

[83]Department of the Air Force Instruction 40-301.

[84]Army Regulation 608-18, *The Army Family Advocacy Program* (Oct. 30, 2007) (incorporating Rapid Action Revision, Sept. 13, 2011).

[85]Chief of Naval Operations Instruction 1752.2C.

Marine Corps policy requires risk assessments to be conducted, but does not specify any content requirements, tools to be used, or personnel required to complete the tools.[86]

Risk assessment serves a critical function in identifying needed safety measures that can prevent further abuse and even death. Without clear guidance that specifies which DOD and service standardized risk assessment tools are required to be completed and the personnel required to complete them, Army, Navy, and Marine Corps installations may perform risk assessments in a manner that is inconsistent with DOD policy, and at times, incomplete. Moreover, without conducting comprehensive risk assessments, the Army, the Navy, and the Marine Corps may not be able to fully assess risks posed to victims of domestic abuse, and may therefore be limited in their ability to identify and convey the need for any critical safety measures.

DOD and the Military Services Face Challenges in Creating Awareness of Available Reporting Options and Resources

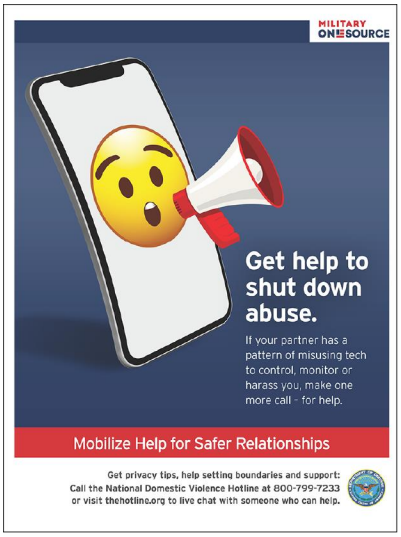
DOD and the military services have taken several approaches to create awareness of reporting options and resources for families experiencing domestic abuse, but continue to face challenges in doing so. Specifically, DOD, service, and installation FAPs have undertaken efforts including awareness month campaigns, fliers, events, social media, and mobile phone applications. For example:

- DOD's Military One Source website and mobile application provide information on reporting options and domestic abuse resources, including a direct link to a 24-hour FAP victim advocate locator for servicemembers and their families. This includes materials that can be used by the services and installations to promote Domestic Violence Awareness Month each October.
- The Navy's "My Navy Family" mobile application provides Navy families with information about a range of domestic abuse resources, such as emergency contacts and emotional support services. According to Navy FAP officials, this mobile app was developed based on input from focus groups of Navy families that it would be helpful to have a single, authoritative source of information.
- Installation FAPs have disseminated information on domestic abuse through various mediums, including social media and awareness

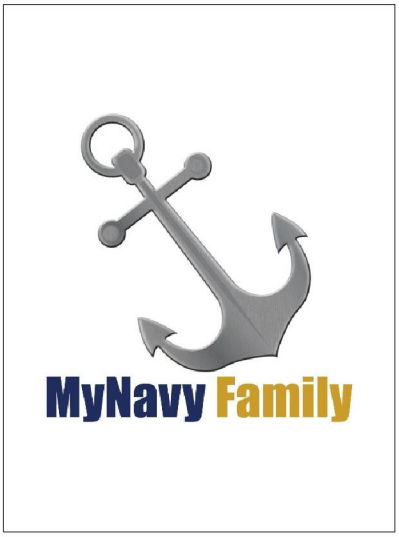
[86]Marine Corps Order 1754.11.

events, and by distributing fliers on base. See figure 6 for examples of DOD, military service, and installation FAP awareness efforts.

Figure 6: Examples of Department of Defense, Military Service, and Installation Family Advocacy Program Domestic Abuse Awareness Efforts



Department of Defense domestic abuse awareness poster



MyNavy Family mobile application for identifying available resources

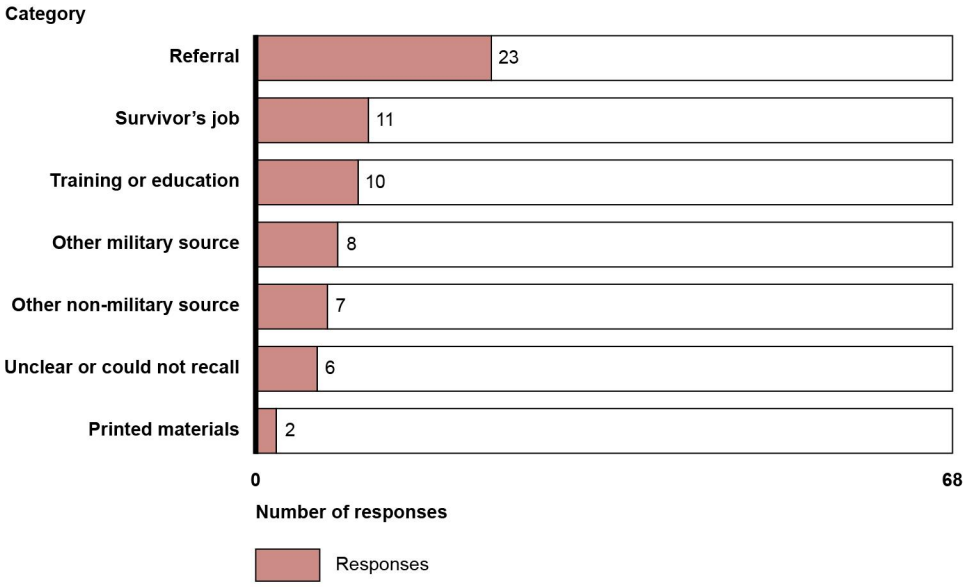
Installation-level information table

Sources (left to right): Department of Defense, U.S. Navy, U.S. Army/Marla Harris. | GAO-21-289

Nonetheless, reaching domestic abuse victims remains a challenge. A 2019 RAND Corporation report estimated that victims reported directly to FAP less than 20 percent of the time, and that in about half of cases (53 percent) the report was referred to FAP by an authority (law enforcement, command, or child protective services).[87] Likewise, survivors we interviewed most commonly stated they first heard of FAP through referral from another office or authority to whom they reported the abuse, as shown in figure 7. In such cases, the victim may be precluded from making a restricted report if the command or law enforcement has already been notified. Of the 68 domestic abuse survivors we interviewed, 44 stated they were not aware of options for restricted and unrestricted reporting at the time they considered reporting the abuse.

[87]RAND Corporation, *Availability of Family Violence Services for Military Service Members and Their Families* (Santa Monica, CA, 2019).

Figure 7: Sources of Awareness of Military Family Advocacy Program Cited by 68 Survivors of Domestic Abuse



Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Data table for Figure 7: Sources of Awareness of Military Family Advocacy Program Cited by 68 Survivors of Domestic Abuse

Responses	Category
23	Referral
11	Survivor's job
10	Training or education
8	Other military source
7	Other non-military source
6	Unclear or could not recall
2	Printed materials

Note: Of the 68 military-affiliated survivors of domestic abuse GAO interviewed, two survivors stated they had never heard of Family Advocacy Program at the time of our interview, and one survivor's response to this question was applicable to two categories.

In addition, the survivors we interviewed frequently cited the need for additional information about domestic abuse. Overall, 37 of the 68 survivors we interviewed stated that more information should be provided about how to report abuse or what services are available. In addition, the 58 survivors we interviewed who had reported their abuse to the military

identified information, resources, or services that would have been helpful but were not available, as shown in figure 8.

Figure 8: Types of Information, Resources, or Services That 58 Survivors Who Reported Domestic Abuse to the Military Most Frequently Stated Would Have Been Helpful but Were Not Available

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

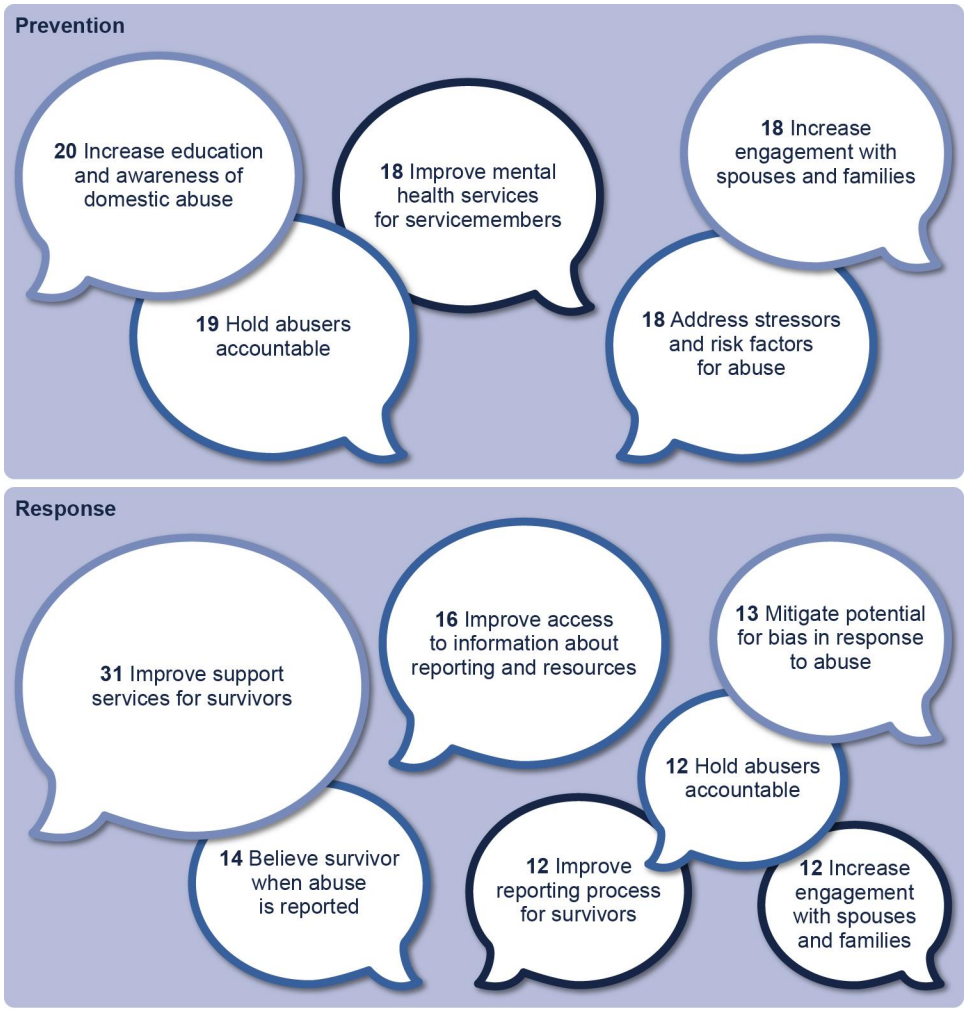
Text of Figure 8: Types of Information, Resources, or Services That 58 Survivors Who Reported Domestic Abuse to the Military Most Frequently Stated Would Have Been Helpful but Were Not Available

14	Financial assistance
12	Information on available resources
6	Emergency housing or shelter
6	Legal services

Note: GAO interviewed 68 military-affiliated survivors of domestic abuse, of which 58 stated they had reported abuse to the military. This figure presents the types of information, resources, or services most frequently cited by the 58 survivors as those that were not available but would have been helpful.

Survivors further cited increased education, increased engagement with spouses and families, and improved access to information among suggestions to improve the military's prevention of and response to domestic abuse, as illustrated in figure 9.

Figure 9: Suggestions for Improving the Military's Prevention of and Response to Domestic Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse



Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Text of Figure 9: Suggestions for Improving the Military's Prevention of and Response to Domestic Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse

Prevention	
20	Increase education and awareness of domestic abuse
19	Hold abusers accountable

18	Address stressors and risk factors for abuse
18	Improve mental health services for servicemembers
18	Increase engagement with spouses and families

Response	
31	Improve support services for survivors
16	Improve access to information about reporting and resources
14	Believe survivor when abuse is reported
13	Mitigate potential for bias in response to abuse
12	Hold abusers accountable
12	Improve reporting process for survivors
12	Increase engagement with spouses and families

Some of the challenges associated with creating awareness of reporting options and resources among victims of domestic abuse are specific to the military or the dynamics of domestic abuse. For example:

- Over 70 percent of married active-duty servicemembers live off installation.[88] DOD FAP, service, and installation officials stated that it can be particularly challenging to provide information to these families and that they may have a lower chance of being exposed to FAP advertising.
- According to DOD, military couples, spouses, and intimate partners may be at risk of social isolation as a result of permanent change of station or deployments. The Centers for Disease Control and Prevention identifies isolation as a risk factor for domestic abuse. A servicemember who is abusing can leverage this dynamic to perpetrate abuse, such as by restricting access to on-installation

[88]Department of Defense, *The Third Quadrennial Quality of Life Review* (2017).

resources.[89] For example, one survivor we interviewed described that her abuser withheld her military ID, and as a result, she was unable to access resources at the installation. In addition, Marine Corps FAP officials stated that it can be challenging to reach victims who are more isolated because a servicemember who is abusing may restrict information regarding domestic abuse reporting options and resources from the victim. In these cases the officials stated that they try to provide something a victim can retain mentally, such as a visual or phone number.

- The impact of trauma can make it difficult for victims of domestic abuse to recall information. For example, according to a DOD FAP official, individuals experiencing distress—such as trauma caused by abuse—may have difficulty processing or recalling information about available reporting options and resources.[90] This could, for example, make it difficult for a victim of domestic abuse to recall a phone number or information about FAP that they had previously been given.

DOD FAP has a communications plan as part of the Office of Military Community and Family Policy's outreach efforts, which identifies a target audience, web-based awareness efforts, and associated measures of effectiveness in the form of web analytics, which are measured quarterly. However, DOD FAP officials stated this plan is focused on DOD-level awareness efforts and does not address service or installation-level awareness efforts. In addition, officials stated they have coordinated with service and installation FAPs and government partners to ascertain those entities' use of FAP materials and reviewed surveys of military spouses, which have previously included questions regarding domestic abuse. However, the officials stated that the survey questions did not directly assess awareness of FAP and have changed over time, preventing the ability to assess trends in the responses.

The Deputy Assistant Secretary of Defense for Military Community and Family Policy is responsible for issuing standardized guidelines to the military services for developing a coordinated approach to domestic

[89]According to DOD's 2019 report on domestic and child abuse, 46 percent of unique victims of met-criteria spouse abuse incidents during that year were civilian. Department of Defense (DOD), *Report on Child Abuse and Neglect and Domestic Abuse in the Military for Fiscal Year 2019 (*April 2020).

[90]DOD's clinical guidelines for the management of post-traumatic stress also lists memory problems and an inability to focus as warning signs of trauma related stress. Department of Veteran Affairs (VA)/Department of Defense (DOD), *Clinical Practice Guidelines for Management of Post-Traumatic Stress* (October 2010).

abuse.[91] Also, *Standards for Internal Control in the Federal Government* state that management should establish objectives for programs in measureable terms so that performance toward achieving those objectives can be assessed, and externally communicate the necessary quality information to achieve objectives. For example, management should periodically evaluate the entity's methods of communication so that the organization has the appropriate tools to communicate quality information within and outside of the entity on a timely basis. Further, in our prior work on DOD's advertising efforts for recruitment, we identified commercial best practices for evaluating the effectiveness of advertising, including developing an evaluation framework that identifies the target audience and includes measurable goals.[92]

DOD has taken steps to mitigate awareness challenges—such as by using social media to reach families living off base and providing information to victims in a covert form that is unlikely to be noticed by an abuser—and measure effectiveness. However, DOD FAP has not developed a department-wide communications strategy that addresses challenges in creating awareness or facilitates evaluation of the effectiveness of its awareness campaigns, for example, by identifying a target audience and measureable objectives.

During a September 2019 congressional hearing, a DOD FAP official stated that FAP would address awareness challenges by updating its prevention plan, which expired in 2018, to include a communications strategy. However, DOD has been working on such an effort since at least 2016. Specifically, DOD's 2016 Oversight Framework stated efforts were underway to develop a process to evaluate the effectiveness of

[91]DOD Instruction 6400.06.

[92]GAO, *DOD Advertising: Better Coordination, Performance Management, and Oversight Needed to Help Meet Recruitment Goals,* GAO-16-396 (Washington, D.C.: May 12, 2016). We identified these best practices by conducting a literature review and interviewing advertising industry experts from private sector companies and professional organizations.

awareness campaigns as part of updates to its prevention plan.[93] However, as of January 2021, neither the plan nor a department-wide strategy had been issued, and metrics for evaluating the effectiveness of awareness campaigns had not otherwise been formalized. In January 2021, a DOD FAP official stated that DOD FAP is engaged in planning with the military services, and that this effort is expected to result in a communications strategy and associated metrics by the end of fiscal year 2021.

Until DOD develops a communication strategy or takes other actions to address awareness challenges, DOD and the military services may be limited in their ability to reach and provide support to victims of domestic abuse. For example, when victims are not aware of the option to make a restricted report, they may be less likely to report abuse to the military.[94] Further, until DOD develops metrics to evaluate the effectiveness of DOD and service advertising campaigns, including by identifying a target audience and measurable objectives, DOD will be limited in understanding the effectiveness of its awareness efforts.

Three Military Services Have Implemented DOD's IDC Model, but the Army Has Not

The Navy, the Air Force, and the Marine Corps fully implemented DOD's IDC model prior to its formal requirement in August 2016, but the Army has not implemented the IDC across its installations.[95] As previously discussed, the IDC model is a process through which standardized criteria are considered as part of a voting process—also referred to as the

[93]Office of the Secretary of Defense, *Family Advocacy Program Oversight Framework Operating Instruction* (January 2016). Prior to DOD's issuance of this oversight framework, we recommended that DOD develop and use metrics to evaluate the effectiveness of awareness campaigns for its domestic abuse services. See GAO-10-923. The Under Secretary of Defense for Personnel and Readiness developed a strategy to (a) evaluate consumer awareness of FAP services, (b) evaluate attitudes concerning access to services, (3) market the 2011 Domestic Violence Awareness Month Campaign message, and (d) analyze field penetration of the 2011 Domestic Violence Awareness Month campaign message.

[94]In 2006, DOD recognized that the mandatory reporting of domestic abuse to command officials or law enforcement could represent a barrier to reporting domestic abuse for some victims. Deputy Secretary of Defense Memorandum, *Restricted Reporting Policy for Incidents of Domestic Abuse* (Jan. 22, 2006).

[95]According to DOD FAP officials, the IDC model was formally required as of the issuance of DOD Manual 6400.01 Volume 3.

decision tree algorithm—to determine whether a reported incident is considered domestic abuse and should be recorded in DOD's Central Registry.[96] According to officials, prior to the implementation of the IDC, each military service had a similar but distinct process for determining whether abuse occurred. According to service FAP officials, the Air Force fully implemented the IDC in 2007, the Marine Corps in 2010, and the Navy in 2014, following a pilot or phased approach within each service. The majority of Army installations continue to use a Case Review Committee to determine whether allegations meet DOD's criteria for domestic abuse. According to Army officials, this process uses the same criteria and voting process as the IDC; however, it differs with regard to membership and who can act as a chairperson.

In 2017, the Army partially implemented the IDC process by initiating a pilot study of the IDC model at 10 installations with the largest FAPs. The Army's IDC pilot study was originally planned to conclude no later than December 2019, followed by Army's full transition to the IDC model. In July 2020, the Army submitted an exception to policy request to the Assistant Secretary of Defense for Manpower and Reserve Affairs that would extend the allowed period for Army's full IDC transition to summer 2022.[97] The Army's request was approved by DOD in October 2020. The request contained an implementation plan, which identified key steps, each with assigned time frames that projected full implementation in December 2021.

However, as of March 2021, some planned steps were behind schedule. For example, the implementation plan stated that Army's pilot IDC study would be concluded following the expected completion of the final draft study report in July 2020, but the final draft study report was not completed until at least October 2020. In addition, while the Army's directive and execution order—needed to initiate the Army's full implementation of the IDC—were planned to be issued in October 2020, as of March 2021, they had not yet been issued, delaying the planned time frames for subsequent steps needed to complete the implementation. According to Army Medical Command officials, the

[96]As part of the model, installations hold a separate meeting, known as the Clinical Case Staff Meeting, to discuss clinical treatment recommendations and progress for domestic and child abuse incidents.

[97]According to Army officials, the Army first submitted its exception to policy request to DOD FAP in October 2019. DOD requested additional information, and Army resubmitted the request in July 2020.

COVID-19 pandemic has affected the Army's timeline for IDC implementation.

Further, the Army's IDC implementation plan does not identify and assign the specific resources needed for Army's Medical Command and Installation Management Command to implement the IDC model. The Army's exception to policy request identified the timely provision of training at the pilot installations, including coordinating the needed training personnel, as the primary reason for its delay in implementing the IDC. According to the Army's request, this delay resulted in some pilot installations not being able to transition to the pilot IDC model until March or April of 2018. However, the implementation plan does not identify specific resources needed to deliver such training to installations Army-wide.

Army FAP officials told us that training of installation personnel has been a driving factor of the implementation time frame, and it has been necessary to ensure the Installation Management Command has the necessary training capacity in place. According to Army officials, Army Community Services—a program within the Installation Management Command—experienced significant staffing cuts from fiscal years 2016 through 2020 due to constrained funding. An Army FAP official stated that the Army's forthcoming guidance for IDC implementation will address IDC staffing needs. The official further stated that the Medical Command has the authorizations and funding in place for the needed positions and that the Installation Management Command has identified funding to contract the personnel. However, draft documentation related to the Installation Management Command contracting request indicated the contracted resources are intended for the initial phases of IDC implementation; therefore resources needed to complete full implementation of the IDC have not yet been identified.

The *PMBOK® Guide* outlines a project schedule management process to manage the timely completion of a project, which involves controlling the schedule, such as by updating the project schedule to reflect changes.[98] In addition, the *PMBOK® Guide* identifies control of resources as a key element to ensure that the assigned resources are available to the project at the right time and in the right place and are released when no longer needed. However, as of March 2021, an Army official stated that the

[98]Project Management Institute, Inc. *A Guide to the Project Management Body of Knowledge (PMBOK® Guide),* Sixth Edition, 2017. *PMBOK* is a trademark of Project Management Institute, Inc.

Army has not updated its schedule and milestones for the IDC implementation to reflect the ongoing delays. In addition, as previously described, resources have not yet been identified and assigned as needed for full implementation of the IDC.

Updating its schedule and milestones and identifying resources needed to complete full implementation of the IDC would better position the Army to fully implement the required IDC model without subsequent delays. Should further delays occur, the Army faces increased risk of making incident determinations that are inconsistent with DOD policy and have the potential to affect clinical services provided to victims and alleged abusers.

The Military Services Have Taken Steps to Oversee Domestic Abuse Prevention and Response Activities, but Gaps Exist in Oversight of IDCs and Command Actions

The Navy, Air Force, and Marine Corps Oversee Installation FAPs through Periodic Certifications, and the Army Is Taking Steps to Do So

The Navy, Air Force, and Marine Corps have generally complied with DOD's requirement to certify installation FAPs at least once every 4 years, and the Army has established a plan to address challenges in meeting this requirement.[99] Specifically, as of March 2020, 100 percent of Navy and Air Force FAPs, 93 percent of Marine Corps FAPs, and 28 percent of Army FAPs have been certified within the past 4 years. According to documentation provided by Army FAP officials, the Army has developed a certification pilot study to test DOD and Army certification review tools and processes at 21 identified installation FAPs. This pilot—anticipated for completion in September 2021—includes a new DOD system for conducting certifications in a virtual environment, which would reduce travel-related resource needs.

The military services currently vary in the standards assessed through their installation certification reviews. According to DOD FAP officials, the military services may choose to fulfill the certification requirement by completing their own certification process based on their preferred set of standards for assessment, such as the certification of all family readiness

[99]DOD Manual 6400.01, Vol. 1.

programs required by DOD Instruction 1342.22. This instruction does not currently contain specific standards or criteria for assessment, but requires certification using standards developed by a national accrediting body. Consistent with the instruction, the Navy and Marine Corps currently perform certification reviews that incorporate National Military Family Readiness Standards developed by the National Council on Accreditation. In contrast, the Air Force certifies its installation FAPs in accordance with standards identified by the Air Force Inspection Program.

According to an official from the Office of Military Family Readiness Policy, the revised version of DOD Instruction 1342.22, planned for release in early 2021, will include specific standards to be used for assessment. DOD FAP officials stated they plan to recommend all service FAPs use those standards as a baseline for certification of installation FAPs, with the addition of service-specific standards as appropriate. The Army's pilot certification program includes the new standards that the Office of the Undersecretary of Defense for Personnel and Readiness plans to include in the DOD Instruction 1342.22 revision. Also, Navy, Air Force, and Marine Corps FAP officials stated that they plan to include the standards in their certification programs, once issued.

DOD and the Military Services Have Performed Limited Oversight of IDCs, and the Navy and Marine Corps Have Taken Steps for Improvement

According to DOD's 2016 FAP Oversight Framework, DOD FAP is responsible for oversight of the military service FAPs. In addition, DOD policy requires that installations conduct IDCs in accordance with DOD and service policy, and implement quality assurance processes for monitoring IDC determinations.[100] This policy also requires that the military departments conduct oversight of installation IDC and quality assurance processes, such as through the certification reviews described previously. However, DOD currently does not comprehensively oversee installation IDCs. Additionally, although the Navy and Marine Corps have recently taken steps to improve oversight of IDCs, Army and Air Force oversight remains limited, as described below.

DOD FAP. DOD FAP has not conducted comprehensive oversight of IDCs. DOD FAP officials stated in September 2019 that they planned to

[100]DOD Manual 6400.01, Vol. 1.

update their 2016 oversight framework in March 2020 to include an initiative to conduct observations of IDC proceedings at selected installations. Specifically, the officials planned to observe an IDC at two installations during 2020, after which opportunities for increasing standardization of IDC proceedings would be considered. According to DOD officials, the observations scheduled for 2020 were postponed due to travel restrictions associated with COVID-19, and DOD FAP has not yet issued an update to the oversight framework. In January 2021, a DOD FAP official stated that the COVID-19 restrictions underscored the need to develop the procedures to conduct oversight virtually and that release of the updated oversight framework was therefore on hold until such procedures could be identified. Additionally, DOD FAP officials stated that in 2020, they engaged the Clearinghouse for Military Family Readiness at Pennsylvania State University to conduct a quality assurance audit of the IDC process within the Navy, the Air Force and the Marine Corps, to test fidelity to the IDC model and DOD policy.[101] According to documentation provided by DOD FAP, the effort will include an assessment of the services' IDC determinations compared to those of master reviewers and is intended to inform the development of a quality assurance process.

Navy. According to Navy FAP officials, Navy's regional commands are responsible for conducting oversight of installation IDCs. Previously, this process was not standardized across the regions or overseen by Navy FAP headquarters. However, in May 2020, the Navy issued a revised FAP policy that requires oversight of installation IDCs on a quarterly basis and that results be reported to Navy FAP headquarters for review. According to the policy, this oversight may be accomplished through face-to-face observations, telephonic monitoring, and reviews of IDC summary reports, among other options.

Marine Corps. According to a Marine Corps FAP official, the Marine Corps instituted an IDC audit process upon its implementation of the IDC model in 2010, but the audit process was paused for revision in 2016. Beginning in November 2019, the Marine Corps conducted a pilot audit of IDC proceedings at three installations. According to Marine Corps officials, the Marine Corps has completed the pilot and plans to fully implement the IDC audit process with audits planned at three additional installations in 2021. These officials also stated that the audits will thereafter be completed annually at up to four installations, allowing them

[101]According to DOD FAP officials, this study does not include the Department of the Army, because a similar study is already underway as part of the Army's IDC implementation efforts.

to cover all 14 of their installation FAP offices once every 4 years. The audits include observation of installations' IDCs to ensure compliance with DOD and Marine Corps policies related to proper voting order and the appropriateness of content discussed, among other things.

Army. As discussed previously, the Army has conducted an IDC pilot study, which included monitoring of IDCs at the installations included in the pilot. However, its plan to fully implement the IDC by the summer of 2022 does not address how continued oversight will occur following full implementation. Additionally, as noted above, the Army has not completed required certification reviews of most installation FAPs, although it has developed a plan to do so. This plan incorporates draft certification standards set forth in the draft revision of DOD Instruction 1342.22, which include a DOD requirement to verify that the IDC uses the decision tree algorithm in developing its determinations. The Army will also require an observation of the IDC determination process using a standardized fidelity checklist. However, Army officials stated that the certification standards may be adjusted upon completion of the pilot and, as such, are not yet final.

Air Force. According to Air Force officials, the Air Force currently reviews installations' incident determination rates—the rate that alleged incidents are found to meet DOD's criteria for abuse—to identify anomalies in relation to the overall Air Force rate of met-criteria incidents. These officials stated that the Air Force wide rate has remained fairly steady at 50 percent, and that if an installation were to deviate from a met-criteria incident determination rate by 10 or 20 percentage points, it would constitute an issue that Air Force FAP would detect and address. Air Force FAP also monitors other data, such as the average number of minutes the IDCs spend discussing each incident, committee member absenteeism, and the participation of involved servicemembers' command representatives. However, combined, these methods do not fully monitor IDC adherence to DOD or service policies. For example, DOD policy states that IDC participants must only discuss information related and pertinent to the current specific allegation of abuse, as well as the associated criteria.[102] Adherence to this requirement cannot be assessed without observing the IDC proceeding or a review of detailed documentation of the information discussed. Air Force FAP officials stated that they plan to enhance the installation certification program by hiring a dedicated contractor to conduct these reviews, but because this

[102]DOD Manual 6400.01, Vol. 3.

process is still being developed, it has not been determined whether it will include enhancements to the current oversight of IDC determinations.

The 12 IDC meetings we observed—three for each military service—were generally consistent with DOD requirements, but we also observed practices during IDCs for each service that may be inconsistent with DOD policy. For example, during our IDC observations at Air Force installations, we found instances where the IDC discussed irrelevant information, such as work performance and how the IDC determinations would affect an alleged abuser's security clearance. DOD policy states that the IDC must only discuss information relevant to the specific allegation being evaluated, and a service FAP official stated that work performance should be discussed only if there are specific concerns about the servicemember's credibility. Additionally, during our IDC observations at Army installations, we found that one installation did not follow the decision tree algorithm.[103] Also, at two of the Army installations, the command representative of the involved servicemember(s) presented information last, although DOD policy dictates such information should be presented to the committee first for each incident. Such deviations from policy may undermine the consistency of IDC determinations.

Standards for Internal Control in the Federal Government state that the oversight body should oversee the design, implementation, and operation of the entity's internal control system and provide input for the remediation of associated deficiencies, as appropriate. However, although DOD's January 2016 oversight framework states that it will be updated annually, and the IDC has been a DOD-wide requirement since August 2016, DOD FAP officials stated they have not yet updated the framework to include oversight of the IDCs although they acknowledged the need to do so. Similarly, the Army and the Air Force have not established formal processes to monitor their IDCs. Without updating its oversight framework to include oversight of the IDC, DOD FAP lacks reasonable assurance that IDCs are implemented consistently across the services and in accordance with DOD policy. Likewise, until the Army and Air Force implement formalized processes to monitor IDCs, they may lack reasonable assurance that IDC determinations and processes are

[103]Of the three Army installations included in our IDC observations, one had not yet implemented the IDC model and was following the Army's Case Review Committee model. However, according to Army's IDC implementation plan, all Army installations—including those that have not yet implemented the IDC—should be using the decision tree algorithm.

consistent with DOD and service policy and could be limited in their ability to identify and help remediate deficiencies.

The Military Services Perform Limited Oversight of Command Actions Related to Domestic Violence Incidents

Command actions related to domestic violence—a subset of domestic abuse under DOD policy, as well as a criminal offense under the UCMJ—can have significant implications that are distinct from other types of offenses. However, the military services' current processes for determining the disposition of these incidents provide limited oversight of such decisions.[104] DOD Instruction 6400.06 requires the military services to implement procedures to ensure military abusers are held accountable through appropriate disposition, also known as command action. For nonsexual domestic violence incidents, the UCMJ authorizes commanders at the lowest level to determine the initial disposition by deciding whether to pursue no action, administrative action, or nonjudicial punishment—or refer the case to court-martial or an appropriate convening authority. This decision can have substantial consequences for both the victim and alleged abuser in domestic violence cases. For example, civilian and servicemember victims of certain acts of domestic abuse committed by a servicemember spouse may be eligible to receive transitional compensation benefits when an alleged servicemember abuser is administratively discharged due to the abuse or found guilty of domestic violence by a general or special court-martial. However, domestic abuse victims would not qualify for this benefit if the alleged servicemember abuser is allowed to retire or is discharged for other

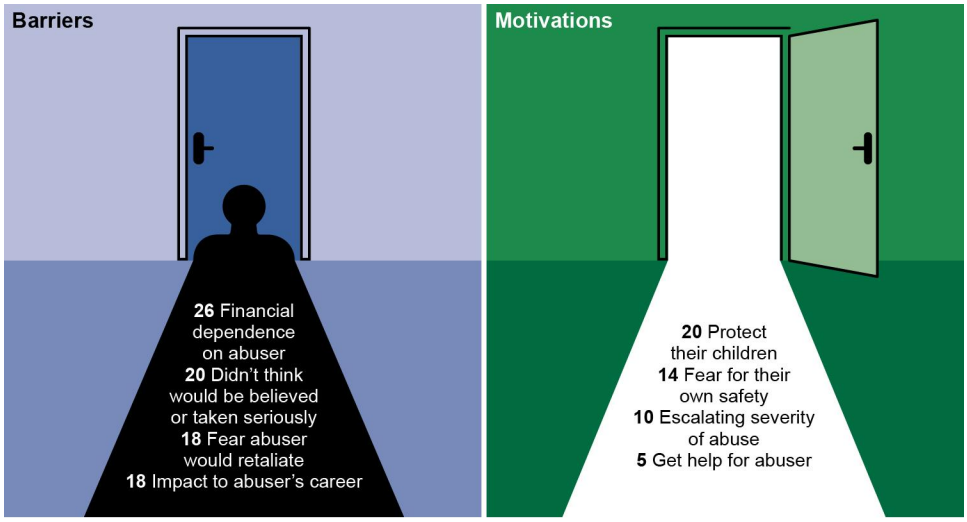
[104]In August 2018, Congress amended the UCMJ, by adding a punitive article specifically prohibiting domestic violence, effective January 1, 2019. The added UCMJ provision, Article 128b, Domestic Violence prohibits violent offenses against a spouse, intimate partner, or family member, as well as certain other acts committed with the intent to threaten or intimidate a spouse, intimate partner, or family member. Prior to this UCMJ article on domestic violence, domestic violence offenses were typically prosecuted under the general offense of assault (article 128) or other applicable offenses, such as stalking, sexual assault, or destruction of property.

reasons.[105] Transitional compensation provides a host of benefits to victims of domestic abuse, including monthly payments for up to 36 months, commissary and exchange benefits, and access to medical or dental care for problems associated with the abuse.

The availability of financial assistance can be an important consideration for victims of domestic abuse. Servicemembers may be the sole source of income for a family, and the servicemember may use finances as a control mechanism to either prevent a victim from reporting or to punish them once a report has already been made. Survivors we interviewed most frequently identified financial dependence on their abuser when describing barriers to reporting, as shown in figure 10.

[105]Pursuant to 10 USC § 1059 and Department of Defense Instruction 1342.24 *Transitional Compensation (TC) for Abused Dependents*, spouses and dependents of active duty members who are victims of dependent abuse, defined as abuse of the spouse or dependent child of the servicemember that constitutes a criminal offense, are eligible for transitional compensation where the service member abuser is: 1) convicted by a court-martial for a dependent abuse offense, and receives a sentence that includes a bad-conduct discharge, dishonorable discharge, dismissal, or forfeiture of all pay and allowances; or (2) is administratively separated from the service on a basis which includes a dependent abuse offense. However, the service secretaries may authorize transitional compensation benefits for a spouse, former spouse, or dependents of a servicemember in cases where they may not otherwise be eligible. Army policy states that commanders should consider the possible availability of transitional compensation for dependents when contemplating initiating disciplinary action, administrative separation, or preferring court-martial charges based upon a dependent-abuse offense. Army Regulation 608-18.

Figure 10: Barriers and Motivations to Report Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse



Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Text of Figure 10: Barriers and Motivations to Report Abuse Most Frequently Cited by 68 Survivors of Domestic Abuse

Barriers	
26	Financial dependence on abuser
20	Didn't think would be believed or taken seriously
18	Fear abuser would retaliate
18	Impact to abuser's career

Motivations	
20	Protect their children
14	Fear for their own safety
10	Escalating severity of abuse
5	Get help for abuser

Note: GAO interviewed 68 survivors of domestic abuse and asked the survivors about the thoughts that influenced their decision to report or not report and any barriers they encountered. Some survivors identified more than one motivation for or barrier to reporting the abuse, and 25 of the 68 survivors did not identify a specific motivation for reporting the abuse. Nine of the 68 survivors stated

they did not encounter any barriers to reporting the abuse; therefore the barriers listed above were cited by the 59 survivors who stated they encountered barriers. In addition to the barriers identified above, 28 of the 68 survivors GAO interviewed stated they tried to report the abuse—meaning they told a cognizant official about the abuse—but no action was taken.

Command actions may also affect the alleged abusers in domestic violence cases. For example, the Lautenberg Amendment to the Gun Control Act of 1968 prohibits anyone convicted of a misdemeanor crime of domestic violence from possessing a firearm.[106] DOD has implemented the statute by prohibiting military abusers who have been convicted of domestic violence by a general or special court-martial from possessing a firearm, but not those disciplined via a summary court-martial conviction, nonjudicial punishment, or administrative actions.[107] This restriction may result in affected servicemembers being separated from military service when carrying a firearm is needed to perform job duties. DOD Instruction 6400.06 requires the military departments to implement the Lautenberg Amendment in accordance with these procedures, including through appropriate command action. Table 5 describes how different command action categories affect eligibility for transitional compensation or qualification for the Lautenberg Amendment.

[106]The Gun Control Act of 1968 prohibits those convicted of a felony offense, including of domestic violence, from possessing a firearm, but provides an exception that allows law enforcement and military personnel convicted of a felony offense to carry a firearm while on duty. The Lautenberg Amendment does not provide this exception for those convicted of a misdemeanor offense of domestic violence. As such, the law currently allows law enforcement and military personnel to carry a firearm on duty if convicted of felony domestic violence, but not of misdemeanor domestic violence. DOD has determined through policy that a conviction for an offense meeting the definition of "felony domestic violence" shall also be considered a qualifying conviction that is subject to the Lautenberg Amendment and therefore does not provide an exception for military personnel convicted of felony domestic violence to carry a firearm while on duty. 18 U.S.C. § 922(g)(9).

[107]Under the UCMJ, there are three levels of courts-martial: summary, special, and general. Each of these types respectively is intended to deal with progressively more serious offenses, and each court-martial type may adjudicate more severe maximum punishments as prescribed under the UCMJ. In addition to the maximum punishments that may be adjudicated by each type of court-martial, various relevant executive orders of the President of the United States prescribe a maximum punishment for each offense. However, as of April 2021, a necessary executive order to establish the maximum punishment for domestic violence under the UCMJ had not yet been issued. A summary court-martial is not considered a criminal forum, and so a guilty finding by a summary court-martial is not a criminal conviction. In addition a commander can punish a servicemember using nonjudicial punishment or administrative action without going through the court-martial process.

Table 5: Effect of Command Actions for Domestic Violence on Eligibility for Transitional Compensation for Victims and Applicability of Lautenberg Amendment for Alleged Abusers

Command action category	Transitional compensation	Lautenberg Amendment
No action	Not eligible	Not applicable
Administrative action only (e.g., counseling, reprimand, etc.)	Not eligible	Not applicable
Administrative separation	May be eligible[a]	Not applicable
Nonjudicial punishment only	Not eligible	Not applicable
Summary court-martial only[b]	Not eligible	Not applicable
General or special court-martial	May be eligible[c]	May apply[d]

Source: GAO review of Department of Defense information. | GAO-21-289

Note: More than one type of command action may be taken in response to an instance of domestic violence.

[a]If the basis for separation includes domestic abuse.

[b]Pursuant to 10 USC § 820, UCMJ Article 20, a summary court-martial is a non-criminal forum and a finding of guilty at a summary court-martial does not constitute a criminal conviction.

[c]If convicted by a court-martial for domestic abuse offense and sentence includes a dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all pay and allowances.

[d]If convicted of at least a misdemeanor equivalent domestic abuse offense.

As previously discussed in this report, DOD has not collected comprehensive data on command actions related to domestic violence, and therefore the data collected provide limited utility as an oversight tool. The available data collected by DOD FAP during fiscal years 2015 through 2019 indicate the military services reported 2,114 non-pending command actions related to incidents that met DOD's criteria for severe physical abuse, of which 16 percent were categorized as prosecuted by court-martial, 14 percent as nonjudicial punishment, 27 percent as administrative action, and 43 percent as "other," meaning that the incident could not be prosecuted.[108] These percentages represent the proportion of the command actions reported to DOD and not of all command actions

[108]DOD defines severe physical abuse as resulting in major physical injury requiring inpatient medical treatment or causing temporary or permanent disability or disfigurement. According to DOD guidance, command actions classified as "other" indicate that the incident could not be prosecuted for the following reasons: lack of jurisdiction; the allegation was unfounded by the command, meaning it was false or did not meet the elements/criteria of a domestic violence offense/incident; statute of limitations expired; the subject died or deserted; evidence was insufficient; or the victim declined or refused to cooperate with the investigation or prosecution.

taken or for all reported domestic violence incidents.[109] These data therefore do not provide the detail required to determine whether command actions meet DOD's objectives of holding abusers accountable and ensuring victims' safety.

Officials—including FAP, law enforcement, and command representatives—at the four installations at which we conducted interviews also identified potential risks associated with current oversight of command actions. For example:

- Officials at one installation told us that the level of discretion commanders have for domestic abuse is very different than for sexual assault allegations, the latter of which are taken more seriously and carry greater consequences for abusers. The officials stated there should be more accountability to ensure commanders take appropriate action.
- Officials at another installation said there should be accountability for commanders who choose to "look the other way" when domestic abuse is reported. Another official at this installation stated that the disposition process for domestic violence is too focused on how the incident may affect the suspected abuser's career or the command, and that commanders' responsibility to hold accountable those who work for them therefore presents a conflict of interest.
- An installation commander from a third installation told us that disposition decisions create competing priorities for commanders, because it is difficult to weigh individuals' skill sets for the mission and national defense against the evidence of someone having committed domestic abuse. The official further stated commanders make these decisions in the best interest of the servicemember and the service.
- Finally, an official at another installation stated that commanders may be reluctant to report abuse because it is seen as "a career ender," while another official from the same installation stated some commanders "seek to protect their own." A third official suggested the program for domestic abuse should more closely align with the program for sexual assault in terms of reviewing commanders' decisions and holding accountable those who choose to not report incidents of domestic abuse as required by policy.

[109]For example, command actions were reported only for incidents that were found to meet DOD's criteria for certain types of domestic abuse according to DOD's incident determination process, which is not a disciplinary process.

Over time, Congress has asked DOD to conduct evaluations of the military justice system and directed certain changes to that system. For example, to address Congressional concerns and implement statutory requirements regarding commanders' disposition of sexual assault offenses, including domestic sexual abuse, DOD has restricted the disposition authority to court-martial convening authorities in the rank of O-6 or higher and required a more senior court martial convening authority—or even the Secretary of the relevant Military Department—to review a decision not to pursue a court-martial.[110] Similarly, DOD's Task Force on Domestic Violence, established by DOD as directed by Congress, found that when deciding the appropriate level of disposition, the unique dynamics of domestic violence cases and the experience level of subordinate commanding officers should be considered.[111] The Task Force also found that commanding officers should dispose of such cases at a level of command that ensures mature and informed action. Most recently, the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 required DOD to seek to contract an independent study of a range of issues related to prevention of and response to domestic violence, including the potential effect on prevention of elevating the disposition authority for domestic violence offenses.[112] However, the provision did not require the study to assess the effect of the current disposition model on outcomes, such as eligibility for transitional compensation or qualification for the Lautenberg Amendment, and does not address the feasibility of other alternative disposition models.

Standards for Internal Control in the Federal Government state that management should identify, analyze, and respond to risks related to achieving defined objectives. For example, management should analyze risks to estimate their significance, which provides a basis for responding

[110]See, DODI 6495.02, *Sexual Assault Prevention and Response (SAPR) Program Procedures* (Mar. 28, 2013) (incorporating Change 4, Sept. 11, 2020); Secretary of Defense Memo, *Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Certain Sexual Assault Cases* (Apr. 12, 2012); National Defense Authorization Act for Fiscal Year 2014, Pub. L. No. 113-66, § 1744 (2013), *as amended* (10 U.S.C. § 834 note).

[111]Defense Task Force on Domestic Violence, *Third Year Report 2003* (2003).

[112]Pub. L. No. 116-283 § 549C. Specifically, the provision requires the study to assess whether the prevention of domestic violence would be enhanced by raising the disposition authority for offenses of domestic violence to an officer who holds the grade O6 or above; is in the chain of command of the accused; and is authorized to convene a special court-martial.

to risks. However, a DOD Office of General Counsel official told us that, as of November 2020, officials in that office were not aware of any planned or completed initiatives within DOD to study risks associated with the current disposition model for domestic violence, or the feasibility of potential alternatives that may respond to such risks. Without assessing the potential risks associated with the current model for determining initial disposition and resulting command actions, the department and military services may not have a full understanding of such risks and their resulting potential impacts, including to transitional compensation eligibility and Lautenberg Amendment qualification. In addition, by assessing the feasibility—including advantages and disadvantages—of alternative disposition models, the department and military services may be better positioned to ensure that servicemember abusers are held accountable in accordance with DOD policy and law.

Training for Key Personnel Meets Some DOD Requirements, and Required Training Completion Data Is Incomplete

Servicemember Training Addresses Some Required Topics and May Not Be Received by All Servicemembers, but DOD Has Planned Improvements

The military services currently deliver domestic abuse training to servicemembers that addresses some, but not all, required topics. DOD Instruction 6400.06 requires that the Secretaries of the military departments provide periodic, mandatory training to all military personnel covering five topics related to domestic abuse: (1) dynamics of domestic abuse; (2) common misconceptions; (3) beliefs, attitudes, and cultural issues; (4) DOD and service policies and procedures; and (5) military and civilian resources.[113] Currently, the Air Force and Marine Corps deliver mandatory, service-level domestic abuse training for servicemembers, while the Army and Navy deliver training at the installation level.

[113]According to the Centers for Disease Control and Prevention, certain risk factors are linked to a greater likelihood of domestic abuse, which can include beliefs, attitudes, and cultural issues. For example, the Centers for Disease Control and Prevention lists the following beliefs as risk factors: the belief that women should stay at home, not enter the workforce, and be submissive; and the belief that men should support the family and make decisions. In addition, cultural norms that support aggression toward others are also a risk factor for domestic abuse, according to the Centers for Disease Control and Prevention.

Specifically, Army installations deliver annual troop education, and Navy installations deliver periodic training at commanders' discretion. In addition, Navy FAP offers domestic abuse training through a mobile application available to all servicemembers virtually. While not required, Navy officials told us the virtual training is especially useful for servicemembers geographically separated from FAP personnel, as a virtual option for completing required training.

We reviewed Air Force, Marine Corps and Navy service-level training for servicemembers, as well as servicemember training materials from 10 Army and Navy installations, and found that service delivery and training content for servicemembers varies and generally does not include all of the five topics DOD requires. We found that Air Force and Marine Corps service-level training addresses some but not all DOD requirements, and that the Navy's optional service-level training addresses all five required topics. We also found that installation-level training materials we reviewed for Army and Navy varied, with two of five Navy installations and one of five Army installations addressing all required topics. The number of service and installation-level training materials addressing each required topic is shown in figure 11.

Figure 11: Inclusion of DOD-Required Topics in Service and Selected Installation Domestic Abuse Training for Servicemembers

Department of Defense (DOD) Requirements for Servicemember Training	Army Nongeneralizable sample of 5 installations	Navy[a] Nongeneralizable sample of 5 installations	Marine Corps Service-level	Air Force Service-level
Dynamics of domestic abuse	✓ ✓ ✓ ✓ ✗	✓ ✓ ✓ ✓ ✓	✓	✓
DOD policy and military service-specific domestic abuse policies and procedures	✓ ✓ ✓ ✓ ✗	✓ ✓ ✓ ✓ ✓	✓	✗
Common misconceptions associated with domestic abuse	✓ ✗ ✗ ✗ ✗	✓ ✓ ✓ ✓ ✗	✓	✗
Beliefs, attitudes, and cultural issues associated with domestic abuse	✓ ✓ ✓ ✗ ✗	✓ ✓ ✓ ✗ ✗	✗	✓
Military and civilian domestic abuse resources	✓ ✓ ✓ ✓ ✗	✓ ✓ ✓ ✓ ✓	✓	✗

✓ Yes ✗ No ✓ Partial

Source: GAO analysis of service and installation domestic abuse training materials for servicemembers. | GAO-21-289

Data table for Figure 11: Inclusion of DOD-Required Topics in Service and Selected Installation Domestic Abuse Training for Servicemembers

Department of Defense (DOD) Requirements for Servicemember Training	Army	Navy	Marine Corps	Air Force
Dynamics of domestic abuse	4 of 5	5 of 5	Yes	Yes
DOD policy and military service-specific domestic abuse policies and procedures	4 of 5	5 of 5	Yes	No
Common misconceptions associated with domestic abuse	1 of 5	4 of 5	Yes	No
Beliefs, attitudes, and cultural issues associated with domestic abuse	3 of 5	3 of 5	No	Yes
Military and civilian domestic abuse resources	4 of 5	4 of 5 1 partial	Partial	No

[a]Navy FAP also offers domestic abuse training through a mobile application, available to all servicemembers virtually. While not required, Navy officials told GAO the virtual training is especially useful for servicemembers geographically separated from FAP personnel, as a virtual option for completing required training. GAO found the mobile application addresses all five required topics.

In addition, servicemembers may not always receive the installation-level training, according to officials from all four services. Specifically, while unit-level training is the primary mechanism for training servicemembers in the Army and Navy, commanders and senior enlisted advisors we interviewed told us that servicemembers generally do not receive unit-level domestic abuse training and that it is challenging to ensure all servicemembers in their units have sufficient awareness of domestic abuse. For example, Army commanders told us that lower-ranking servicemembers in their units receive significantly less information on domestic abuse, and that disseminating training to all servicemembers is a challenge. Similarly, Marine Corps senior enlisted advisors told us that ensuring servicemember participation in optional domestic abuse training, such as unit training or other FAP prevention education, is challenging. Separately, Air Force and Navy commanders told us they generally do not provide training to their units that is specific to domestic abuse, although domestic abuse may come up in other required training on violence prevention and sexual assault.

To improve the consistency of domestic abuse training provided to servicemembers, DOD plans to designate domestic abuse as a Common Military Training requirement, which will standardize curricula across the services while maintaining flexibility for the services to implement training in accordance with service priorities and processes, according to

officials.[114] DOD Instruction 1322.31 requires the Common Military Training Working Group to evaluate new training requirements with a focus on identifying and implementing means by which to achieve greater effectiveness and cost efficiency.[115] According to DOD officials, the Common Military Training Working Group evaluated domestic abuse as a training topic and determined in October 2020 that it is appropriate to include as a Common Military Training requirement. As a result, according to DOD officials, the working group will coordinate with representatives from DOD FAP and each Service FAP to develop learning objectives and expected outcomes for domestic abuse training, and DOD Instruction 1322.31 will then be updated to include domestic abuse as a required training topic.

According to DOD FAP officials, designating domestic abuse as a Common Military Training requirement should both standardize the curricula and increase compliance with the training requirement for servicemembers across military services. Additionally, Navy servicemembers in particular may receive more domestic abuse training in the future. Navy FAP officials previously stated that not including domestic abuse as a Common Military Training requirement decreased training completion. Although domestic abuse training requirements already apply to all servicemembers, adding domestic abuse as a Common Military Training requirement may further emphasize the importance of such training.

Selected Installation FAP Training for Commanders and Senior Enlisted Advisors Meets Some but Not All DOD

[114]DOD defines Common Military Training as non-occupational training which is mandated for all service members to sustain readiness, provide common knowledge, enhance awareness, reinforce expected behavioral standards, or establish a functional baseline that improves the effectiveness of DOD and its constituent organizations. This may include initial, periodic, awareness, or refresher training.

[115]Department of Defense Instruction 1322.31, *Common Military Training (CMT)* (Feb. 20, 2020).

Requirements, and Data Challenges Hinder Visibility of Training Completion

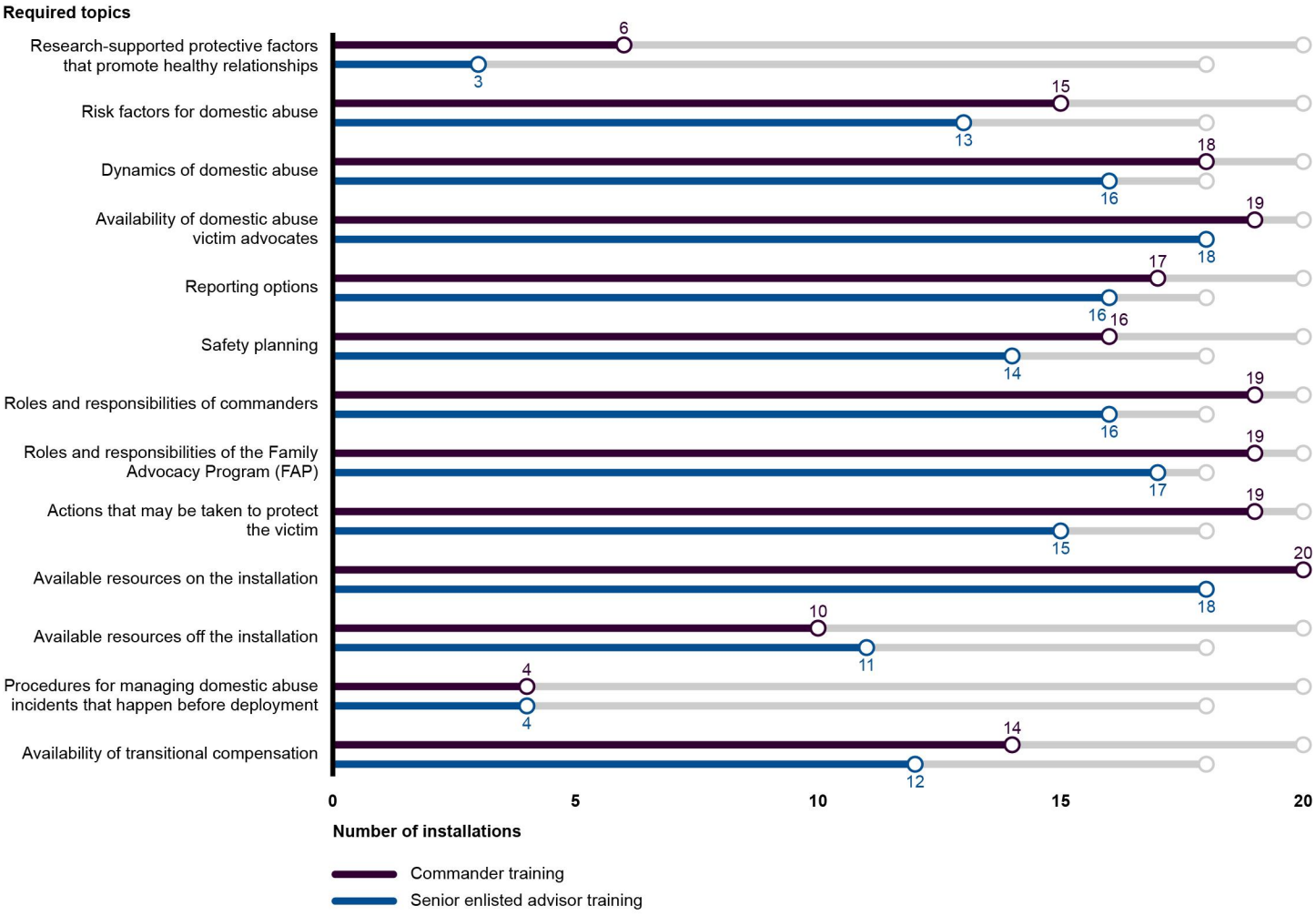
Selected Installation FAP Training for Commanders and Senior Enlisted Advisors Meets Some but Not All DOD Requirements

Military service training for new commanders and senior enlisted advisors addresses some, but not all, DOD requirements. DOD Manual 6400.01 Volume 1 requires installation FAPs to provide training on 13 topics addressing domestic abuse to new commanders and senior enlisted advisors.[116] We reviewed new commander and senior enlisted advisor training materials from a sample of 20 installations against the 13 required topics, finding that materials varied significantly within and across the services.[117] For example, training materials generally addressed dynamics of domestic abuse and reporting options, but frequently did not address research-supported protective factors or resources available off the installation. Training materials from one of 20 installations addressed all 13 required topics. Figure 12 shows the extent to which selected installations' training materials addressed each required topic.

[116]In 2001, the Defense Task Force on Domestic Violence recommended that DOD require initial training for commanding officers and senior noncommissioned officers with annual refreshers and develop a standardized curricula for the training. In 2006, we reported that DOD addressed this recommendation by issuing a memorandum, *Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel* (Feb. 3, 2004), which was superseded by DOD Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personnel* (Aug. 21, 2007) (incorporating change 4, May 26, 2017). DOD Manual 6400.01, Volume 1, *FAP: FAP Standards* (July 22, 2019) requires commanders to receive training within 90 days of assuming command and noncommissioned officers who are senior enlisted advisors to receive the training annually.

[117]We requested training materials for new commanders and senior enlisted advisors from 20 installations. All 20 installations provided training materials for new commanders, and 18 installations provided training materials for senior enlisted advisors.

Figure 12: Extent to which Selected Commander and Senior Enlisted Advisor Domestic Abuse Training Addresses Content Requirements



Source: GAO analysis of installation domestic abuse training for new commanders and senior enlisted advisors. | GAO-21-289

Data table for Figure 12: Extent to which Selected Commander and Senior Enlisted Advisor Domestic Abuse Training Addresses Content Requirements

Required topics	Commander training	Senior enlisted advisor training
Research-supported protective factors that promote healthy relationships	6	3
Risk factors for domestic abuse	15	13
Dynamics of domestic abuse	18	16
Availability of domestic abuse victim advocates	19	18
Reporting options	17	16

Required topics	Commander training	Senior enlisted advisor training
Safety planning	16	14
Roles and responsibilities of commanders	19	16
Roles and responsibilities of the Family Advocacy Program (FAP)	19	17
Actions that may be taken to protect the victim	19	15
Available resources on the installation	20	18
Available resources off the installation	10	11
Procedures for managing domestic abuse incidents that happen before deployment	4	4
Availability of transitional compensation	14	12

Note: We requested training materials from fiscal year 2019 for new commanders and senior enlisted advisors from 20 installations. All 20 installations provided training materials for new commanders, and 18 installations provided training materials for senior enlisted advisors.

On average, installations addressed about nine of 13 required topics we analyzed, although the extent to which training materials addressed required topics varied. For example, training materials from one installation addressed all 13 required topics, and materials from five installations addressed 12 of 13 required topics. These included commander training materials from five installations and senior enlisted advisor materials from four installations. In contrast, one Air Force installation addressed six of 13 required topics, and one Marine Corps installation addressed five. Overall, nine of 20 installations and eight of 18 installations addressed 10 or more required topics in commander and senior enlisted advisor training, respectively. The remainder of installations addressed between five and nine DOD required topics in their training materials.

Marine Corps officials stated that, while senior enlisted advisors can receive supplemental training at the installation level, their requirement for domestic abuse training is fulfilled by the service-level training provided to all servicemembers. We reviewed Marine Corps training required for all servicemembers against the 13 DOD required topics for senior enlisted advisors and found the training addresses 11 of the topics. Specifically, the training does not address procedures for managing domestic abuse incidents that happen before deployment or resources available off the installation, such as domestic abuse shelters, civilian healthcare providers, victim advocates, or legal services.

Commanders and senior enlisted advisors we interviewed at four installations offered varying perspectives on their receipt of domestic abuse training and its utility. For example, commanders at all four installations told us they have received FAP training on domestic abuse,

and that the training was useful. More specifically, commanders at one of these installations told us that information on the range of FAP services—such as preventative services for high risk groups—was useful, while commanders at another installation told us training helped them understand requirements when responding to domestic abuse, including who to notify. Senior enlisted advisors at two of the installations told us they had received training, with senior enlisted advisors at one of the two installations stating that such training was useful, particularly in regard to how they should contact various offices or agencies across the coordinated community response. Conversely, senior enlisted advisors at another installation told us that required domestic abuse training was not sufficiently detailed. These senior enlisted advisors told us they rely on their own personal experiences when responding to domestic abuse, in the absence of more detailed training, such as on the dynamics of domestic abuse, the cycle of abuse, and warning signs. Similarly, senior enlisted advisors at two installations who had not received training on domestic abuse stated that they rely on common sense and their own judgement when responding to domestic abuse incidents.

Each of the of the military service FAPs provide guidance for domestic abuse training content, but such guidance does not address all DOD training requirements. For example, although service FAP policies address the need to include required topics such as FAP and commander roles and responsibilities in responding to domestic abuse, they do not address the development of required content for transitional compensation, protective factors, or resources available off the installation, among other things. Additionally, Navy policy requires that new commanders and senior enlisted advisors receive training on five topics that do not align with the 13 DOD-required topics. Similarly, Air Force policy requires commanders and senior enlisted advisors receive training on general topics, such as domestic abuse prevention and procedures for when abuse has occurred, but does not require more specific topics, such as the availability of transitional compensation or resources available off the installation. FAP officials from one installation told us they ensure training aligns with service-level guidance.

In addition to service-level guidance, the Navy, Air Force, and Marine Corps provide installations with domestic abuse training materials that installations may use or adapt in developing commander and senior enlisted advisor training materials. However, the materials do not address all of the topics DOD requires. Specifically, optional Navy FAP training materials address six of 13 DOD required topics, and optional Air Force FAP training materials address 10 of 13 topics. Marine Corps FAP

training materials, which are standardized and required across all installations as of November 2020, address 11 of 13 requirements.[118] The Army has not provided training materials to its installations, according to officials. FAP officials at two installations told us they generally rely on training materials they develop themselves. For example, officials from one installation told us the installation FAP has developed supplementary training materials for commanders and senior enlisted advisors, such as a pocket guide for responding to domestic abuse incidents. FAP officials at another installation told us that because the service-level training materials they rely on are out of date, the content of training varies significantly across installations.

Commanders and senior enlisted advisors have a vital role in the coordinated community response, and training on domestic abuse policies and procedures supports an effective response to domestic abuse incidents, according to DOD guidance.[119] Survivors of domestic abuse we interviewed described a range of responses to their reports of domestic abuse from the command, including senior enlisted advisors. Some survivors described positive actions, such as issuing a protective order or taking disciplinary action against the alleged abuser, while others perceived the command took no action or an action that was negative for the survivor or positive for the alleged abuser. For example, one survivor said the commander tried to justify the abuser's behavior, and another said the chain of command was on the abuser's side. Figure 13 provides the actions taken by commanders in response to abuse most frequently cited by the survivors we interviewed who reported abuse to the command.

[118]The Marine Corps issued its standardized training materials for commanders in November 2020. Prior to that time, training materials, including those we reviewed, were developed at the installation level. The Marine Corps training materials are intended specifically for the training provided to new commanders, although senior enlisted advisors may sometimes attend those briefings, according to officials.

[119]DOD Instruction 6400.06.

Figure 13: Actions Reportedly Taken By Commanders in Response to Domestic Abuse Most Frequently Cited by 55 Survivors Who Reported Domestic Abuse to a Commander

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Text of Figure 13: Actions Reportedly Taken By Commanders in Response to Domestic Abuse Most Frequently Cited by 55 Survivors Who Reported Domestic Abuse to a Commander

15	Issued a protective order
15	Temporarily removed abuser from home
9	Disciplinary or punitive action against abuser
5	Referred abuser to clinical care

20	Survivors perceived command took no action
14	Action survivors perceived as negative against survivor
11	Action survivors perceived as helpful to abuser
8	Survivors not informed of action taken

Note: GAO interviewed 68 military-affiliated survivors of domestic abuse, of which 55 stated they had reported abuse to a commander. This figure presents the most frequently cited actions taken by commanders according to the 55 survivors who stated they had reported abuse to a commander. Some survivors identified more than one type of action taken by commanders, and in some cases the actions cited related to multiple instances of reporting.

We have previously reported that, in managing their training and development programs, agencies should develop mechanisms that ensure delivery of integrated and consistent training regardless of whether they use centralized or decentralized approaches.[120] However, as previously described, the military services have not provided guidance or sample training materials that include all of DOD's requirements for training content. In the absence of such guidance or sample materials to help ensure consistent training that incorporates all DOD requirements,

[120]GAO-04-546G.

commanders and senior enlisted advisors may not be aware of important aspects of the installation's coordinated community response, including their roles and responsibilities in those efforts. Further, ensuring that commanders and senior enlisted advisors receive consistent training may better position the military services to prevent and respond to domestic abuse. For example, when training addresses protective factors that promote healthy relationships, commanders and senior enlisted advisors may be better equipped to support high-risk families in their units. In addition, when training addresses resources available to victims of domestic abuse, such as transitional compensation, commanders and senior enlisted advisors may have greater awareness of the effect that command action may have on assisting victims in accordance with DOD policy.

Incomplete Data Tracking Hinders DOD Visibility over Commander and Senior Enlisted Advisor Training Completion Rates

DOD FAP annually collects data from each of the military services to assess commanders' and senior enlisted advisors' adherence to domestic abuse training completion requirements, but the data do not provide a complete or accurate assessment of completion rates for the training. Section 1781a of title 10 of the United States Code requires the DOD Military Family Readiness Council to measure the performance and effectiveness of the military family readiness programs, including FAP. Pursuant to this requirement, DOD FAP identified leadership awareness of FAP, including new commander and senior enlisted advisor training on domestic abuse, as two of 14 performance measures, and determined it would be assessed based on completion of new commander and senior enlisted advisor training required by DOD Instruction 6400.01. Each fiscal year, DOD FAP requires the service FAPs to provide the total number of new commanders and senior enlisted advisors required to receive FAP training, and the total number of each group that has completed the training.[121] We reviewed data collection procedures and training completion data from fiscal years 2015 through 2019 for each of the

[121]According to documents provided by DOD FAP officials, DOD FAP requests the total number of senior noncommissioned officers from the services, and defines senior noncommissioned officers as those servicemembers with the rank of E-7 and higher whom the services determine shall receive a FAP briefing. DOD Manual 6400.01 Vol. 1 requires annual domestic abuse training for senior noncommissioned officers who are serving in positions as senior enlisted advisors to commanders. As such, DOD FAP officials told us the four military services are responsible for further defining which servicemembers fall into the category of senior noncommissioned officer serving as a senior enlisted advisor to a commander.

military services and found that data were inaccurate and that the military services lacked procedures to ensure data quality. Specifically:

- Marine Corps FAP reported that more than 100 percent of new commanders received training in 2 fiscal years – 118 percent in fiscal year 2016, and 104 percent in fiscal year 2019. Marine Corps FAP officials stated that the number of new commanders reported as receiving the training may exceed the total number of new commanders because senior enlisted advisors can attend the same training and are counted as new commanders that received the training. Marine Corps FAP officials said they consider training completion data to be accurate despite the discrepancy, and that senior enlisted advisor attendance at new commander training is a positive occurrence. However, including senior enlisted advisors in data on new commander training completion obscures the training completion rate for new commanders.
- Navy FAP does not currently report comprehensive data on senior enlisted advisor training completion. From fiscal years 2016 through 2019, the Navy relied on two sets of data for senior enlisted advisor training completion: (1) data from installation FAPs on the number of senior enlisted advisors trained in person, and (2) data from the previously-mentioned mobile application, such as for those senior enlisted advisors who completed domestic abuse training virtually. Navy FAP officials told us they stopped including mobile app data in fiscal year 2020 due to data quality concerns and informal conversations with DOD FAP's data working group. Navy FAP also did not have procedures to aggregate the data and ensure that it was complete and accurate, such as to prevent double counting, according to officials. However, Navy FAP officials also said the mobile application is an important training delivery tool for senior enlisted advisors located in remote areas without FAP personnel. Officials stated that in-person training was the most common training delivery mechanism before COVID-19, but virtual training, such as through the mobile app, has increased due to the pandemic. As a result, Navy FAP data on senior enlisted advisor training may not be complete, particularly for virtual training conducted in fiscal year 2020. In addition, Navy officials stated that in fiscal year 2015 until 2019, there was wide variation across Navy regions in the processes for collecting data on new commanders. However, beginning in fiscal year 2019, the data is now consistently provided across the regions by the Navy Personnel Command.
- Air Force FAP does not have data quality controls in place to ensure complete and accurate data for new commanders and senior enlisted

advisors. Specifically, the Air Force relies on installation FAP personnel to manually update the data system for tracking training completion, according to officials. Air Force officials stated this manually-entered data reflects the total number of new commanders and senior enlisted advisors required to receive the training based on personnel rosters that the Air Force provides. FAP personnel at one installation told us that making these edits—such as manually removing individual personnel who are no longer assigned to the installation—is cumbersome and time-consuming. As a result, the installation FAP officials told us they did not have confidence in the accuracy of the training completion data. Air Force FAP officials said installation personnel are highly motivated to ensure accurate totals because FAP tracks training completion rates by installation.

- Army FAP managers are responsible for identifying all new commanders and senior enlisted advisors on their installation and reporting this information to Army FAP. Army FAP officials said the large number of new commanders and senior enlisted advisors in the Army makes it challenging for installation FAPs to identify all personnel subject to training requirements. Installation Management Command officials stated each installation may have different procedures to identify those new commanders and senior enlisted advisors subject to the training requirement. For example, some installations may rely on rosters listing personnel, and others may identify commanders and senior enlisted advisors by attendance at the IDC, according to officials. However, installations identifying commanders and senior enlisted advisors by IDC attendance alone may not include commanders and senior enlisted advisors leading units where domestic abuse incidents have not been reported and referred to the IDC. Installation Management Command officials stated they discuss best practices related to data collection with FAP managers, but Installation Management Command does not provide formal guidance on procedures to ensure accurate training completion data. As a result, the total number of these personnel reported to DOD FAP may not represent all new commanders and senior enlisted advisors.

Standards for Internal Control in the Federal Government state management should receive quality information about the entity's operational processes that flows up the reporting lines from personnel to help management achieve the entity's objectives. DOD FAP has provided the military service FAPs with general instructions for compiling commander and senior enlisted advisor training completion data, but does not have a process to ensure the quality and completeness of these data. DOD FAP officials expressed concerns that training completion data

may be incomplete, but stated that while they discuss data quality annually with the services, collecting complete and accurate data is primarily the responsibility of each military service. However, according to documentation provided by DOD, the data are intended to fulfill DOD's requirement to measure the performance and effectiveness of military family readiness programs, including FAP.[122] Without a process to ensure the quality of commander and senior enlisted advisor training completion data, DOD FAP is unable to determine whether these groups are receiving required training, take action when data show insufficient training completion, or fully assess its leadership awareness metric.

Domestic Abuse Training for Chaplains Addresses Some but Not All DOD Requirements, and the Services Have Planned Steps to Ensure Consistent Training for Domestic Abuse Victim Advocates

The Military Services Provide Domestic Abuse Training to Chaplains That Addresses Some but Not All DOD Requirements

The military departments' Chaplain schools provide training to all military service chaplains upon their entering the military.[123] This training typically spans multiple weeks, covering a variety of topics such as basic chaplain ministry and pastoral skills, leadership and professionalism, and integrating into the military community. In addition, each Chaplain school's basic training includes a session specific to domestic abuse in the military. DOD Instruction 6400.06 requires broadly that chaplains receive training on the domestic abuse policies and procedures laid out in the instruction, but does not identify specific responsibilities for which

[122]DOD FAP, *Instructions For Completing Family Advocacy Program Data Collection Tools for the National Defense Authorization Act Section 581 Metrics*, Fiscal Year 2021.

[123]Chaplains assigned to the Marine Corps attend the Navy Chaplain School.

chaplains should be trained and does not specify which elements of the policy are to be included in chaplain training.[124]

Policies and procedures included in the instruction range from general topics, such as domestic abuse prevention and victim safety, to chaplain-specific procedures for privileged communications and referrals to FAP. Our review of Army, Navy, and Air Force chaplain domestic abuse training materials found that they address some, but not all, key policies and procedures for domestic abuse prevention and response.[125] For example, all training materials address domestic abuse prevention and victim safety, and Army training addresses restricted reporting options. However, neither Navy nor Air Force trainings address restricted reporting, and while Army and Air Force trainings address basic referral to FAP and victim advocacy, the Navy's training does not.

Chaplains at the installations where we conducted interviews described varying levels of domestic abuse training and different approaches to responding to disclosures of domestic abuse. For example, chaplains at all four installations stated that training for how to counsel individuals experiencing domestic abuse can vary based on chaplains' prior education and experience. According to one official, some chaplains may have a degree in social work or a focus on counseling as a part of their religious training, while others may have more limited education and experience in these areas. These chaplains also noted that they do not receive consistent training from installation FAPs. For example, one

[124]In 2001, the Defense Task Force on Domestic Violence recommended that DOD develop domestic violence training for chaplains. In 2006 we reported that to address this recommendation, DOD issued a memorandum, *Domestic Abuse Training for Chaplains* (Jan. 29, 2004), which was superseded by DOD Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personnel* (Aug. 21, 2007) (incorporating change 4, May 26, 2017), which requires chaplains to receive training on the policies and procedures included in the instruction.

[125]We identified 11 key policies and procedures in DOD Instruction 6400.06 based on the instruction's general requirement for chaplains to receive training on those policies and procedures identified in the instruction, as well as on privileged communications, and military service specific procedures. We reviewed the sections of DOD Instruction 6400.06 labeled as policies and as procedures, and identified key topics included in headings. In addition, we identified detailed procedures specific to chaplains included throughout the instruction. In total, we identified 11 topics as key policies and procedures for chaplains, which include: (1) domestic abuse prevention, (2) victim safety, (3) appropriate accountability for abusers, (4) coordination with the local community, (5) the installation coordination community response, (6) the need for continuous monitoring of an alleged abuser, (7) DOD's fatality notification and review process, (8) restricted reporting, (9) basic referrals to appropriate services such as FAP, (10) privileged communications, and (11) military service specific procedures.

chaplain stated that installation chaplains generally receive FAP training approximately every 10 years.

Chaplains at three of the four installations where we conducted interviews also stated that they would first refer individuals to other, non-FAP resources and services, in some cases because they were more familiar with those resources or more confident non-FAP services would be helpful. For example, chaplains at one installation told us they would hesitate to refer a victim to FAP because they are not confident FAP services will result in a positive outcome. Similarly, although some chaplains stated they would share information about FAP and encourage victims to self-refer, others stated they had more confidence referring servicemembers to other resources, such as financial education or substance abuse counseling. Further, chaplains at two installations told us they would encourage an individual experiencing abuse to come back with the abuser for couples counseling. However, according to DOD clinical guidelines, couples counseling is not always a recommended intervention when domestic abuse has occurred, and treating the victim and abuser together, such as through couples counseling, may be considered only if certain conditions are met.[126]

Survivors of domestic abuse who we interviewed described a range of ways in which chaplains responded to their reports of domestic abuse. For example, one survivor said the chaplain provided gift cards to the commissary, and another said the chaplain helped keep the abuser out of the house while the survivor prepared to leave. In contrast, one survivor reported being deterred from reporting the abuse to others because of the chaplain's lack of action or support. Another survivor said the chaplain advised thinking hard before reporting abuse, because of the potential effect on the servicemember's career. One survivor told us couples counseling with the chaplain was not helpful and made the situation worse, because it was not possible to be honest about abuse with the abuser present, and any discussion of issues made the abuser more angry and dangerous. Figure 14 provides interviewed survivors' most frequently cited actions taken by chaplains in response to abuse.

[126]For example, clinical guidelines state couples counseling is an appropriate intervention only if any abuse was not severe and the clinician fully understands the level of abuse and violence and specifically addresses these issues. Department of Defense Manual 6400.01 Volume 4, *Family Advocacy Program (FAP): Guidelines for Clinical Intervention for Persons Reported as Domestic Abusers* (Mar. 2, 2015) (incorporating change 1, Apr. 4, 2017).

Figure 14: Actions Reportedly Taken By Military Chaplains in Response to Abuse Most Frequently Cited by 29 Survivors Who Reported Domestic Abuse to a Chaplain

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Text of Figure 14: Actions Reportedly Taken By Military Chaplains in Response to Abuse Most Frequently Cited by 29 Survivors Who Reported Domestic Abuse to a Chaplain

4	Provided emotional or spiritual support
4	Provided or recommended couples' counseling
3	Provided information about resources
2	Helped survivor to leave
2	Provided financial or tangible resources

12	Survivors perceived chaplain took no action
2	Survivors perceived chaplain discouraged survivor from taking further action

Note: GAO interviewed 68 survivors of domestic abuse, of which 29 stated they had reported abuse to a chaplain. This figure shows the most commonly cited actions taken by a chaplain according to the 29 survivors who stated they had reported abuse to a chaplain. Some survivors identified more than one action taken by a chaplain, and four of the 29 survivors did not identify a specific action taken by a chaplain.

GAO's *Guide for Strategic Training and Development Efforts in the Federal Government* states that the design of a training or development program should involve the formulation of a learning objective, which should be stated in specific and achievable terms.[127] However, DOD has not specified learning objectives or content requirements for chaplain training on domestic abuse. Specifically, the current requirement for chaplains to receive training on domestic abuse does not identify specific responsibilities for which chaplains should be trained and does not specify which elements of the policy are to be included in chaplain

[127]GAO-04-546G.

training. In some cases, service policies require chaplains receive training on specific topics, or that such training adhere to DOD requirements. For example, Navy FAP policy requires chaplains receive training on privileged communications and the broad content required by DOD policy. Providing specific content requirements or learning objectives for chaplain training on domestic abuse prevention and response may help DOD to ensure that chaplains consistently respond to disclosures of abuse and provide guidance to couples at risk for abuse in accordance with DOD policy. For example, ensuring chaplains are aware of restricted reporting options, basic referrals to FAP and victim advocacy, and the coordinated community response model, may better enable them to handle allegations of domestic abuse consistently with DOD policy, particularly since the nature of privileged communications means that a chaplain may be the only military official to whom domestic abuse is reported. Additionally, consistent information about DOD's domestic abuse prevention and response efforts may better position chaplains to connect victims with available resources.

The Military Services Have Taken or Planned Steps to Ensure Consistent Training for Domestic Abuse Victim Advocates

The level of required training for domestic abuse victim advocates currently varies across the military services. Specifically:

- Army policy requires that victim advocates have basic minimum qualifications as laid out in DOD Manual 6400.01 Volume 1, including a bachelor's degree in a relevant field, and 2 years of relevant experience. Army FAP policy does not require victim advocates receive training on specific topics, but Installation Management Command provides training on lethality assessment and safety planning, among other topics. Army FAP officials stated such training is provided on an annual and monthly basis.
- Navy policy requires that victim advocates have basic minimum qualifications, including a bachelor's degree in a relevant field, and a minimum of 1 year of relevant experience. Victim advocates are also required to complete FAP victim advocate training, including on confidentiality and exceptions for restricted reporting. In addition, Navy FAP officials stated that since February 2017, Navy FAP has required victim advocates to obtain the Basic Advocate Credential through the National Advocate Credentialing Program.
- Air Force officials stated that all Air Force victim advocates are contract employees and their employee contracts outline standard

training, credentialing, and education requirements pursuant to DOD Manual 6400.01, Volume 1.[128]

- Marine Corps policy requires that victim advocates receive training within 15 days of employment on topics such as transitional compensation. Victim advocates are also required to conduct an in-brief with members of the installation's coordinated community response, including with the Provost Marshal's Office, the Sexual Assault Prevention and Response Office, and SJAs.

While current training varies, all of the military services now require or plan to require that domestic abuse victim advocates obtain and maintain—as a condition of employment—a national credential that will standardize training requirements. As previously stated, the Navy currently requires its victim advocates to obtain this credential. Marine Corps and Army FAP officials told us their forthcoming policy revisions will include a similar requirement, while Air Force FAP officials stated they plan to incorporate the credential requirement in the next version of the victim advocate contract, scheduled for release in April 2021. The Air Force officials also told us that approximately 73 percent of victim advocates are already credentialed.

To obtain or renew the Basic Advocate Credential, victim advocates must complete 40 hours of training, with a minimum of 20 hours in a specialized area. Required training topics include the role of the advocate, trauma, and crisis intervention, among others. Officials from the National Organization for Victim Assistance—the organization that oversees the National Advocate Credentialing Program—told us they provide training to victim advocates across the military services and that they have seen an increase in the number of credentialing applications. Victim advocates we interviewed at two installations told us they had already obtained the Basic Advocate Credential. In addition, a victim advocate at a third installation stated she had participated in trainings with the National Organization for Victim Assistance. The Basic Advocate Credential must be renewed every 2 years.

Conclusions

Domestic abuse can devastate servicemembers and their families, and it presents profound challenges to the military that include diminished mission readiness. While DOD has acknowledged the impact of domestic

[128]DOD Manual 6400.01, Vol. 1.

abuse and taken various actions to improve its prevention and response capacity, significant gaps exist. For example, DOD has collected and annually reported some required data, such as the number and type of incidents that meet its criteria for domestic abuse. However, it has not met statutory requirements to collect data on all domestic abuse allegations received or the number of allegations received of domestic violence and related command actions. As a result, DOD has limited visibility of the rate at which allegations of domestic abuse are determined to meet its criteria and of the number and type of command actions taken in response to the criminal offense of domestic violence. Until DOD takes action to improve its data collection and reporting, decision makers in Congress and DOD will lack key information needed to evaluate the effectiveness of DOD's prevention and response efforts.

In addition, while each military service has established FAP policies and memoranda of understanding with civilian response organizations that are generally consistent with DOD requirements, gaps exist in service policies for civilian protective orders and service-level monitoring of memoranda of understanding with civilian response organizations which, if addressed, would present opportunities to better coordinate with civilian entities to support domestic abuse victims. For example, by issuing DOD-required regulations that address violation of civilian protective orders, the Army, the Navy, and the Air Force may better ensure that members of the coordinated community response, including victim advocates and commanders, are aware of and communicate that violating a civilian protective order is punishable under the UCMJ and thereby enhance the effectiveness of these orders. Further, by developing a formal process, such as through certification reviews, to ensure installation FAPs engage in memoranda of understanding with civilian organizations, as appropriate, each military service can improve its ability to ensure servicemembers and families have access to key domestic abuse resources and services.

Although DOD and the military services have taken steps to implement domestic abuse prevention and response activities, gaps also exist in key areas, including for initial screening of reports, risk assessment, and creating awareness of reporting options and resources. Specifically, the military services have developed processes for screening of allegations and tools for assessing risk, but no service has developed a timely, consistent process to monitor the screening of allegations at installations, and the Army, Navy, and Marine Corps have not issued guidance to specify the responsibilities for completing risk assessment tools. The military services and DOD have also taken several approaches to create

awareness of reporting options and resources for families experiencing domestic abuse, but continue to face challenges that DOD has not comprehensively addressed through a communications strategy or performance metrics. Further, the Army has not yet fully implemented the IDC process for determining whether allegations meet DOD's criteria for domestic abuse—although the IDC has been required across the department since 2016—and its plan for doing so remains incomplete. By taking action to ensure consistent screening and risk assessment and improve awareness efforts across the department, DOD and the military services can improve their ability to consistently identify instances of abuse and provide available safety measures and resources to servicemembers and families affected by abuse. Also, without updating its schedule and milestones and identifying and assigning the necessary resources for its implementation of the IDC Army-wide, the Army may be more likely to experience further challenges in implementing this key process, resulting in a heightened potential for inconsistency in the response to domestic abuse across the department.

Similarly, while DOD and the military services have taken steps to conduct oversight of domestic abuse prevention and response, gaps exist in DOD and service-level oversight of IDC proceedings and visibility of command actions related to domestic violence incidents. By taking actions to enhance oversight of IDC proceedings, DOD, the Army, and the Air Force can better ensure these proceedings are conducted consistently and in accordance with DOD guidance. In addition, by assessing its current model and alternative models for determining dispositions—or command actions—for domestic violence incidents, DOD may be better positioned to identify the effects of such actions on victims and alleged abusers and ensure that abusers who are servicemembers are held accountable in accordance with DOD policy.

Finally, while the military services have developed domestic abuse training for key personnel that meets some DOD requirements, there are opportunities to improve the comprehensiveness and consistency of training provided to some key personnel and to better track training completion for commanders and senior enlisted advisors. For example, by taking steps to ensure that training for new commanders and senior enlisted advisors includes all DOD requirements, the services can better ensure that these personnel are prepared to assist victims in accordance with DOD policy. Additionally, by developing a process to ensure the quality and completeness of training completion data for these personnel, DOD can better ensure that commanders and senior enlisted advisors have received the required training needed to carry out their

responsibilities for domestic abuse prevention and response. Further, by specifying content requirements for chaplain training on domestic abuse, DOD can better ensure that chaplains receive training that is comprehensive of chaplains' responsibilities for domestic abuse prevention and response. In doing so, the department may also be able to better position chaplains to respond to disclosures of abuse, such as by connecting victims with available resources.

Recommendations for Executive Action

We are making a total of 32 recommendations, including 11 to the Secretary of Defense, seven to the Secretary of the Army, nine to the Secretary of the Navy, and five to the Secretary of the Air Force.

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness clarifies guidance for submitting data on the number and types of domestic abuse allegations. (Recommendation 1)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops a quality control process for reporting accurate and complete data on allegations of abuse, including those that were determined to not meet DOD's criteria for domestic abuse. (Recommendation 2)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness expands the scope of its planned future reporting of domestic abuse data annually to the Congress to include analysis of the types of allegations of abuse. (Recommendation 3)

The Secretary of Defense should evaluate and, if needed, clarify or adjust responsibilities for tracking domestic violence and related command action data, including how any necessary coordination among responsible offices should occur. (Recommendation 4)

The Secretary of the Army should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy. (Recommendation 5)

The Secretary of the Navy should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is

punishable under the UCMJ as required by DOD policy. (Recommendation 6)

The Secretary of the Air Force should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy. (Recommendation 7)

The Secretary of the Army should develop a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. (Recommendation 8)

The Secretary of the Navy should develop a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. (Recommendation 9)

The Secretary of the Navy should ensure that the Commandant of the Marine Corps develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. (Recommendation 10)

The Secretary of the Air Force should develop a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. (Recommendation 11)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness updates its Family Advocacy Program manual to (1) add and fully define reasonable suspicion as the standard for determining whether an allegation meets the initial threshold to be referred to the IDC, and (2) establish standardized criteria for determining whether reported allegations of abuse meet that threshold. (Recommendation 12)

The Secretary of the Army should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented. (Recommendation 13)

The Secretary of the Navy should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented. (Recommendation 14)

The Secretary of the Navy should ensure that the Commandant of the Marine Corps develops a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented. (Recommendation 15)

The Secretary of the Air Force should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented. (Recommendation 16)

The Secretary of the Army should issue guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool. (Recommendation 17)

The Secretary of the Navy should issue guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool. (Recommendation 18)

The Secretary of the Navy should ensure that the Commandant of the Marine Corps issues guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool. (Recommendation 19)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops the planned communications strategy or takes other action to support the services in increasing awareness of domestic abuse reporting options and resources. (Recommendation 20)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops metrics to evaluate the

effectiveness of DOD and military service domestic abuse awareness campaigns, including by identifying a target audience and defining measurable objectives. (Recommendation 21)

The Secretary of the Army should update its schedule and milestones and identify and assign resources needed for implementation of the IDC Army-wide. (Recommendation 22)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness updates its FAP oversight framework to include oversight of IDC proceedings. (Recommendation 23)

The Secretary of the Army should establish a formal process to monitor IDCs to ensure they are conducted in accordance with DOD and service policy. (Recommendation 24)

The Secretary of the Air Force should establish a formal process to monitor IDCs to ensure they are conducted in accordance with DOD and service policy. (Recommendation 25)

The Secretary of Defense should assess the risks associated with its current disposition model and the feasibility, advantages, and disadvantages of alternate disposition models for domestic violence. This could include elevating the disposition authority, requiring additional review of these dispositions, or other methods as appropriate. (Recommendation 26)

The Secretary of the Army should provide additional guidance or sample training materials for installation-level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements. (Recommendation 27)

The Secretary of the Navy should provide additional guidance or sample training materials for installation-level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements. (Recommendation 28)

The Secretary of the Navy should ensure that the Commandant of the Marine Corps provides additional guidance or sample training materials for installation-level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements. (Recommendation 29)

The Secretary of the Air Force should provide additional guidance or sample training materials for installation-level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements. (Recommendation 30)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness, in coordination with the Secretaries of the military departments, develops a process to ensure the quality and completeness of commander and senior enlisted advisor domestic abuse training completion data. (Recommendation 31)

The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness specifies learning objectives or content requirements for chaplain training on domestic abuse by updating DOD Instruction 6400.06 or through other methods. (Recommendation 32)

Agency Comments and Our Evaluation

We provided a draft of this report to DOD for review and comment. In its written comments, reproduced in their entirety in appendix III, DOD concurred with each of our 32 recommendations and cited actions it plans to take to address them. In some instances, DOD described planned or completed actions that it indicated would fully address the recommendation, as discussed below. DOD also provided technical comments, which we have incorporated as appropriate.

In concurring with recommendation 10, that the Marine Corps should develop a process to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate, the Marine Corps stated that its current certification standards require installation FAPs attempt to enter into MOUs with civilian organizations, as appropriate. Based on these standards, the Marine Corps requested that we close this recommendation as implemented. However, as described in this report, the Marine Corps' certification standards require the review of content for existing MOUs, but do not require a review of whether MOUs have been established, as appropriate. As a result, we continue to believe that by establishing a formal process to ensure that installations establish—or attempt to establish—MOUs with all appropriate civilian response partners, the Marine Corps FAP will have greater assurance that Marine Corps installations appropriately engage civilian response partners and establish processes necessary to successfully operationalize relationships.

In concurring with recommendation 26, that the Secretary of Defense should assess the risks associated with its current disposition model and the feasibility, advantages, and disadvantages of alternate disposition models for domestic violence, DOD noted that the recommendation mirrors language in section 549C of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. Section 549C requires DOD to seek to contract an independent study of a range of issues related to the prevention of and response to domestic violence, including the potential effect on prevention of elevating the disposition authority for domestic violence offenses. DOD stated that it will comply with this provision. However, as noted in our report, the provision does not require the study to assess the effect of the current disposition model on outcomes, such as eligibility for transitional compensation or qualification for the Lautenberg Amendment, and does not address the feasibility of other alternative disposition models, as specified by our recommendation. We believe that including these elements in the planned study would better position the department and military services to fully understand potential risks associated with the current disposition model and ensure that servicemember abusers are held accountable in accordance with DOD policy and law.

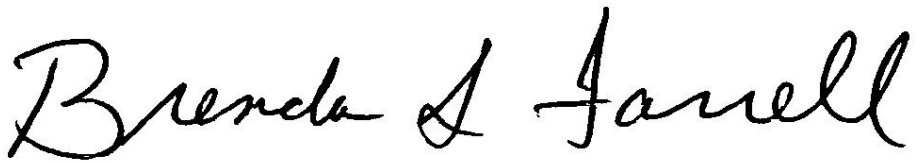
In concurring with recommendation 28, that the Navy should provide additional guidance or sample training materials for installation-level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements, the Navy stated that it implemented domestic abuse training materials in February 2021 for FAP officials that address this recommendation. Based on these training materials, the Navy requested that we close this recommendation as implemented. We will review the sufficiency of these materials as part of our standard recommendation follow-up process.

In concurring with recommendation 29, that the Marine Corps should provide additional guidance or sample training materials for installation-level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements, the Marine Corps stated that it updated its sample materials for installation-level commander and senior enlisted advisor domestic abuse training in October 2020 and that these materials meet all DOD requirements. However, as previously described in this report, we found that the Marine Corps' materials address 11 of the 13 DOD-required topics. Further, Marine Corps officials stated that the standardized training materials are intended specifically for the training provided to new commanders, although senior enlisted advisors may sometimes attend those briefings. As a result, we continue to believe that

without guidance or sample training materials that include all of DOD's requirements, both commanders and senior enlisted advisors may not be aware of important aspects of the installation's coordinated community response, including their roles and responsibilities in those efforts.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Defense, the Acting Secretary of the Army, the Acting Secretary of the Navy, the Acting Secretary of the Air Force, and the Commandant of the Marine Corps. In addition, this report is available at no charge on the GAO website at https://www.gao.gov.

If you or your staff have any questions regarding this report, please contact me at (202) 512-3604 or farrellb@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix VII.



Brenda S. Farrell
Director, Defense Capabilities and Management

Appendix I: Objectives, Scope, and Methodology

This report assesses the extent to which (1) the Department of Defense (DOD) has met statutory requirements to collect and report complete data on reports of domestic abuse, and describes how many incidents were recorded by DOD in fiscal years 2015-2019; (2) the military services have issued domestic abuse policies in accordance with DOD policy and taken steps to ensure memoranda of understanding are appropriately established with civilian response organizations; (3) DOD and the military services have implemented and overseen domestic abuse prevention and response activities in accordance with DOD policy; and (4) the military services have developed domestic abuse training for key personnel that meets DOD requirements and tracked training completion for commanders and senior enlisted advisors.[1]

Methods Used to Assess DOD's Collection and Reporting of Domestic Abuse Incident and Command Action Data

To determine the extent to which DOD met key requirements to collect and report complete data on reports of domestic abuse, we reviewed DOD domestic abuse annual reports against statutory requirements related to the collection and reporting of domestic abuse data. Specifically, we evaluated DOD's annual reports on Child Abuse and Neglect and Domestic Abuse in the Military for fiscal years 2016-2019 against requirements set forth in Section 574 of the National Defense Authorization Act for fiscal year 2017.[2] We chose this time period because it consisted of the entire time period covered by the statutory requirement at the time of our review. We determined the information and communication component of the *Standards for Internal Control in the*

[1]On December 20, 2019, the National Defense Authorization Act for Fiscal Year 2020, Pub. L. No. 116-92, established the United States Space Force as a military service within DOD. Since we did not gather data from the Space Force given its status as a new organization, throughout this report we refer to only four military services within DOD. According to DOD officials, the Space Force will not have a separate FAP, and FAP incidents involving Space Force members are managed by the Air Force FAP.

[2]The statute, enacted in December 2016, required the first report to be issued in April 2017, covering 2016 data. Pub. L. No. 114-328, § 574.

Federal Government was significant to this analysis, specifically the underlying principle that management should use quality information to achieve the entity's objectives.[3] We assessed the quality of the data used by the DOD Family Advocacy Program (FAP) to produce its reports by conducting a data reliability assessment described further below to determine the extent to which the data are of sufficient quality to be processed into information that supports achieving the objectives of the program.

To determine how many incidents of domestic abuse were recorded by DOD during fiscal years 2015 through 2019, we analyzed FAP data from the Army, the Navy, the Air Force, and the Marine Corps on all reported incidents of domestic abuse during those years. We selected data from this time frame because it constituted the most recent and complete data available at the time of the review. Specifically, we analyzed the data to determine the number of allegations of domestic abuse by service and the number that met DOD's criteria for domestic abuse. We requested data on incidents reported to the servicing FAP office, and in some cases the involved victim or abuser may have a different service affiliation, for example, if stationed at a joint base.

To determine the extent to which DOD met key requirements to collect data on domestic violence incidents and related command actions, we identified the department's methods for tracking domestic violence incident and command action data and evaluated such data for fiscal years 2015 through 2019 against the requirements of Section 594 of the National Defense Authorization Act for Fiscal Year 2000 and DOD policies related to responsibilities for collecting such data.[4] Specifically, we interviewed officials from the DOD and military service FAPs, and law enforcement and legal programs to determine the extent to which data on domestic violence incidents and related command actions are maintained in data systems used by those offices and programs. We also obtained and analyzed domestic violence incident and command action data

[3]GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G (Washington, D.C.: Sept. 10, 2014). Internal control is a process effected by an entity's oversight body, management, and other personnel that provides reasonable assurance that the objectives of an entity will be achieved.

[4]Department of Defense Manual 7730.47M, Volume 1, *Defense Incident Based Reporting System (DIBRS): Data Segments and Elements* (December 7, 2010) (incorporating change 3, Sept. 18, 2020); Department of Defense (DOD) Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personnel* (August 21, 2007) (incorporating change 4, May 26, 2017).

collected by DOD FAP annually from the military services during fiscal years 2015 through 2019, and we compared the data and the DOD requirements for the data elements that should be provided against the elements required to be collected by the National Defense Authorization Act for Fiscal Year 2000. We selected data from this time frame because it was consistent with the period that the DOD FAP data collection requirement was in place. We determined the control environment component of internal control was significant to this analysis, specifically the underlying principle that management should establish an organizational structure, assign responsibility, and delegate authority to achieve the entity's objectives. We assessed DOD's current policies and procedures for collecting domestic violence incident and command action data to determine the extent to which the department has assigned responsibilities in a manner that facilitates its objective to track such information.

We assessed the reliability of incident and FAP command action data by reviewing the data for errors, omissions, and inconsistencies; reviewing documentation on data collection procedures and systems; interviewing cognizant officials; and administering questionnaires on data collection and synthesis. We determined that the FAP domestic abuse incident data were sufficiently reliable to describe the number and types of incidents that met DOD's criteria for domestic abuse across the services and the number of total allegations each for Army, Air Force, and Marine Corps during fiscal years 2015 through 2019.[5] Due to the differences in the Navy's method for recording allegations, we found it was not possible to accurately determine from the data we obtained the number of allegations for the Navy and therefore across DOD. We found that the FAP domestic violence incident and command action data were of undetermined reliability due to the military services' different compilation processes, but we present the data in this report because they are the most comprehensive data available to DOD decision makers to determine the number and type of command actions taken.

[5]Due to a system error impacting Marine Corps data for incidents that did not meet DOD's criteria in fiscal years 2017 and 2018, we are unable to report the number of total reports made to Marine Corps in those years. In addition, we found that the Navy data are not sufficiently reliable for the purpose of reporting the number of total reports made to the Navy.

Methods Used to Assess Military Service Domestic Abuse Policies and Memoranda of Understanding with Civilian Response Organizations

To determine the extent to which the military services have established domestic abuse policies in accordance with DOD policy, we reviewed military service FAP policies against key DOD policies for domestic abuse, including responsibilities of the military services, commanders, and FAP.[6] First, we identified procedures for which the military services are required to issue policy related to domestic abuse per DOD Instructions 6400.01 and 6400.06. We reviewed service FAP policies to determine whether such procedures—related to restricted reporting, access to firearms, command action, and discipline for violation of protective orders—were included. In cases where these procedures were not included in service FAP policies, we followed up with service FAP, law enforcement, and legal officials to determine whether such procedures were captured in other service-level guidance and reviewed the guidance provided by these officials.

Separately, we used key word searches within the DOD instructions to identify key procedures related to commanders and FAP, including terms such as “commander,” “command,” “family advocacy,” and “FAP.” We then reviewed service FAP policies to determine whether they were consistent, partially consistent, or inconsistent with procedures identified in DOD policy, or whether the service policies did not include parallel procedures. We determined a FAP policy was consistent with a DOD procedure if the policy reiterated the same DOD procedure, or included service-level implementation guidance that was more specific, but not contrary to the DOD procedure. We determined a FAP policy was partially consistent with a DOD procedure if the policy reiterated some but not all aspects of the DOD procedure. We determined a FAP policy was inconsistent if a service-level implementation procedure contradicted a DOD procedure. We determined a FAP policy did not include a parallel procedure if a DOD procedure was not present in the policy and did not include contradictory information.

To determine the extent to which the military services have taken steps to ensure memoranda of understanding are appropriately established, we

[6]Department of Defense (DOD) Instruction 6400.01, *Family Advocacy Program* (May 1, 2019); DOD Instruction 6400.06.

assessed the services' monitoring of memoranda of understanding (MOU) against requirements in DOD Instructions 6400.01 and 1342.22.[7] Specifically, these instructions require installation FAPs to undergo certification reviews to monitor compliance with a variety of standards, to include review of whether formal MOUs are established, as appropriate, with counterparts in the local civilian community to improve coordination on issues including trauma-informed assessment and domestic abuse investigations, among others. We reviewed service-level documentation of certification procedures to determine whether such procedures include review of whether formal MOUs have been established. Specifically, we reviewed the following service-level documents: the *Marine Corps Family Programs Certification Reference Guide* and associated Marine Corps FAP standards; the *Fleet and Family Services Program Certification Handbook* and associated Navy FAP standards; Army FAP accreditation standards; and Air Force Instruction 90-201, *The Air Force Inspection System* and the Air Force FAP installation self-assessment communicator.

In addition, we reviewed MOUs provided by a nongeneralizable sample of 20 military installations. We selected our sample of 20 installations—five from each service—based on the installations' volume of domestic abuse incidents during fiscal years 2015 through 2019. Specifically, we analyzed the service FAP domestic abuse incident data to determine the number of met and unmet-criteria incidents recorded by each installation during the 5 year period. We excluded installations that did not record at least two met and two unmet-criteria incidents during the first 2 quarters of fiscal year 2019. Within each service, we stratified the installations into groupings of high, medium, and low volume installations. The parameters for each grouping varied by service and were determined based on what appeared to be natural breakpoints in the number of recorded incidents. For each service, we first selected one high volume installation for each service to be included in our sample of installations at which we interviewed officials. We selected these installations based on the number of recorded incidents and logistical factors related to planned travel. However, due to COVID-19 restrictions, we conducted meetings with officials at the four installations virtually, via teleconference. Next, using random sampling, we identified one additional high volume installation, two medium volume installations, and one low volume installation per service. We applied sampling rules such that we would select no more

[7]Department of Defense Instruction 1342.22, *Military Family Readiness* (July 3, 2012) (incorporating change 2, Apr. 11, 2017).

than one international installation and one installation outside of the contiguous United States per service and no more than four installations inside the contiguous United States per service (e.g., we selected at least one installation per service that was either international or outside the contiguous United States).

Our nongeneralizable sample of 20 installations cumulatively provided 45 MOUs with civilian organizations, and we evaluated these against content requirements in DOD Instruction 6400.06. For all civilian MOUs received, we determined whether each document addressed the six topics MOUs are to address per DOD Instruction 6400.06. The instruction states that MOUs with the surrounding community should address the following six topics: (1) statement of the purpose of the MOU, (2) jurisdictional issues, (3) procedures for exchanging information, (4) title of the installation office recipient of information from the local civilian office, (5) the use of facilities, and (6) meetings between organizations.

We also interviewed officials from a total of four civilian organizations proximate to the four installations at which we conducted interviews to obtain their perspectives on coordinating with the military services regarding domestic abuse prevention and response efforts. These organizations included domestic abuse response organizations, a civilian law enforcement organization, and a not-for-profit legal services organization.

Methods Used to Assess DOD and Military Service Implementation and Oversight of Key Responsibilities for Responding to Incidents of Domestic Abuse

To determine the extent to which DOD and the military services have implemented and overseen key responsibilities for responding to incidents of domestic abuse, we reviewed relevant DOD and service policies, guidance, and reports regarding domestic abuse prevention and response and oversight of related procedures implemented at the installation level. Specifically, we reviewed policies and documentation related to the military services' screening of initial reports of abuse, processes for conducting risk assessment, efforts to ensure awareness of available reporting options and resources, implementation of the IDC model, certification of installation FAPs, and oversight of Incident Determination Committee (IDC) determinations and command action decisions.

We evaluated DOD and the military services' implementation and oversight against the *Standards for Internal Control in the Federal Government* and, as applicable, the *Guide to the Project Management Body of Knowledge* (*PMBOK® Guide)*.[8] Specifically:

- With regard to the military services' monitoring of installations' screening decisions, we determined that the control activities, information and communication, and monitoring components of internal control were significant. Specifically, we identified as relevant the underlying principles that management should design control activities to achieve objectives and respond to risks, use quality information to achieve the entity's objectives and remediate identified internal control deficiencies on a timely basis. We assessed the design of the services' processes for monitoring installations' screening decisions to determine whether they were capable of achieving the organizations' objectives, included use of quality information, and were conducted with sufficient frequency to allow management to remediate deficiencies on a timely basis by reviewing documentation and interviewing FAP officials at the DOD, service, and installation level.
- With regard to the military services' assessment of risk factors for domestic abuse, we determined the risk assessment component of internal control was significant, specifically the underlying principle that management should define objectives in specific terms so they are understood at all levels of the entity. We assessed the military services' policies to determine whether management had sufficiently defined objectives of its risk assessment procedures by evaluating whether the policies specified what tools are required for conducting risk assessments and which personnel are responsible to use such tools.
- With regard to DOD and the military services' efforts to create awareness of available reporting options and resources, we determined the risk assessment and information and communication components of internal control were significant. Specifically, we identified as relevant the underlying principles that management should establish objectives for programs in measurable terms so that performance toward achieving those objectives can be assessed and externally communicate the necessary quality information to achieve objectives. We assessed the extent to which DOD has established

[8]Project Management Institute, Inc. *A Guide to the Project Management Body of Knowledge (PMBOK® Guide*), Sixth Edition, 2017. *PMBOK* is a trademark of Project Management Institute, Inc.

measurable objectives for its awareness efforts and evaluated its methods of communication to determine whether it has identified a sufficient approach for external communication by reviewing DOD's current prevention and oversight plans and interviewing DOD FAP officials regarding current and planned efforts.

- With regard to DOD and the military services' oversight of IDC decisions, we determined the control environment component of internal control was significant, specifically the underlying principle that the oversight body should oversee the design, implementation, and operation of the entity's internal control system. We assessed the extent to which DOD and the military services have sufficiently overseen the design and implementation of processes for monitoring IDC decisions and quality assurance processes at the installation level by reviewing documents and interviewing FAP officials at the DOD, service, and installation levels.
- With regard to the military services' oversight of command actions, we determined the risk assessment component of internal control was significant, specifically the underlying principle that management should identify, analyze, and respond to risks related to achieving defined objectives. We assessed the extent to which DOD has identified and responded to risk associated with its current disposition model for domestic violence incidents by reviewing documentation related to the current model and potential alternatives and obtaining information from DOD officials regarding any current or planned efforts.
- With regard to the Army's plan for implementation of the IDC, we assessed the Army's planning and implementation against the *PMBOK® Guide*, specifically its processes regarding project schedule management and project resource management. We conducted this assessment by reviewing Army documentation regarding its planned implementation of the IDC and interviewing Army and DOD officials.

For each military service, we assessed installation FAP certification status and processes against DOD requirements for certification scope and periodicity. Specifically, from each service FAP, we obtained information regarding the date of the most recently completed certification review for each installation FAP. Based on this information, we determined the number and percentage of installation FAPs that had not been certified within the preceding four years as of March 2020. In addition, we reviewed information regarding the certification standards used by each service. We obtained information from DOD FAP regarding the sufficiency of the standards to meet the DOD requirement for certification of installation FAPs. We assessed the reliability of the certification data by

interviewing cognizant officials and administering questionnaires on data collection and synthesis. We determined the data were sufficiently reliable for the purpose of reporting the percentage of installation FAPs within each service that had been certified within the past four years at the time of our review.

We also conducted work at a nongeneralizable sample of 20 installations, which we selected based on volume of reported domestic abuse incidents, as previously described. At each selected installation, we randomly sampled two incidents that met criteria and two incidents that did not meet criteria. We selected incidents that had an incident status determination date in the first two quarters of fiscal year 2019 to obtain recent documentation while allowing sufficient time for reviewed procedures to have occurred. For this purpose, we considered an incident to be a data record with a unique identifier. Because we used a non-probability sample of installations, the results of our analyses are not representative of incidents or incident processing at other installations or across a military service. However, they can serve as broad examples of the military services' installation-level implementation of domestic abuse prevention and response.

From each of the 20 selected installations, we requested documentation related to 26 requirements for the installation's Family Advocacy Committee and seven requirements for each selected incident.[9] We conducted an initial pilot of the request at one installation per service to ensure that the request was clear and to assess the feasibility of its completion. We also obtained input on the pilot request from service-level FAP officials. Due to the COVID-19 pandemic, one installation chosen for the pilot was unable to provide the requested documentation during the pilot but subsequently provided the documentation during the full implementation of the request. Based on documentation received during the pilot phase of the request, we incorporated minor changes to the final request that was submitted to the remaining 16 installations in our sample. To analyze the documentation, we reviewed the materials provided by each installation against the relevant DOD requirements. Specifically, two analysts independently reviewed the documentation provided for each line item against the corresponding DOD requirement to determine whether the documentation fully or partially met the requirement or did not meet the requirement. We determined an installation fully met a DOD requirement if the provided documentation

[9]One requirement was applicable only to met-criteria incidents.

addressed all aspects of the corresponding requirement. We determined an installation partially met a DOD requirement if the provided documentation addressed some, but not all aspects of the corresponding requirement. We determined an installation did not meet a DOD requirement if the provided documentation did not address any aspect of the corresponding requirement. Next, the two analysts discussed any initial disagreements and made a final determination for each requirement based on the provided supporting documentation.

To obtain the perspectives of installation-level personnel with responsibilities for domestic abuse prevention and response, for each of the four selected installations, we conducted 13 or 14 interviews with installation personnel who have roles in responding to domestic abuse. As previously described, we included one installation per military service, selected based on high volume of domestic abuse incidents, geographic dispersion, and logistical factors related to planned travel. Because we did not select locations using a statistically representative sampling method, the comments provided during our interviews with installation officials are nongeneralizable and therefore cannot be projected across DOD or a service, or any other installations. While the information obtained was not generalizable, it provided perspectives from installation officials that have assisted with the response to reported incidents of domestic abuse. At each selected installation, we interviewed officials from the installation command, FAP, law enforcement and legal programs, medical treatment facilities, and the chaplaincy. We compared information obtained from these interviews with DOD and service guidance regarding domestic abuse prevention and response, including topics related to FAP, commander, and chaplain responsibilities, implementation of the IDC, and training.

Additionally, we listened by phone to each service's IDC process—through which installations determine whether an incident meets DOD's criteria for domestic abuse—at a total of 12 installations (three per military service).[10] While IDC proceedings are typically conducted in-person, due to COVID-19 restrictions, the 12 installations took varying approaches to conduct the meetings with members attending in-person, virtually, or a combination of both. As a result, in some instances when the proceedings were held in person, we were unable to observe voting that occurred by a show of hands or information that was displayed on a screen in the

[10]Of the three observations we conducted at Army installations, one installation had not yet implemented the IDC process. As such, we instead observed the installation's Case Review Committee equivalent, which provided a comparison of the two processes.

meeting room. We assessed the extent to which these proceedings were conducted in accordance with DOD and service policies by comparing the content of information discussed during the meetings and procedures followed—such as the order that information was presented and the voting process—against DOD Manual 6400.01 Volume 3 and documentation provided by the military services regarding the decision tree algorithm that should be followed when making IDC determinations.

To obtain the perspectives of individuals who experienced domestic abuse as a military servicemember, spouse, or intimate partner, we conducted phone interviews with survivors of domestic abuse who volunteered to speak with us about their perspectives on resources or services provided by the military or any barriers to reporting the abuse. To develop our survivor interview protocol, we reviewed DOD and service policies; interviewed DOD, service, and nonprofit organization officials; and reviewed our prior work related to sexual assault and child abuse in the military. We also consulted with a GAO mental health professional on the appropriateness of the instrument as well as guidance on resources to offer participants if relevant. A survey specialist helped to design the interview protocol, another survey specialist reviewed it for methodological issues, and an attorney reviewed it for legal terminology. We obtained and incorporated feedback from a subject matter expert at a national organization for domestic violence resources to ensure that the questions were written in a manner to minimize re-traumatization of the participants.

Prior to interviewing survivors, we pretested the interview protocol with four GAO employees who had experience as a military servicemember or military dependent. We used the pretests to determine whether: (1) the questions were clear, (2) the terms used were precise, (3) respondents were able to provide information that we were seeking, and (4) the questions were unbiased. We made changes to the content and format of the interview protocol based on the results of our pretesting. We advertised the interview opportunity to the public via the Military One Source website and social media. During May through June 2020, we received a total of 132 responses to our advertisement. Our criteria for participation included survivors who personally experienced domestic abuse (including physical, emotional, or sexual abuse or neglect) while on active duty in the Army, Navy, Air Force, or Marine Corps, or as a spouse or intimate partner of an active-duty military member, at any time after

September 2014.[11] We did not interview survivors who had an open or ongoing law enforcement or legal matter related to the abuse. Based on these criteria, we excluded 29 initial respondents who contacted us during our interview period. We completed interviews with 68 military affiliated survivors of domestic abuse.[12]

We asked the survivors closed- and open-ended questions on a range of topics regarding the military's prevention of and response to abuse. These topics included the survivors' awareness of available services and resources; services and resources that were offered to or received by the survivors; motivations or barriers to reporting the abuse; experiences when having reported the abuse to FAP, the servicemember's command, law enforcement, or a chaplain; and experiences with military and civilian protective orders. The full questionnaire is provided in appendix IV and information on the characteristics and perspectives of the 68 survivors we interviewed is provided in appendix V.

To ensure consistent implementation of interview protocol across interviewers and participants, each team member was trained before conducting interviews independently. This training included observing another team member conduct an interview and being observed while conducting an interview. Due to the sensitivity of the information being discussed, we took several steps to help ensure a confidential and a safe environment for interviewees during the phone interviews. Specifically, all information provided was handled confidentially—callers' names and contact information were not recorded in our notes and we did not audio record the interviews. Also, we took interview notes on paper and later entered them into a Microsoft Word form. Data entry was verified by the same analyst. The data were electronically extracted from the Word forms into a comma-delimited file that was then imported into Excel for analysis.

To summarize the perspectives obtained through these interviews, we conducted quantitative and qualitative analyses of the survivor interview data. To conduct the quantitative analysis, a data analyst used statistical analysis software to identify counts and percentages related to closed-ended responses. To conduct qualitative analyses, we took two

[11]DOD defines an intimate partner as someone who has a child in common with the abuser or shares or has shared a home. As such, romantic partners not meeting those criteria were not included in the interviews.

[12]The other 35 initial respondents did not start or complete an interview for a variety of reasons including problems scheduling or holding interviews and respondents deciding not to participate before an interview.

approaches: (1) content analysis of responses to specific open-ended questions and (2) content analysis of all open-ended responses in their entirety, including additional comments survivors made not in direct response to a specific question, to identify the presence of themes, each of which is further described below.

For the first approach, we analyzed the responses to individual open-ended questions to summarize the survivors' responses to those questions. These questions covered topics including survivor awareness of FAP, the reporting process, actions taken by military officials after the abuse was reported, available resources and services, effectiveness of military and civilian protective orders, and suggestions for improvement of the military's prevention of and response to abuse. To conduct the content analysis, one analyst first reviewed the responses to each selected question and identified categories based on similarities among the responses. A second analyst reviewed the responses and the categories identified by the first analyst and provided comments on the clarity of those categories and need for any additional categories. The two analysts discussed any differences and made resulting changes to the categories. Next, the first analyst coded the responses to each selected open-ended question to identify the categories applicable to each response. A response could be coded in more than one category. A second analyst reviewed the initial coding and recorded any initial disagreements. The two analysts discussed any differences and finalized the coding decisions. The codes were then counted to identify the most commonly cited responses for each selected open-ended question.

For the second approach, the three analysts who conducted interviews reviewed the information collected across all interviews, including additional comments survivors made not in direct response to a specific question, and agreed on key themes that were significant to the interviews. Two analysts independently coded the responses into the identified theme categories. The two analysts discussed and resolved any differences and finalized coding decisions. The codes were then counted to determine how many survivors mentioned a given theme. Coding processes for both qualitative analyses were tested for validity using a test sample of the interview responses prior to coding the responses for all interviews. No substantive changes to the coding process were needed based on this testing. Because we did not select participants using a statistically representative sampling method, the perspectives obtained are nongeneralizable and therefore cannot be projected across DOD, a military service, or installation. While the information obtained was not generalizable, it provided perspectives from survivors who were

willing to discuss their experiences with the reporting, response, and resolution processes.

We also determined the status of the military services' implementation of DOD Office of Inspector General (DODIG) recommendations made in its 2019 report on law enforcement response to incidents of nonsexual domestic abuse with adult victims by obtaining quarterly updates from DODIG officials from October 2019 to January 2021.[13] We present the status of these recommendations in appendix VI of this report.

Methods Used to Assess Military Service Domestic Abuse Training for Key Personnel and Selected Training Completion Data

To determine the extent to which the military services have developed domestic abuse training for key personnel that meets DOD requirements, we evaluated domestic abuse-related training for all servicemembers, commanders and senior enlisted advisors, victim advocates, and chaplains to assess their adherence to DOD requirements specified in DOD Instructions 6400.01 and 6400.06 and our Guide for Strategic Training and Development Efforts.[14] We selected these personnel groups based on their specified training requirements and roles in providing direct support to victims of domestic abuse. To assess the training, we met with service FAP officials to determine the service delivery mechanism for training of key personnel. Where training delivery occurred at the service-level, we requested and reviewed the appropriate service-level training materials. Where training delivery occurred at the installation level, we reviewed relevant training materials from our nongeneralizable sample of 20 installations.

To assess whether the military services have developed domestic abuse training for servicemembers that meets DOD requirements, we reviewed service and separate installation-level training materials provided by the 20 installations included in our sample against the five topics required in

[13]Department of Defense, Office of Inspector General, DODIG-2019-075, *Evaluation of Military Services' Law Enforcement Responses to Domestic Violence Incidents* (April 19, 2019).

[14]GAO, *Human Capital: A Guide for Assessing Strategic Training and Development Efforts in the Federal Government,* GAO-04-546G (Washington, D.C., March 2004).

DOD Instruction 6400.06.[15] To assess whether the military services have developed domestic abuse training for new commanders and senior enlisted advisors that meets DOD requirements, we reviewed service and separate installation-level training materials provided by the 20 installations included in our sample against domestic abuse topics required by DOD Manual 6400.01, Volume 1.[16]

To assess whether the military services have developed domestic abuse training for chaplains that meets DOD requirements, we reviewed policies and procedures in DOD Instruction 6400.06 and DOD Instruction 6400.01, and identified key policies for domestic abuse prevention and response, as well as any procedures specific to chaplain roles and responsibilities. We then reviewed service-level training for new chaplains against the key policies and procedures identified in DOD guidance. Specifically, we reviewed training materials provided to us by the Army, Navy, and Air Force chaplain schools.[17]

To assess whether the military services have developed domestic abuse training for victim advocates that meets DOD requirements, we reviewed current training requirements in each service's FAP policy and interviewed service and installation-level FAP officials, including FAP managers and victim advocates. We determined the military services do not provide standardized training to victim advocates at the service level, and that each service was in the process of transitioning to a requirement for victim advocates to obtain a national-level credential—including required training—as a condition of employment. Accordingly, we did not review installation level training for victim advocates.

To determine the extent to which the military services have tracked training completion for commanders and senior enlisted advisors, we compared available training completion data against training periodicity

[15]The Air Force and the Marine Corps provide mandatory service-level domestic abuse training to all servicemembers. The Navy provides service-level domestic abuse training that servicemembers can optionally complete and also provides installation-level training to servicemembers at commanders' discretion. The Army provides installation-level domestic abuse training to servicemembers through annual troop training.

[16]DOD Manual 6400.01, Volume 1, *Family Advocacy Program (FAP): FAP Standards* (July 22, 2019) requires new commanders and senior enlisted advisors receive training from FAP personnel on topics related to both domestic abuse and child abuse. We omitted topics relevant only to child abuse from our analysis because child abuse is outside the scope of this report.

[17]Chaplains for the Marine Corps attend the Navy chaplain school.

requirements prescribed by DOD Instruction 6400.01 and assessed whether the training completion data was consistent with *Standards for Internal Control in the Federal Government*. Specifically, we determined that the information and communication component of internal control was significant to this objective, along with the underlying principle that management should receive quality information about the entity's operational processes. We assessed the extent to which the current data collection processes are sufficient to provide DOD FAP with quality information regarding completion of training by new commanders and senior enlisted officers. To conduct this assessment, we reviewed DOD FAP instructions to the services for data collection, and interviewed service and installation personnel regarding data collection procedures. In addition, we assessed the reliability of the training completion data by reviewing the data for errors, omissions, and inconsistencies; reviewing documentation on data collection requirements and procedures; interviewing cognizant officials; and administering questionnaires on data collection and synthesis. We determined that the data were not sufficiently reliable to describe the completion of the training, and therefore we do not present training completion numbers in this report.

Organizations Interviewed to Support Audit Work on All Objectives

For all objectives, we interviewed relevant DOD and military service FAP, law enforcement, and legal officials regarding policies, procedures, and responsibilities related to domestic abuse prevention and response. We also interviewed officials from six domestic abuse related nonprofit organizations to obtain their perspectives on leading practices in domestic abuse prevention and response, both generally and in relation to military families. We identified these organizations using a snowball sampling method. Specifically, we initially contacted four organizations that had provided expert witness testimonies during a September 2019 House Armed Services Subcommittee Hearing on domestic violence in the military.[18] We asked these officials for additional suggestions of organizations from which we should obtain perspectives for this review, and based on those suggestions, we interviewed officials from three

[18]*Shattered Families, Shattered Service: Taking Military Domestic Violence out of the Shadows*: Hearing Before the Subcomm. on Military Personnel of the H. Comm. on the Armed Services, 116th Cong. (2019) (testimony of Kenneth Noyes, Associate Director, DOD Family Advocacy Program).

additional organizations. We conducted the interviews with nonprofit organizations from October 2019 to April 2020.

Table 6 presents the DOD and non-DOD organizations we visited or contacted during our review to address our four objectives.

Table 6: DOD and Non-DOD Locations Visited or Contacted by GAO

Organization	Location visited or contacted
Department of Defense (DOD)	• DOD Office of General Counsel, Washington, D.C. • DOD Office of Inspector General, Virginia • DOD Office of the Under Secretary of Defense for Intelligence and Security, Washington, D.C. • DOD Office of the Under Secretary of Defense for Personnel and Readiness, Washington, D.C. • Family Advocacy Program (FAP), Virginia
Department of the Army	• Army Criminal Investigation Command, Marine Corps Base Quantico, Virginia • Army FAP, Washington, D.C. • Fort Carson, Colorado • Fort Hood, Texas • Fort Irwin, California • Fort Knox, Kentucky • U.S. Army Garrison Daegu, South Korea • U.S. Army Installation Management Command, Joint Base San Antonio, Texas • U.S. Army Medical Command, San Antonio, Texas • U.S. Army, Office of the Chief of Chaplains, Washington, D.C. • U.S. Army Office of the Judge Advocate General, Washington, D.C. • U.S. Army Office of the Provost Marshal General, Washington, D.C.

Organization	Location visited or contacted
Department of the Navy	• Commander, Navy Installations Command, Washington, D.C. • Joint Expeditionary Base Little Creek-Fort Story, Virginia • Naval Air Facility Atsugi, Japan • Naval Air Station Key West, Florida • Naval Base Kitsap, Washington • Naval Base San Diego, California • Naval Criminal Investigative Service, Marine Corps Base Quantico, Virginia • Navy FAP, Washington, D.C. • Navy Office of the Chief of Chaplains, Washington, D.C. • Office of the Judge Advocate General, Washington, D.C.
United States Marine Corps	• Marine Corps Air Station Iwakuni, Japan • Marine Corps Air Station Yuma, Arizona • Marine Corps Base Camp Lejeune, North Carolina • Marine Corps Base Camp Pendleton, California • Marine Corps Criminal Investigation Division, Washington, D.C. • Marine Corps FAP, Virginia • Marine Corps Recruit Depot Parris Island, South Carolina
Department of the Air Force	• Air Force FAP, Joint Base San Antonio, Texas • Air Force Legal Operations Agency, Joint Base Andrews, Maryland • Air Force Office of the Chief of Chaplains, Virginia • Air Force Office of Special Investigations, Marine Corps Base Quantico, Virginia • Air Force Security Forces, Washington, D.C. • Buckley Air Force Base, Colorado • Fairchild Air Force Base, Washington • Joint Base Elmendorf-Richardson, Alaska • Peterson Air Force Base, Colorado • Yokota Air Base, Japan

Organization	Location visited or contacted
Civilian Organizations	• Battered Women's Justice Project, Minneapolis, Minnesota • Colorado Legal Services, Colorado Springs, Colorado • Colorado Springs Police Department, Colorado Springs, Colorado • Family Justice Center Alliance, San Diego, California • Healing Household 6, Richlands, North Carolina • PreventConnect, Sacramento, California • National Center on Domestic and Sexual Violence, Austin, Texas • National Resource Center on Domestic Violence, Washington, D.C. • National Organization for Victim Assistance, Alexandria, Virginia • TESSA, Colorado Springs, Colorado

Source: GAO. | GAO-21-289

We conducted this performance audit from September 2019 to May 2021 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.

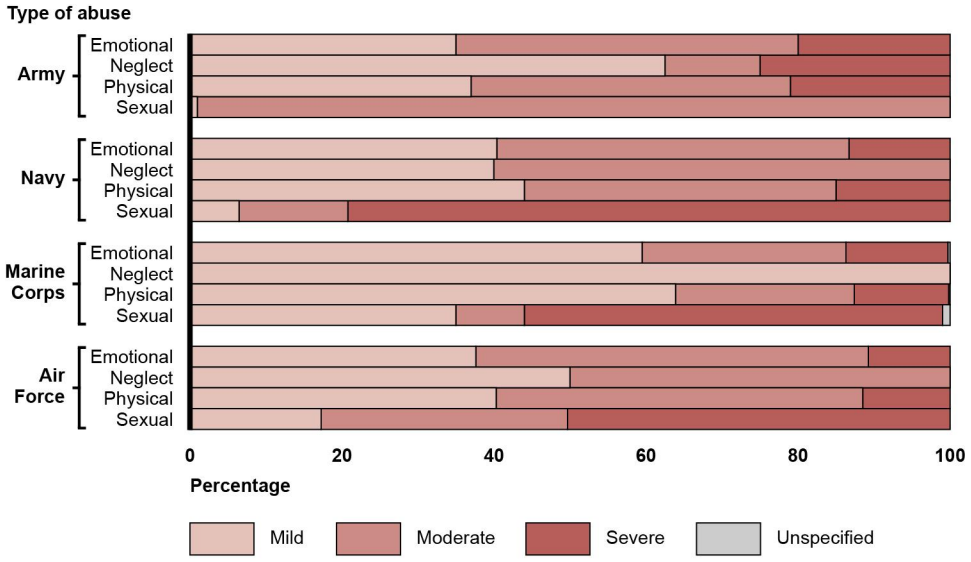
Appendix II: Severity Levels of Met-Criteria Incidents during Fiscal Years 2015 through 2019

According to DOD policy, incidents that are determined to meet DOD's criteria for domestic abuse are given a clinical designation of severity. This designation indicates the level of physical or psychological impact on the victim, or the level of threat of potential physical or psychological impact on the victim.[1] Severity levels are assessed as mild, moderate, or severe, using the Family Advocacy Program (FAP) Incident Severity Scale, a research-based algorithm tool that is intended to provide an objective, consistent, and standardized means to determine the severity of met-criteria incidents. FAP clinicians consider the identified severity level as a factor in determining clinical treatment recommendations.

In addition, DOD FAP has identified the severity level as a method for identifying incidents for which related command actions should be reported by the military services to DOD, as discussed previously in this report. Specifically, since fiscal year 2015, DOD has required the military services to report command actions related to moderate and severe physical abuse and sexual abuse of all severity levels. Figure 15 illustrates the proportion of identified severity levels for each type of abuse by military service during fiscal years 2015 through 2019.

[1]DOD Manual 6400.01, Volume 2, *Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System* (Aug. 11, 2016).

Figure 15: Proportion of Severity Levels of Met-Criteria Incidents by Service and Abuse Type, Fiscal Years 2015-2019



Source: GAO analysis of military service Family Advocacy Program data. | GAO-21-289

Data table for Figure 15: Proportion of Severity Levels of Met-Criteria Incidents by Service and Abuse Type, Fiscal Years 2015-2019

		Percentage			
	Type of abuse	**Mild**	**Moderate**	**Severe**	**Unspecified**
Army	Emotional	35	45	20	
	Neglect	62.5	12.5	25	
	Physical	37	42	21	
	Sexual	1	99	0	
Navy	Emotional	40.4	46.3	13.3	
	Neglect	40	60	0	
	Physical	44	41	15	
	Sexual	6.5	14.3	79.2	
Marine Corps	Emotional	59.5	26.8	13.4	0.3
	Neglect	100	0	0	
	Physical	63.9	23.5	12.4	0.2
	Sexual	35	9	55	1
Air Force	Emotional	37.63	51.62	10.75	
	Neglect	50	50	0	
	Physical	40.3	48.2	11.5	
	Sexual	17.3	32.4	50.3	

Note: For physical abuse, the Air Force recorded the severity level as “death” for 11 incidents (0.2 percent of all recorded severity levels for physical abuse incidents). GAO categorized the severity level for these incidents as “severe.”

Appendix III: Comments from the Department of Defense

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

MANPOWER AND
RESERVE AFFAIRS

Ms. Brenda Farrell
Director, Defense Capabilities Management
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Farrell,

This provides the Department of Defense (DoD) response to the GAO Draft Report, GAO-21-289, "DOMESTIC ABUSE: Actions Needed to Enhance DoD's Prevention, Response, and Oversight," of March 19, 2021 (GAO Code 103772).

The DoD and the Secretaries of the Military Departments have reviewed and responded to the subject report. Included with this response are the Draft Report Comment Matrix and DoD Comments to the GAO Recommendations, at Enclosures 1 and 2, respectively. My point of contact is Kenneth E. Noyes, who can be contacted at kenneth.e.noyes.civ@mail.mil and 571-309-9566.

Sincerely,

HEBERT.LERNE S.J.1121185934 Digitally signed by HEBERT.LERNES.J.1121185934 Date: 2021.04.19 11:18:29 -04'00'

Lernes J. Hebert
Performing the Duties of the Assistant Secretary
of Defense for Manpower and Reserve Affairs

Enclosures:
As stated

GAO DRAFT REPORT DATED MARCH 19, 2021
GAO-21-289 (GAO CODE 103772)

"DOMESTIC ABUSE: ACTIONS NEEDED TO ENHANCE DOD'S PREVENTION, RESPONSE, AND OVERSIGHT"

DEPARTMENT OF DEFENSE COMMENTS
TO THE GAO RECOMMENDATIONS

RECOMMENDATION 1: The GAO recommends that the Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness clarifies guidance on the submission of data on the number and types of domestic abuse allegations.

DoD RESPONSE: Concur. The Department agrees with providing clarifying guidance on submitting the number of domestic abuse allegations by abuse types into the Central Registry as part of the reissuance of DoD Manual 6400.01, Volume 2, "Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System."

RECOMMENDATION 2: The GAO recommends that the Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops a quality control process for reporting accurate and complete data on allegations of abuse, including those that were determined to not meet DOD's criteria for domestic abuse.

DoD RESPONSE: Concur. The Department will consider the development of a quality assurance process for reporting accurate data, by including checks for the alleged abuse code Central Registry data field along with appropriate policy in the reissuance of DoD Manual 6400.01, Vol 2, "Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System."

RECOMMENDATION 3: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness expands the scope of its planned future reporting of domestic abuse data annually to the Congress to include analysis of the types of allegations of abuse.

DoD RESPONSE: Concur. The Department of Defense will explore expanding the scope of its annual reporting to include analysis of the types of allegations of abuse, after issuing data submission guidance for the relevant Central Registry data fields as discussed in Recommendation 1.

RECOMMENDATION 4: The Secretary of Defense should evaluate and, if needed, clarify or adjust responsibilities for tracking domestic violence and related command action data, including how any necessary coordination among responsible offices should occur.

DoD RESPONSE: Concur. The Department agrees on the need to evaluate tracking domestic violence incident data from law enforcement, command actions, and family advocacy programs

that aligns with requirements in Section 594 of the National Defense Authorization Act for Fiscal Year 2000.

RECOMMENDATION 5: The Secretary of the Army should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy.

DoD RESPONSE: Concur. The Department of the Army acknowledges that Department of Defense Instruction 6400.06 "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel" Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice.

RECOMMENDATION 6: The Secretary of the Navy should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy.

DoD RESPONSE: Concur. The Department of the Navy acknowledges that Department of Defense Instruction 6400.06 "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel" Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice.

RECOMMENDATION 7: The Secretary of the Air Force should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy.

DoD RESPONSE: Concur. The Department of the Air Force acknowledges that Department of Defense Instruction 6400.06 "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel" Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice.

RECOMMENDATION 8: The Secretary of the Army should ensure the Army's Family Advocacy Program develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Department of the Army will assess if incorporating a holistic review and development of all needed memoranda of understanding with civilian organizations as a responsibility of the installation Family Advocacy Committee, and include this requirement in Army Regulation 608-18 is necessary.

RECOMMENDATION 9: The Secretary of the Navy should ensure the Navy's Family Advocacy Program develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Department of the Navy is in the process of assessing the need for a revision to the Navy Fleet and Family Support Programs Certification standards in accordance with release of an update to Department of Defense Instruction 1342.22, "Military Family Readiness."

RECOMMENDATION 10: The Secretary of the Navy should ensure that the Commandant of the Marine Corps directs the Marine Corps' Family Advocacy Program develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Marine Corps certification reviews require that installation Family Advocacy Programs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. The certification standard is Family Advocacy Program 1.6 Memoranda of Understanding and the standard maps to National Standard Military Administration Management 3.03. The standard is detailed in enclosure (1). Based on actions completed via the certification reviews, the Marine Corps requests GAO close recommendation 10.

RECOMMENDATION 11: The Secretary of the Air Force should ensure the Air Force's Family Advocacy Program develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider the necessity of adding this information as an Interim Change to the Department of the Air Force Instruction 40-301.

RECOMMENDATION 12: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness updates its Family Advocacy Program manual to add and fully define reasonable suspicion as the standard for determining whether an allegation meets the initial threshold to be referred to the IDC, and establish standardized criteria for determining whether reported allegations of abuse meet that threshold.

DoD RESPONSE: Concur. A current change action is in process for Department of Defense Manual 6400.01, Volume 3, "Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)" to add Medical as a core member of the Incident Determination Committee, following the previous GAO review recommendation made in GAO Report 20-110, "Increased Guidance and Collaboration Needed to Improve DoD's Tracking and Response to Child Abuse".

RECOMMENDATION 13: The Secretary of the Army should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Department of the Army uses a reasonable suspicion standard, rather than knowledge or justified belief, to support maximum abuse detection while establishing a minimum threshold for reports. The Army will investigate the feasibility of adding functionality to the Family Advocacy System of Records information technology system to support tracking of all referrals, including those that do not meet the reasonable suspicion standard.

RECOMMENDATION 14: The Secretary of the Navy should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Department of the Navy agrees that consistency is needed to ensure all domestic abuse allegations are screened, appropriately triaged, and presented to the Incident Determination Committee as warranted. The Department of the Navy will consider directing the Family Advocacy Program to implement a process to monitor and track domestic abuse allegations that do not meet the reasonable suspicion criteria for abuse.

RECOMMENDATION 15: The Secretary of the Navy should ensure that the Commandant of the Marine Corps develops a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Marine Corps will consider the development of a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all allegations that should be presented to an Incident Determination Committee are consistently presented in accordance with updated policy/guidance from the Under Secretary of Defense for Personnel and Readiness.

RECOMMENDATION 16: The Secretary of the Air Force should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of adding this information as an Interim Change to the Department of the Air Force Air Force Instruction 40-301.

RECOMMENDATION 17: The Secretary of the Army should issue guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

DoD RESPONSE: Concur. The Department of the Army is looking into the development of standard risk assessment tools and updating Army Regulation 608-18 to incorporate specific guidance for Family Advocacy Program risk assessment tool use by domestic abuse victim advocates and Family Advocacy Program clinical staff.

RECOMMENDATION 18: The Secretary of the Navy should issue guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

DoD RESPONSE: Concur. The Department of the Navy will investigate the feasibility of updating Family Advocacy Program policy to specify the risk assessment tools to be used and the type of personnel responsible for implementing each tool.

RECOMMENDATION 19: The Secretary of the Navy should ensure that the Commandant of the Marine Corps issues guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

DoD RESPONSE: Concur. The Marine Corps will consider issuing guidance, such as through updating its service Family Advocacy Program policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

RECOMMENDATION 20: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops the planned communications strategy or takes other action to support the services in increasing awareness of reporting options and resources.

DoD RESPONSE: Concur. DoD will investigate a plan to coordinate with other DoD components addressing the prevention of harmful and violent behaviors to identify best practice communications strategies.

RECOMMENDATION 21: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops metrics to evaluate the effectiveness of DOD and military service awareness campaigns, including by identifying a target audience and defining measurable objectives.

DoD RESPONSE: Concur. The Department will investigate the development of metrics for evaluating the effectiveness of Department- and Service-level awareness campaigns.

RECOMMENDATION 22: The Secretary of the Army should update its schedule and milestones and identify and assign resources needed for implementation of the IDC Army-wide.

DoD RESPONSE: Concur. The Department of the Army is working closely with DoD to identify required resources for Army-wide implementation of the Incident Determination Committee.

RECOMMENDATION 23: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness updates its FAP oversight framework to include oversight of IDC proceedings.

DoD RESPONSE: Concur. The DoD Family Advocacy Program will consider updating its oversight framework to include oversight of Incident Determination Committee proceedings and to reflect the current Incident Determination Committee and Decision Tree Algorithm Quality Assurance Project, in collaboration with Penn State University, to test and track fidelity to these models.

RECOMMENDATION 24: The Secretary of the Army should establish a formal process to monitor IDCs to ensure they are conducted in accordance with DOD and service policy.

DoD RESPONSE: Concur. The Department of the Army will consider publishing an Army Directive and Execution Order provide guidance to support Army-wide Incident Determination Committee implementation, including a formal process to monitor Incident Determination Committee fidelity in accordance with Department of Defense Manual 6400.01, Volume 3, "Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)".

RECOMMENDATION 25: The Secretary of the Air Force should establish a formal process to monitor IDCs to ensure they are conducted in accordance with DOD and service policy.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of establishing a formal process to monitor Incident Determination Committees to help ensure they are conducted in accordance with DoD and Air Force Family Advocacy Program policy.

RECOMMENDATION 26: The Secretary of Defense should assess the risks associated with its current disposition model and the feasibility, advantages, and disadvantages of alternate disposition models for domestic violence. This could include elevating the disposition authority, requiring additional review of these dispositions, or other methods as appropriate.

DoD RESPONSE: Concur. This recommendation mirrors statutory language in the National Defense Authorization Act for Fiscal Year 2021, Section 549C, requiring the Department to enter into a contract for conducting of an analysis and developing recommendations to improve the effectiveness of responding to and preventing domestic violence. DoD will comply with the law. Implementation of this requirement is currently under review.

RECOMMENDATION 27: The Secretary of the Army should provide additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Department of the Army is currently considering an update to Army Regulation 608-18, Army Regulation 600-20, and Army Regulation 350-1 to include

installation level domestic abuse training requirements for commanders and senior enlisted advisors and developing updated training materials to meet DOD requirements.

RECOMMENDATION 28: The Secretary of the Navy should provide additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Department of the Navy agrees that training for Commanders and Senior Leaders must cover the 13 DoD requirements. The Family Advocacy Program Training Curriculum was presented in virtual Navy Counseling Advocacy and Prevention training provided to clinical staff and educators on 18 February 2021. This curriculum is downloadable on the Navy Counseling Advocacy and Prevention iShare, and hard copies (books and DVDs) were sent to regions for each installation in February 2021. The virtual training was recorded and can be accessed by new staff and those who were not able to attend the showcase. All DoD required training topics have been addressed in the newly released curriculum. Based on actions completed, the Navy requests GAO close recommendation 28.

RECOMMENDATION 29: The Secretary of the Navy should ensure that the Commandant of the Marine Corps provides additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Marine Corps updated guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DoD requirements in October 2020. The required content areas are in alignment with DoD policy requirements. In addition to the content areas, the updated guidance included slides, handouts, and fact sheets. Based on actions completed in 2020, the Marine Corps requests GAO close recommendation 29.

RECOMMENDATION 30: The Secretary of the Air Force should provide additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider providing additional guidance and sample training materials for the installation level commander and senior enlisted adviser domestic abuse training that meets all DoD requirements.

RECOMMENDATION 31: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness, in coordination with the Secretaries of the Military Departments, develops a process to ensure the quality and completeness of commander and senior enlisted advisor domestic abuse training completion data.

DoD RESPONSE: Concur. The Department will explore the feasibility of collaboration with representatives of the Military Departments to develop courses of actions to ensure the quality and completeness of commander and senior enlisted advisor domestic abuse training completion data.

RECOMMENDATION 32: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness specifies learning objectives or content requirements for chaplain training on domestic abuse by updating DOD Instruction 6400.06 or through other methods.

DoD RESPONSE: Concur. DoD will explore the feasibility of coordination with the Military Department Chaplains Corps to include specific learning objectives for chaplain training in Department of Defense Instruction 6400.06, "DoD Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel," currently in the reissuance process, and any additional pertinent policies.

Text of Appendix III: Comments from the Department of Defense

Page 1

Ms. Brenda Farrell

Director, Defense Capabilities Management

U.S. Government Accountability Office 441 G Street, NW

Washington, DC 20548

Dear Ms. Farrell,

This provides the Department of Defense (DoD) response to the GAO Draft Report, GAO-21-289, “DOMESTIC ABUSE: Actions Needed to Enhance DoD’s Prevention, Response, and Oversight,” of March 19, 2021 (GAO Code 103772).

The DoD and the Secretaries of the Military Departments have reviewed and responded to the subject report. Included with this response are the Draft Report Comment Matrix and DoD Comments to the GAO Recommendations, at Enclosures 1 and 2, respectively. My point of contact is Kenneth E. Noyes, who can be contacted at kenneth.e.noyes.civ@mail.mil and 571- 309-9566.

Sincerely,

Lernes J. Hebert

Performing the Duties of the Assistant Secretary of Defense for Manpower and Reserve Affairs

Enclosures: As stated

Page 2

GAO DRAFT REPORT DATED MARCH 19, 2021

GAO-21-289 (GAO CODE 103772)

"DOMESTIC ABUSE: ACTIONS NEEDED TO ENHANCE DOD'S PREVENTION, RESPONSE, AND OVERSIGHT"

DEPARTMENT OF DEFENSE COMMENTS TO THE GAO RECOMMENDATIONS

RECOMMENDATION 1: The GAO recommends that the Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness clarifies guidance on the submission of data on the number and types of domestic abuse allegations.

DoD RESPONSE: Concur. The Department agrees with providing clarifying guidance on submitting the number of domestic abuse allegations by abuse types into the Central Registry as part of the reissuance of DoD Manual 6400.01, Volume 2, "Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System."

RECOMMENDATION 2: The GAO recommends that the Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops a quality control process for reporting accurate and complete data on allegations of abuse, including those that were determined to not meet DOD's criteria for domestic abuse.

DoD RESPONSE: Concur. The Department will consider the development of a quality assurance process for reporting accurate data, by including checks for the alleged abuse code Central Registry data field along with appropriate policy in the reissuance of DoD Manual 6400.01, Vol 2, "Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System."

RECOMMENDATION 3: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness expands the scope of its planned future reporting of domestic abuse data annually to the Congress to include analysis of the types of allegations of abuse.

DoD RESPONSE: Concur. The Department of Defense will explore expanding the scope of its annual reporting to include analysis of the types of allegations of abuse, after issuing data submission guidance for the relevant Central Registry data fields as discussed in Recommendation 1.

RECOMMENDATION 4: The Secretary of Defense should evaluate and, if needed, clarify or adjust responsibilities for tracking domestic violence and

related command action data, including how any necessary coordination among responsible offices should occur.

DoD RESPONSE: Concur. The Department agrees on the need to evaluate tracking domestic violence incident data from law enforcement, command actions, and family advocacy programs

Page 3

that aligns with requirements in Section 594 of the National Defense Authorization Act for Fiscal Year 2000.

RECOMMENDATION 5: The Secretary of the Army should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy.

DoD RESPONSE: Concur. The Department of the Army acknowledges that Department of Defense Instruction 6400.06 "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel" Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice.

RECOMMENDATION 6: The Secretary of the Navy should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy.

DoD RESPONSE: Concur. The Department of the Navy acknowledges that Department of Defense Instruction 6400.06 "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel" Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice.

RECOMMENDATION 7: The Secretary of the Air Force should ensure the cognizant offices revise or issue regulations to clarify that violation of civilian protective orders is punishable under the UCMJ as required by DOD policy.

DoD RESPONSE: Concur. The Department of the Air Force acknowledges that Department of Defense Instruction 6400.06 "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel" Section 5.5.8 requires the Secretaries of the Military Departments to issue regulations specifying that persons subject to

the Uniform Code of Military Justice (Chapter 47 of Reference (p)) comply with civilian and military orders of protection and that failure to comply may result in prosecution under the Uniform Code of Military Justice.

RECOMMENDATION 8: The Secretary of the Army should ensure the Army's Family Advocacy Program develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Department of the Army will assess if incorporating a holistic review and development of all needed memoranda of understanding with civilian organizations as a responsibility of the installation Family Advocacy Committee, and include this requirement in Army Regulation 608-18 is necessary.

Page 4

RECOMMENDATION 9: The Secretary of the Navy should ensure the Navy's Family Advocacy Program develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Department of the Navy is in the process of assessing the need for a revision to the Navy Fleet and Family Support Programs Certification standards in accordance with release of an update to Department of Defense Instruction 1342.22, "Military Family Readiness."

RECOMMENDATION 10: The Secretary of the Navy should ensure that the Commandant of the Marine Corps directs the Marine Corps' Family Advocacy Program develops a process, such as through certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Marine Corps certification reviews require that installation Family Advocacy Programs attempt to enter into memoranda of understanding with civilian organizations, as appropriate. The certification standard is Family Advocacy Program 1.6 Memoranda of Understanding and the standard maps to National Standard Military Administration Management 3.03. The standard is detailed in enclosure (1). Based on actions completed via the certification reviews, the Marine Corps requests GAO close recommendation 10.

RECOMMENDATION 11: The Secretary of the Air Force should ensure the Air Force's Family Advocacy Program develops a process, such as through

certification reviews, to ensure installation FAPs attempt to enter into memoranda of understanding with civilian organizations, as appropriate.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider the necessity of adding this information as an Interim Change to the Department of the Air Force Instruction 40-301.

RECOMMENDATION 12: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness updates its Family Advocacy Program manual to add and fully define reasonable suspicion as the standard for determining whether an allegation meets the initial threshold to be referred to the IDC, and establish standardized criteria for determining whether reported allegations of abuse meet that threshold.

DoD RESPONSE: Concur. A current change action is in process for Department of Defense Manual 6400.01, Volume 3, "Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)" to add Medical as a core member of the Incident Determination Committee, following the previous GAO review recommendation made in GAO Report 20-110, "Increased Guidance and Collaboration Needed to Improve DoD's Tracking and Response to Child Abuse".

Page 5

RECOMMENDATION 13: The Secretary of the Army should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Department of the Army uses a reasonable suspicion standard, rather than knowledge or justified belief, to support maximum abuse detection while establishing a minimum threshold for reports. The Army will investigate the feasibility of adding functionality to the Family Advocacy System of Records information technology system to support tracking of all referrals, including those that do not meet the reasonable suspicion standard.

RECOMMENDATION 14: The Secretary of the Navy should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations

that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Department of the Navy agrees that consistency is needed to ensure all domestic abuse allegations are screened, appropriately triaged, and presented to the Incident Determination Committee as warranted. The Department of the Navy will consider directing the Family Advocacy Program to implement a process to monitor and track domestic abuse allegations that do not meet the reasonable suspicion criteria for abuse.

RECOMMENDATION 15: The Secretary of the Navy should ensure that the Commandant of the Marine Corps develops a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Marine Corps will consider the development of a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all allegations that should be presented to an Incident Determination Committee are consistently presented in accordance with updated policy/guidance from the Under Secretary of Defense for Personnel and Readiness.

RECOMMENDATION 16: The Secretary of the Air Force should develop a risk-based process to consistently monitor how allegations of domestic abuse are screened at installations to help ensure that all domestic abuse allegations that should be presented to an Incident Determination Committee are consistently presented.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of adding this information as an Interim Change to the Department of the Air Force Air Force Instruction 40-301.

RECOMMENDATION 17: The Secretary of the Army should issue guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

Page 6

DoD RESPONSE: Concur. The Department of the Army is looking into the development of standard risk assessment tools and updating Army Regulation 608-18 to incorporate specific guidance for Family Advocacy Program risk

assessment tool use by domestic abuse victim advocates and Family Advocacy Program clinical staff.

RECOMMENDATION 18: The Secretary of the Navy should issue guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

DoD RESPONSE: Concur. The Department of the Navy will investigate the feasibility of updating Family Advocacy Program policy to specify the risk assessment tools to be used and the type of personnel responsible for implementing each tool.

RECOMMENDATION 19: The Secretary of the Navy should ensure that the Commandant of the Marine Corps issues guidance, such as through updating its service FAP policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

DoD RESPONSE: Concur. The Marine Corps will consider issuing guidance, such as through updating its service Family Advocacy Program policy, to specify the risk assessment tools required to be used and the type of personnel responsible for implementing each tool.

RECOMMENDATION 20: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops the planned communications strategy or takes other action to support the services in increasing awareness of reporting options and resources.

DoD RESPONSE: Concur. DoD will investigate a plan to coordinate with other DoD components addressing the prevention of harmful and violent behaviors to identify best practice communications strategies.

RECOMMENDATION 21: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness develops metrics to evaluate the effectiveness of DOD and military service awareness campaigns, including by identifying a target audience and defining measurable objectives.

DoD RESPONSE: Concur. The Department will investigate the development of metrics for evaluating the effectiveness of Department- and Service-level awareness campaigns.

RECOMMENDATION 22: The Secretary of the Army should update its schedule and milestones and identify and assign resources needed for implementation of the IDC Army-wide.

DoD RESPONSE: Concur. The Department of the Army is working closely with DoD to identify required resources for Army-wide implementation of the Incident Determination Committee.

Page 7

RECOMMENDATION 23: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness updates its FAP oversight framework to include oversight of IDC proceedings.

DoD RESPONSE: Concur. The DoD Family Advocacy Program will consider updating its oversight framework to include oversight of Incident Determination Committee proceedings and to reflect the current Incident Determination Committee and Decision Tree Algorithm Quality Assurance Project, in collaboration with Penn State University, to test and track fidelity to these models.

RECOMMENDATION 24: The Secretary of the Army should establish a formal process to monitor IDCs to ensure they are conducted in accordance with DOD and service policy.

DoD RESPONSE: Concur. The Department of the Army will consider publishing an Army Directive and Execution Order provide guidance to support Army-wide Incident Determination Committee implementation, including a formal process to monitor Incident Determination Committee fidelity in accordance with Department of Defense Manual 6400.01, Volume 3, "Family Advocacy Program (FAP); Clinical Case Staff Meeting (CCSM) and Incident Determination Committee (IDC)".

RECOMMENDATION 25: The Secretary of the Air Force should establish a formal process to monitor IDCs to ensure they are conducted in accordance with DOD and service policy.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will investigate the feasibility of establishing a formal process to monitor Incident Determination Committees to help ensure they are conducted in accordance with DoD and Air Force Family Advocacy Program policy.

RECOMMENDATION 26: The Secretary of Defense should assess the risks associated with its current disposition model and the feasibility, advantages,

and disadvantages of alternate disposition models for domestic violence. This could include elevating the disposition authority, requiring additional review of these dispositions, or other methods as appropriate.

DoD RESPONSE: Concur. This recommendation mirrors statutory language in the National Defense Authorization Act for Fiscal Year 2021, Section 549C, requiring the Department to enter into a contract for conducting of an analysis and developing recommendations to improve the effectiveness of responding to and preventing domestic violence. DoD will comply with the law. Implementation of this requirement is currently under review.

RECOMMENDATION 27: The Secretary of the Army should provide additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Department of the Army is currently considering an update to Army Regulation 608-18, Army Regulation 600-20, and Army Regulation 350-1 to include

Page 8

installation level domestic abuse training requirements for commanders and senior enlisted advisors and developing updated training materials to meet DOD requirements.

RECOMMENDATION 28: The Secretary of the Navy should provide additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Department of the Navy agrees that training for Commanders and Senior Leaders must cover the 13 DoD requirements. The Family Advocacy Program Training Curriculum was presented in virtual Navy Counseling Advocacy and Prevention training provided to clinical staff and educators on 18 February 2021. This curriculum is downloadable on the Navy Counseling Advocacy and Prevention iShare, and hard copies (books and DVDs) were sent to regions for each installation in February 2021. The virtual training was recorded and can be accessed by new staff and those who were not able to attend the showcase. All DoD required training topics have been addressed in the newly released curriculum. Based on actions completed, the Navy requests GAO close recommendation 28.

RECOMMENDATION 29: The Secretary of the Navy should ensure that the Commandant of the Marine Corps provides additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Marine Corps updated guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DoD requirements in October 2020. The required content areas are in alignment with DoD policy requirements. In addition to the content areas, the updated guidance included slides, handouts, and fact sheets. Based on actions completed in 2020, the Marine Corps requests GAO close recommendation 29.

RECOMMENDATION 30: The Secretary of the Air Force should provide additional guidance or sample training materials for installation level commander and senior enlisted advisor domestic abuse training that meets all DOD requirements.

DoD RESPONSE: Concur. The Air Force Family Advocacy Program will consider providing additional guidance and sample training materials for the installation level commander and senior enlisted adviser domestic abuse training that meets all DoD requirements.

RECOMMENDATION 31: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness, in coordination with the Secretaries of the Military Departments, develops a process to ensure the quality and completeness of commander and senior enlisted advisor domestic abuse training completion data.

DoD RESPONSE: Concur. The Department will explore the feasibility of collaboration with representatives of the Military Departments to develop courses of actions to ensure the quality and completeness of commander and senior enlisted advisor domestic abuse training completion data.

Page 9

RECOMMENDATION 32: The Secretary of Defense should ensure the Under Secretary of Defense for Personnel and Readiness specifies learning objectives or content requirements for chaplain training on domestic abuse by updating DOD Instruction 6400.06 or through other methods.

DoD RESPONSE: Concur. DoD will explore the feasibility of coordination with the Military Department Chaplains Corps to include specific learning objectives for chaplain training in Department of Defense Instruction 6400.06, "DoD

Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel," currently in the reissuance process, and any additional pertinent policies.

Appendix IV: Questionnaire for Interviews with Military-Affiliated Survivors of Domestic Abuse

To obtain the perspectives of survivors of domestic abuse who were military servicemembers, spouses, or intimate partners at the time of experiencing the abuse, we interviewed survivors who volunteered to speak with us about their perspectives on resources or services provided by the military or any barriers to reporting the abuse. We advertised our interest in conducting these confidential interviews by posting an announcement on Military OneSource—a resource for military families to obtain information and support—and on our agency social media platforms. We invited relevant nonprofit organizations to share GAO's social media posts to reach eligible participants for these interviews. The interview opportunity was also featured in an article by a military-focused news outlet. Further details about our methodology for these interviews can be found in appendix I.

This appendix includes the interview questionnaire and shows the key content of the interview questions. However, the format of the questions and response options have been changed for readability in this report, and most instructions to interviewers and some questions used to screen interviewees are not shown. Questions without response options were open-ended. Response options shown below were used by interviewers and not read to interviewees.

I. Background Information

1. In what state are you <u>currently</u> located, or if you're overseas, in what country?

2. Which military service were you or [ABUSER Term] associated with at the time of the abuse?[148]

3. Next I'm going to ask you several questions about whether or not you experienced several different types of abuse. You may have experienced one or more or none of these. You can answer yes, no, don't know, or you can tell me that you prefer not to answer a question.

   a. Did you experience Physical abuse?

Yes	No	Don't know	Prefer not to answer
☐	☐	☐ ➔ Would you like to hear the definition?	☐

   b. Did you experience Emotional abuse?

Yes	No	Don't know	Prefer not to answer
☐	☐	☐ ➔ Would you like to hear the definition?	☐

[148]During the initial screening process, we asked each survivor for their preferred term when referring to the person who abused them. Where the questionnaire references "abuser term," the interviewer substituted the preferred term provided by the survivor.

c. Did you experience Sexual abuse?

Yes	No	Don't know	Prefer not to answer
☐	☐	☐ ➔ Would you like to hear the definition?	☐

d. The next question is about neglect, which DOD defines as things like when an abuser withholds necessary care for their spouse even though they can provide it. Did you experience Neglect?

Yes	No	Don't know	Prefer not to answer
☐	☐	☐ ➔ Would you like to hear the definition?	☐

e. *If "No" or "Don't know" to all asked Q3 questions above:* How would you characterize the abuse?

4. In what year or years did the abuse occur?

Year(s) provided..... ☐ _____

Don't Know ..... ☐

Prefer not to answer ..... ☐

5. Did the abuse occur on the property of a military installation, including in military housing?

Yes	☐ ➔ What installation was it? _____
No	☐
Don't Know	☐
Prefer not to answer	☐

II. Awareness

6. As you <u>might</u> be aware, there are two options for someone to report abuse: Unrestricted reporting and restricted reporting. <u>Unrestricted</u> reporting includes notifications to law enforcement and the servicemember's command. <u>Restricted</u> reporting does <u>not</u> include notifications to law enforcement or a servicemember's command. At the time you may have <u>considered</u> reporting the abuse were you aware that restricted and unrestricted reporting options existed?

Yes	No	Don't know	Prefer not to answer
☐	☐	☐	☐

7. Have you ever heard of the Family Advocacy Program?

Yes	☐ ➔ *Continue to Q8*
No	☐ ➔ *Skip to "Status of Reporting" section*
Don't Know	☐ ➔ *Skip to "Status of Reporting" section*
Prefer not to answer	☐ ➔ *Skip to "Status of Reporting" section*

8. How did you become aware of the Family Advocacy Program?

9. Did you become aware of the Family Advocacy Program before or after the abuse started?

Before	☐ ➔ *SKIP to Q10*
After	☐ ➔ *Continue to "a"*
Don't Know/Remember	☐ ➔ *SKIP to Q10*
Prefer not to say	☐ ➔ *SKIP to Q10*

a. Did you become aware of the Family Advocacy Program when the abuse was still occurring or after the abuse ended?

While still occurring	☐
After ended	☐
Don't Know	☐
Prefer not to answer	☐

10. Are you aware that the Family Advocacy Program is responsible for assessing domestic abuse incidents and providing support services to military families affected by domestic abuse or are you not aware of that?

Yes/Aware	No/Unaware	Don't know	Prefer not to answer
☐	☐	☐	☐

III. Status of Reporting

11. The abuse might have been reported to one organization or to more than one organization. I'm going to read a list of types of organizations and I'd like you to tell me if the abuse was reported to each one, either by you, by someone else who was aware of the abuse, or by the organization you initially notified. You can tell me Yes or No or that you don't know for each one.

	Yes	No	Don't Know	Prefer NTA
a. Was the abuse reported to the Family Advocacy Program (FAP)?	☐	☐	☐	☐
b. Was the abuse reported to Military law enforcement, including Security Forces, Military Police, the Provost's Office, the Master-at-Arms, or Marine Corps CID?	☐	☐	☐	☐
c. Was the abuse reported to Military criminal investigators including Army CID, Air Force OSI, or NCIS?	☐	☐	☐	☐
d. Was the abuse reported to Civilian law enforcement?	☐	☐	☐	☐
e. Was the abuse reported to the Chain of Command, including the immediate unit commander or higher levels?	☐	☐	☐	☐
f. Were details of the abuse shared with a military Chaplain?	☐	☐	☐	☐
g. Was the abuse reported to any other organization I didn't mention?	☐ ↓	☐	☐	☐
	What organizations? ____			

12. At the time you may have considered reporting the abuse, what kinds of thoughts influenced your decision to report or not report the abuse?

Don't Know ☐

Prefer not to answer ☐

13. We understand that sometimes survivors may try to report abuse but are unable to because of challenges or barriers. Did you encounter any challenges or barriers to being able to report?

Yes	☐ ➔ What challenges or barriers did you experience?
No	☐
Don't Know	☐
Prefer not to answer	☐

14. Are there any specific improvements the military could make that would have made it easier to report?

Yes	☐ ➔ What improvements?
No	☐
Don't Know	☐
Prefer not to answer	☐

IV. Reporting

15. *[If Tracking Sheet "11.a-f" is checked, Skip to Response Section.]*[149] In what year was the abuse first reported to any military or civilian government office?

Year provided ☐ ____
Don't Know ☐

Prefer not to answer ☐

16. *[If Tracking Sheet "11.a" is checked, Skip to Q17]* Were you notified by the Family Advocacy Program about whether the incident was or was not considered to be domestic abuse?

Yes ☐
No ☐
Don't Know ☐
Prefer not to answer ☐

a. Was it clear to you what the Family Advocacy Program's process was for determining whether the abuse met criteria to be considered domestic abuse?

Yes ☐
Somewhat ☐
No ☐
Don't Know ☐
Prefer not to answer ☐

b. Is there anything that the Family Advocacy Program could do to clarify the process that's used to determine whether the abuse met criteria to be considered domestic abuse?

Yes ☐ ➔ *Continue to "i"*

No ☐ ➔ *SKIP to "c"*

[149]Interviewers used a tracking sheet to record answers to question 11 to make skip decisions for later questions like this one faster and less error prone.

Don't Know ☐ ➔ *SKIP to "c"*

Prefer not to answer ☐ ➔ *SKIP to "c"*

i. What [could the Family Advocacy Program do to clarify the process that's used to determine whether the abuse met criteria to be considered domestic abuse]?

c. Were you provided with a point of contact from the Family Advocacy Program office, such as a victim advocate?

Yes ☐
No ☐
Don't Know ☐
Prefer not to answer ☐

17. *[If Tracking Sheet "11.e" is checked, Skip to next question]* What actions, if any, did the chain of command take after the abuse was reported to them?

18. *[If Tracking Sheet "11.f" is checked, Skip to Response section on next page.]* What actions, if any, did the military Chaplain take after the abuse was discussed with them?

V. Response to Abuse

19. Did you or your family receive any resources or services from the military related to the abuse, for example, counseling, medical care, or relocation of [ABUSER-TERM]?

Yes ☐ ➔ *Continue to "a"*
No ☐ ➔ *Skip to Q20*
Don't Know ☐ ➔ *Skip to Q20*
Prefer not to answer ☐ ➔ *Skip to Q20*

a. Are you or your family currently receiving any resources or services from the Family Advocacy Program?

Yes ☐ ➔ *Skip to Q20*
No ☐ ➔ *Continue to "b"*
Don't Know ☐ ➔ *Skip to Q20*

Prefer not to answer ☐ ➔ *Skip to Q20*

b. What resources or services did you or your family receive from the military?

c. What, if any, resources and services provided by the military were particularly helpful?

d. What, if any, resources or services were provided by the military that did not meet your needs or your family's needs?

   i. Why didn't those resources or services meet your needs or your family's needs?

e. What, if anything, could be improved about the resources or services you received from the military, such as the services themselves, or the ease of access or timeliness of the services provided?

20. Were there resources or services that you or your family were offered by the military, but that you did not receive, either because you did not need them or for some other reason?

Yes ☐ ➔ *Continue to "a"*
No ☐ ➔ *Skip to Q21*
Don't Know ☐ ➔ *Skip to Q21*
Prefer not to answer ☐ ➔ *Skip to Q21*

a. What type of resources or services were offered but not received?

b. Why did you not receive these resources or services—for example, was it by choice or was there something that prevented you from receiving them?

21. My next question is about resources or services from civilian organizations. Things like, safety planning, emergency or transitional housing, financial assistance, psychological or legal counseling, or medical care. Did you or your family receive any resources or services from civilian organizations or providers related to the abuse while you or [ABUSER TERM] were on active duty?

Yes ☐ ➔ *Continue to "a"*
No ☐ ➔ *Skip to Q22*
Don't Know ☐ ➔ *Skip to Q22*

Prefer not to answer ☐ ➔ *Skip to Q22*

a. What services did you or your family receive from civilian organizations or providers while you or [ABUSER TERM] were on active duty?

b. Were any of the civilian services you received suggested by the military?

Yes ☐ ➔ *If there was more than one civilian service in "a" above:* Which civilian services were suggested by the military?

No ☐

Don't Know ☐

Prefer not to answer ☐

22. Were there any military or civilian resources or services that you think would have been helpful, but were not available?

Yes ☐ ➔ *Continue to "a"*

No ☐ ➔ *Skip to Investigation Section*

Don't Know ☐ ➔ *Skip to Investigation Section*

Prefer not to answer ☐ ➔ *Skip to Investigation Section*

a. What services?

VI. Investigation/Resolution of Abuse

[If Tracking Sheet "11.b - d" is checked, Skip to Q26.]

23. Was the abuse investigated by any military or civilian law enforcement organization? For example, did the military police, a military investigative organization, civilian state or local law enforcement, the Federal Bureau of Investigation, or some other law enforcement organization respond to investigate the abuse?

Yes	☐ ➔ *Continue to "a"*	
No	☐	
Don't Know	☐	*Skip to Q26*
Prefer not to answer	☐	

a. What law enforcement organization or organizations conducted an investigation? If more than one law enforcement organization conducted an investigation, please tell me all the organizations.

Military police (Security Forces, Military Police, Provost's Office, Marshal-at-Arms, Marine Corps CID	☐
Military investigative organization (CID, OSI, NCIS)	☐
Civilian state/local law enforcement	☐
Federal Bureau of Investigation	☐
Other	☐ ➔ _____
Don't Know	☐
Prefer not to answer	☐

24. *Ask only if either "military" checked in Q23.a; otherwise skip:*

What type of information, if any, did you receive from the military organization that was conducting the investigation during the course of the investigation, such as status updates by phone, e-mail, or letter?

a. Did you have a point of contact that you could reach out to at the investigating military organization with any questions or for status updates?

Yes	No	Don't know	Prefer not to answer
☐	☐	☐	☐

25. After the investigation ended, were you informed about the outcome or informed of any next steps regarding any potential criminal or administrative action against [ABUSER-TERM]?

Yes	Somewhat/ partially	No	Don't know	The investigation is still open/ongoing	Prefer not to answer
☐	☐	☐	☐	☐ 🡻 *end discussion*	☐

26. Did you or any organization responding to the abuse consider requesting a Military Protective Order or a Civilian Protective Order as a result of the abuse? This may also have been called a restraining order.

Yes ☐ ➔ *Continue to Q27*

No ☐ ➔ *SKIP to "Miscellaneous" section*

Don't Know ☐ ➔ *SKIP to "Miscellaneous" section*

Prefer not to answer ☐ ➔ *SKIP to "Miscellaneous" section*

27. Whether a protective order was issued or not, was the process for obtaining a protective order clear to you or not?

Yes/clear	☐ ➔ *SKIP to Q28*
Partially	☐ ➔ *Continue to "a"*
No/not clear	☐ ➔ *Continue to "a"*
Don't Know	☐ ➔ *SKIP to Q28*
Prefer not to answer	☐ ➔ *SKIP to Q28*

a. What about the process was unclear?

28. Was a Military Protective Order or a Civilian Protective Order <u>issued</u> as a result of the abuse?

Yes	☐ ➔ *Continue to "a"*
No	☐ ➔ *Skip to page 38, "Miscellaneous" section*
Don't Know	☐ ➔ *Skip to page 38, "Miscellaneous" section*
Prefer not to answer	☐ ➔ *Skip to page 38, "Miscellaneous" section*

a. Which type of order was it, military, civilian, or both?

Military only	☐
Civilian only	☐
Both	☐
Don't Know	☐
Prefer not to answer	☐

29. Do you feel the protective order(s) met its/their intended purpose?

Yes	☐ ➔ Continue to "i"
Partially	☐ ➔ Continue to "i"
No	☐ ➔ *Continue to "i"*
Don't Know	☐ ➔ *SKIP to Q30*
Prefer not to answer	☐ ➔ *SKIP to Q30*

i. Why do you feel that it [met/did not meet] its/their intended purpose?

VII. Miscellaneous/Closing Questions

30. What, if anything, would you recommend that DOD or the military services do to be more responsive to survivors of domestic abuse and their families?

31. What, if anything, would you recommend DOD or the military services do to help prevent domestic abuse?

32. Is there anything related to domestic abuse within DOD or the military services that we did not discuss but you think we should be aware of?

33. One last question, and this is something we ask for phone interviews to understand the context of the person we're interviewing: Was there anyone else present with you during any part of our conversation?

Yes	☐ ➔ *Continue to "a"*
No	☐ ➔ *Skip to final closing statements*
Prefer not to answer	☐ ➔ *Skip to final closing statements*

a. Who was present? _____

Appendix V: Perspectives of 68 Military-Affiliated Survivors of Domestic Abuse

During May through June of 2020, we conducted interviews with 68 survivors of domestic abuse who were military servicemembers, spouses, or intimate partners at the time of the abuse. We asked the survivors questions regarding their affiliation with the military, experiences reporting or not reporting the abuse, and—for those who reported the abuse to the military—experiences with the military's response to the abuse. We did not independently verify the information provided by the survivors; thus, all reported results of our interviews with domestic abuse survivors are based solely on the information provided by the survivors we interviewed.

This appendix provides information on the self-reported characteristics of the survivors we interviewed, the organizations to which survivors stated they reported, motivations and barriers to reporting, awareness of Family Advocacy Program (FAP), military resources and services, and significant themes we identified across the discussions. See Appendix I for additional information about the development of the interview questionnaire and the interview collection and analysis processes. Appendix IV provides a copy of the questionnaire used to conduct these interviews.

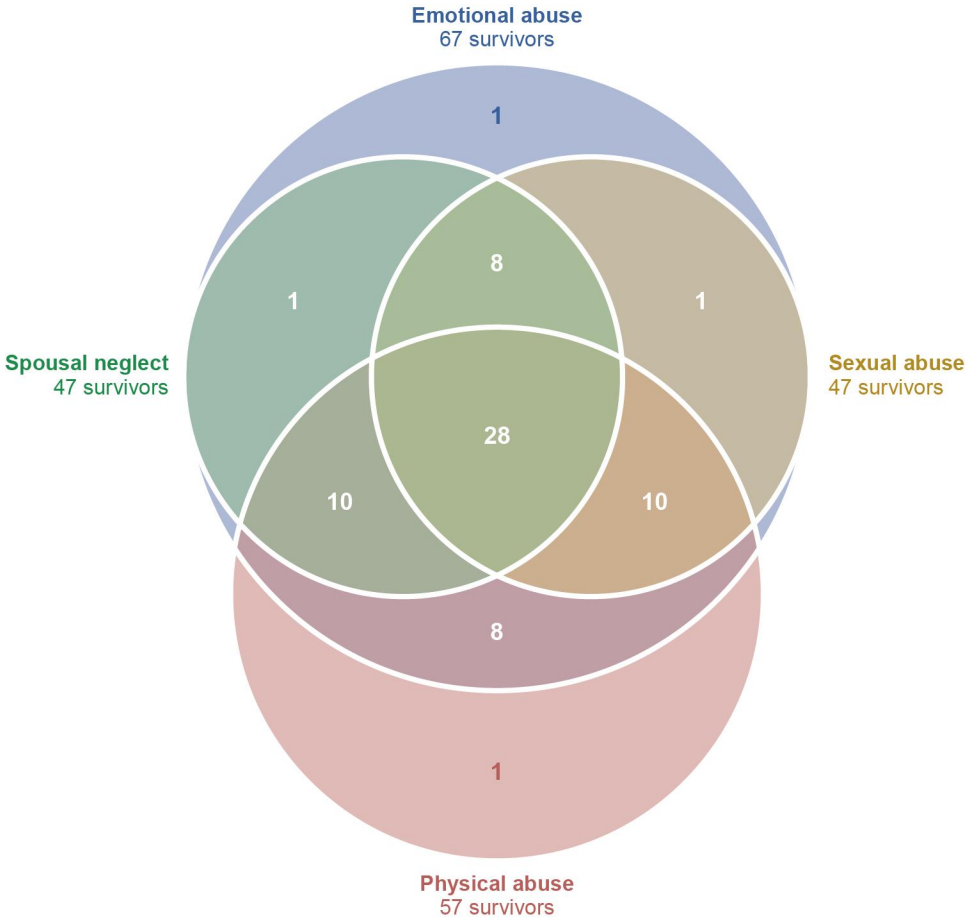
Of the 68 military-affiliated survivors we interviewed, 18 survivors stated they had been active-duty servicemembers at the time of the abuse and 50 stated they had been civilian spouses or intimate partners. Of the 68, 62 survivors reported their abuser had been an active-duty servicemember at the time of the abuse, and six reported their abuser had been a civilian. Sixty-five of the survivors reported they had been married to their abuser, and three reported they had been in an intimate partner relationship. Sixty-two of the survivors we interviewed were female, and six were male. Of the 68 survivors, 34 stated that they were affiliated with the Army, 17 with the Air Force, 10 with the Marine Corps, and seven with the Navy. The 68 survivors cumulatively identified 60 installations at which the abuse had occurred. At the time of our interviews, the survivors were collectively located in 23 U.S. states and the District of Columbia and two non-U.S. countries.

As part of our screening criteria, we required that participants had experienced abuse while a military servicemember, spouse, or intimate partner, since September 2014, to help ensure the perspectives we obtained were reflective of current policies and procedures. However, survivors may also have experienced or reported abuse prior to that time. The 68 survivors we interviewed reported having experienced abuse for a median of 6 years. The minimum number of years reported was 1 and the maximum was 25.

The Department of Defense (DOD) categorizes the types of domestic abuse as physical, emotional, or sexual abuse or neglect.[1] Figure 16 illustrates the types of abuse the 68 survivors we interviewed reported experiencing.

[1]DOD defines physical abuse as the non-accidental use of physical force that causes or may cause significant impact. DOD defines emotional abuse as a type of domestic abuse including acts or threats adversely affecting the psychological well-being of a current or former spouse or intimate partner. DOD defines sexual abuse as a sexual act or sexual contact with the spouse or intimate partner without the consent of the spouse or intimate partner or against the expressed wishes of the spouse or intimate partner. DOD defines spousal neglect as a type of domestic abuse in which the alleged abuser withholds necessary care or assistance for his or her current spouse who is incapable of self-care, although the caregiver is financially able to do so or has been offered other means to do so.

Figure 16: Types of Abuse Cited by 68 Military-Affiliated Survivors of Domestic Abuse Interviewed by GAO



Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

We interviewed both survivors who had and had not reported the abuse to the military to obtain perspectives both on experience of reporting and any perceived barriers to reporting. Of the 68 survivors, 60 said they had reported the abuse to the military or to civilian law enforcement, and 8 said they had not reported the abuse to the military or to civilian law enforcement. The majority of those who reported said they first reported the abuse in 2014 or later, as shown in table 7.

Table 7: Year of First Report of Domestic Abuse Cited by 60 Survivors Who Stated They Reported the Abuse to the Military or to Civilian Law Enforcement

Year of first report	Number of survivors
Prior to 2010	6

Year of first report	Number of survivors
2010	1
2011	2
2012	6
2013	2
2014	7
2015	5
2016	9
2017	5
2018	11
2019	6

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

In addition, we asked each survivor if the abuse had been reported to each of the following entities either by the survivor or by someone else who was aware of the abuse: the military chain of command, FAP, civilian law enforcement, military law enforcement agencies (e.g., military police), a military chaplain, or military criminal investigative organizations.[2] Table 8 summarizes the organizations to which survivors stated their abuse had been reported.

Table 8: Organizations to Which 68 Military-Affiliated Survivors of Domestic Abuse Stated Their Abuse Had Been Reported

Organization	Number of survivors whose abuse was reported
Military chain of command	55
Family Advocacy Program	50
Civilian law enforcement	38
Military law enforcement agencies (e.g., military police)	30
Military chaplain	29
Military criminal investigative organizations	26

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Note: In addition, eight of the 68 survivors GAO interviewed stated they did not report the abuse to the military or to civilian law enforcement.

[2]The military criminal investigative organizations are the Army Criminal Investigative Command, the Naval Criminal Investigative Service, and the Air Force Office of Special Investigations. Other military law enforcement agencies include installation law enforcement such as the Army Directorates of Emergency Services and Provost Marshal Offices, the Navy and Air Force Security Forces, and the Marine Corps Provost Marshal Office and Criminal Investigative Division.

When we asked the survivors whether they had encountered any barriers to being able to report their abuse, 59 survivors stated they had encountered barriers, and 9 said they had not. We discussed these barriers as well as other factors, such as motivations, that influenced the survivors' decisions to report or not report the abuse and conducted content analysis to categorize their responses. Tables 9 and 10 summarize the motivations and barriers to reporting described by the survivors.

Table 9: Motivations for Reporting Abuse Described by 68 Military-Affiliated Survivors of Domestic Abuse

Motivation	Number of survivors (of 68)
Protect survivor's children	20
Fear for own safety	14
Escalating severity of abuse	10
Get help for abuser	5
Felt able to report after therapy	3
Protect others (other than children)	3
Wanted abuser held accountable	3
Gain access to resources from the military	2
Effect of abuse on survivor's mental health	2
Physical separation from abuser provided opportunity to report	2

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Note: Some survivors identified more than one motivation for reporting the abuse, and 25 of the 68 survivors did not identify a motivation for reporting the abuse.

Table 10: Barriers to Reporting Abuse Described by 59 Military-Affiliated Survivors of Domestic Abuse Who Reported Experiencing Barriers

Barrier	Number of survivors (of 59)
Dependent on abuser for financial resources	26
Felt report would not be believed or taken seriously	20
Impact to abuser's career	18
Feared retaliation from abuser	18
Didn't know how to report	13
Isolation from friends or family (e.g., due to relocation for military)	13
Survivor was unsure if they were being abused	10
Manipulation or guilt by abuser	9
No access to safe housing	7

Barrier	Number of survivors (of 59)
Cultural expectations (e.g., religious, military)	6
Stigma or shame of being abused	6
Abuser physically prevented reporting (e.g., restricted access to phone or car)	5
Dependent on abuser for health care access	5
Abuser told survivor not to report	3
Negative prior experience with reporting	3
Unable to take time off work	2
Other	9

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Note: This table shows the results for specific barriers cited by at least two survivors. Some survivors identified more than one barrier to reporting the abuse. In addition, nine survivors stated they did not encounter barriers to reporting, but identified considerations that aligned with barriers listed in this table. Specifically, these survivors identified the following considerations: financial dependence on their abuser (six survivors), impacts to their abuser's career (six survivors), feeling unsure whether they were being abused (two survivors), dependence on their abuser for health care access (two survivors), fear of retaliation from their abuser (one survivor), and manipulation or guilt by their abuser (one survivor).

In addition to the barriers identified above, 28 of the 68 survivors we interviewed stated they tried to report the abuse—meaning they told a cognizant official about the abuse—but perceived that no action was taken. For example, survivors described feeling ignored or not taken seriously or that the official to whom they reported tried to defend the actions of their abuser. In some cases, survivors described negative actions that resulted from these attempts to report, such as being given a letter of reprimand or being ridiculed by members of their abuser's command or unit. Similarly, when we asked 55 survivors who stated they had reported abuse to the chain of command what actions they perceived that the commander had taken, 20 survivors perceived no action was taken. The actions survivors we interviewed perceived that commanders took in response to abuse are summarized in Table 11.

Table 11: Perceived Actions Taken By Commanders in Response to Abuse Cited by 55 Survivors Who Reported Domestic Abuse to a Commander

Actions taken	Number of survivors (of 55)
Survivor perceived no action was taken	20
Issued protective order	15
Temporarily removed abuser from home	15
Negative action against survivor	14
Helpful action toward abuser	11
Disciplinary or punitive action against abuser	9

Actions taken	Number of survivors (of 55)
Referred abuser to clinical care (e.g., mental health screening)	5
Disciplinary or punitive action against abuser unrelated to the abuse	4
Notified Family Advocacy Program	3
Discussed allegations with survivor and abuser together	2
Recommended marriage counseling	2
Other	5

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Note: This table shows the results for specific actions cited by at least two survivors. Some survivors identified more than one type of action taken by a commander, and in some cases the actions cited related to multiple instances of reporting. In addition, eight survivors stated they were not informed of any actions taken by a commander.

We also asked the survivors about their awareness of FAP. When asked if they were aware of FAP at the time of our interview, 66 were aware of FAP and two were not aware of FAP. Of the 66 who were aware of FAP at the time of our interview, 14 survivors stated they first became aware of FAP prior to experiencing abuse and 52 said they became aware of FAP after the abuse had started. We asked the 66 who stated they were aware of FAP at the time of our interview whether they were also aware that FAP was responsible for assessing domestic abuse incidents and providing support services to military families affected by domestic abuse, and 50 stated they were aware of these FAP responsibilities, 15 said they were not aware of the responsibilities, and one did not know.

In addition, we asked the 50 survivors who stated they had reported abuse to FAP about their experience with the FAP process. As described previously in this report, FAP coordinates an incident determination committee (IDC) of voting members from FAP, the chain of command, law enforcement, and legal personnel to determine whether an allegation of abuse meets DOD's criteria for domestic abuse. Of the 50 survivors who stated they had reported abuse to FAP, 35 said they were notified by FAP of the decision of whether the abuse met DOD's criteria, 12 said they were not notified, and three said they did not know whether they were notified. Additionally, seven of the 50 said the process for determining whether an allegation of abuse met DOD's criteria was clear to them, eight said the process was somewhat clear, 32 said the process was not clear, and three said they did not know whether the process was clear. Relatedly, 39 of the 50 survivors said they were provided a FAP point of contact, 10 said they were not provided a point of contact, and one did not know whether they were provided a point of contact.

We also discussed military resources and services related to domestic abuse with the 58 survivors who had reported their abuse to the military. The most frequently cited resources or services received from the military were counseling and victim advocacy. When asked about the helpfulness of resources or services received, nine survivors stated counseling was helpful, and eight stated the counseling they received did not meet their needs. Regarding victim advocacy, nine survivors stated that service was helpful, and three stated the victim advocacy they received did not meet their needs. Table 12 describes the domestic abuse resources and services the 58 survivors reported having received from the military.

Table 12: Military Domestic Abuse Resources and Services Reported Being Received by 58 Survivors Who Stated They Reported Domestic Abuse to the Military

Resource or service	Survivors who reported receiving resource or service
Counseling	23
Victim advocacy (including safety planning)	11
Medical care	6
Legal services (including special victims' counsel)	4
TRICARE	4
Relocation of abuser (e.g., to barracks)	3
Child-focused resources	2
Information about civilian resources	2
Transitional compensation	2
Other	7

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Note: This table shows the results for specific resources or services cited by at least two survivors. Some survivors identified more than one resource or service received from the military, and 31 of the 58 survivors who stated they reported the abuse to the military stated they did not receive any resources or services from the military.

Table 13 describes the domestic abuse resources or services that the 58 survivors who said they reported abuse to the military stated would have been helpful but were not available to them at the time they reported the abuse.

Table 13: Resources or Services That Would Have Been Helpful But Were Not Available Cited by 58 Survivors Who Stated They Reported Abuse to the Military

Resource or service	Survivors who stated resource or service would have been helpful but was not available
Financial assistance (e.g., transitional compensation)	14
Information on available resources or services	12
Emergency housing or shelter	6
Legal services (including special victims' counsel)	6
Child-focused resources	5
Counseling	5
Victim advocacy (including safety planning)	5
Job or life skills training (e.g., resume building)	4
Relocation of survivor or family	3
Actions to hold abuser accountable	2
Child care	2
Information about types of abuse	2
Point of contact to routinely check in with survivor	2
Support group	2
Other	12

Source: GAO analysis of interviews with military-affiliated survivors of domestic abuse. | GAO-21-289

Note: This table shows the results for specific resources or services cited by at least two survivors. Some survivors identified more than one resource or service that would have been helpful, and 10 of the 58 survivors who stated they reported their abuse to the military did not identify any resources or services that would have been helpful but were not available.

Finally, based on the entirety of our survivor interviews, we conducted a content analysis to identify significant themes across the interviews. Of the 68 survivors we interviewed

- 41 stated they were concerned about negative financial implications as a result of reporting;
- 37 stated more information should be provided on how to report abuse or what related services are available;
- 18 stated more information should be provided by the military regarding the types of domestic abuse;
- 13 stated they did not initially realize they were being abused;

- eight stated the abuse they experienced was worse after their abuser returned from deployment; and
- eight stated that additional treatment or counseling services should exist for those returning from deployment, including screening and treatment for post-traumatic stress disorder.

Of the 50 survivors we interviewed who identified as a civilian spouse or intimate partner of a servicemember

- 29 stated they perceived that the military is biased toward or tries to protect alleged abusers who are servicemembers,
- 24 stated it was a challenge to access information as a civilian spouse or information should be more easily accessible to civilian spouses, and
- six stated they perceived that available services were targeted to servicemembers.

Of the 58 survivors we interviewed who stated they reported abuse to the military:

- 28 made positive comments about the response process or services offered. For example, one survivor stated that her assigned case worker from FAP was phenomenal and that the group therapy sessions she attended helped her to understand the severity of her situation. Another survivor who worked as a civilian for a commander stated the commander ensured her abuser was unable to enter the building where she worked.
- Twenty-four stated that a guide summarizing the process after reporting (e.g., the incident determination or investigatory processes) and available services would have been helpful or that they had trouble remembering or understanding information that was presented to them after reporting.
- Six stated that improved coordination between the military and civilian response organizations would be beneficial.

Of the 55 survivors we interviewed who stated they reported abuse to the military command

- 13 stated that the command needs some type of accountability for how they respond to domestic abuse incidents, and
- nine stated additional domestic abuse training is needed for commanders and senior enlisted advisors.

Of the 50 survivors we interviewed who stated they reported abuse to FAP:

- 12 described reasons why they did not participate in the FAP process. For example, one survivor stated that she did not participate because she was concerned it would result in child protective services becoming involved. Some other survivors stated they did not participate in the FAP process due to having a negative experience with FAP.
- Eleven stated that the IDC determination had a negative impact on their situation.
- Five stated that additional training was needed for FAP staff, such as counselors or victim advocates.

Appendix VI: Department of Defense Office of Inspector General Recommendations and Associated Service Actions

In April 2019, the Department of Defense Office of Inspector General (DODIG) released a report evaluating the military services' law enforcement response to nonsexual domestic violence incidents.[1] Specifically, DODIG evaluated whether military service law enforcement policies related to responding to domestic violence incidents were consistent with DOD Instruction 6400.06 and whether military service law enforcement organizations complied with DOD policy when responding to nonsexual domestic violence incidents with adult victims.[2]

DODIG determined that military service law enforcement organizations did not consistently comply with DOD policies when responding to nonsexual domestic violence incidents with adult victims. For example, DODIG found that the military service law enforcement organizations did not consistently process crime scenes, submit criminal history data to the Defense Central Index of Investigations, or notify Family Advocacy Program (FAP) of domestic violence incidents, among other things. As a result of these findings, DODIG made six recommendations to each military department. These recommendations resulted in a total of 30 specific actions to be taken by the services. As of January 2021, 15 of these actions are resolved-open, 13 are resolved-closed, and two are unresolved.[3] Table 14 identifies each recommendation, its status as of

[1]Department of Defense Office of Inspector General (DODIG) Report 2019-075, *Evaluation of Military Services' Law Enforcement Responses to Domestic Violence Incidents,* (Apr. 19, 2019).

[2]DOD Instruction 6400.06, *Domestic Abuse Involving DOD Military and Certain Affiliated Personne*l. (Aug. 31, 2007) (Incorporating change 4, May 26, 2017).

[3]Resolved open means that the service has agreed to take action on the recommendation, but DODIG has not yet verified that the action has been taken. Resolved closed indicated that the service has taken action on DODIG's recommendation and DODIG has verified that the action meets the intent of the recommendation. Unresolved means that the service has not agreed to take action on the recommendation.

January 2021, and actions identified by DODIG as needed to close the recommendation.

Table 14: Status of Department of Defense Office of Inspector General (DODIG) Recommendations to Service Law Enforcement Agencies as of January 2021

Report recommendation	Department (responsible office when applicable)	Recommendation status
The Secretaries of the Army, Navy, and Air Force should take prompt action to ensure that all subjects that we determined were not properly titled and indexed in the Defense Central Index of Investigations are titled and indexed, as required by Department of Defense (DOD) Instruction 5505.07, "Titling and Indexing Subjects of Criminal Investigations in the Department of Defense," January 27, 2012.	Army	Resolved-Closed
	Navy (Command, Navy Installations Command)	Resolved-Closed
	Navy (Naval Criminal Investigative Service)	Resolved-Closed
	Navy (Marine Corps)	Resolved-Open
	Air Force	Resolved-Open
The Secretaries of the Army, Navy, and Air Force should take prompt action to ensure that a comprehensive review of all criminal investigative databases and files is conducted to verify that all subjects of domestic violence incidents from 1998 to present are titled and indexed in the Defense Central Index of Investigation, as required by DOD Instruction 5505.07, "Titling and Indexing Subjects of Criminal Investigations in the Department of Defense," January 27, 2012.	Army	Resolved-Open
	Navy (Commander, Navy Installations Command)	Resolved-Open
	Navy (Naval Criminal Investigative Service)	Resolved-Closed
	Navy (Marine Corps)	Unresolved
	Air Force	Resolved-Open
Secretaries of the Army, Navy, and Air Force should take prompt action to ensure that subject fingerprint cards and final disposition reports are collected and submitted to the Federal Bureau of Investigations Criminal Justice Information Services Division database for all subjects that we determined were not submitted, as required by DOD Instruction 5505.11, "Fingerprint Card and Final Disposition Report Submission Requirements," July 21, 2014, as amended.	Army	Resolved-Closed
	Navy (Commander, Naval Installations Command)	Resolved-Open
	Navy (Naval Criminal Investigative Service)	Resolved-Open
	Navy (Marine Corps)	Resolved-Open
	Air Force	Resolved-Open
The Secretaries of the Army, Navy, and Air Force should take prompt action to ensure that Deoxyribonucleic Acid is collected and submitted to the Defense Forensics Science Center for submission to the Combined Deoxyribonucleic Acid Index System for all qualifying subjects that we determined were not submitted, as required by DOD Instruction 5505.14, "Deoxyribonucleic Acid Collection Requirements for Criminal Investigations, Law Enforcement, Corrections, and Commanders," December 22, 2015.	Army	Resolved-Open
	Navy (Commander, Naval Installations Command)	Resolved-Open
	Navy (Naval Criminal Investigative Service)	Resolved-Closed
	Navy (Marine Corps)	Resolved-Open
	Air Force	Resolved-Closed
	Army	Resolved-Closed
	Navy (Commander, Naval Installations Command)	Resolved-Open
	Navy (Naval Criminal Investigative Service)	Resolved-Closed
	Navy (Marine Corps)	Unresolved

Report recommendation	Department (responsible office when applicable)	Recommendation status
The Secretaries of the Army, Navy, and Air Force should take prompt action to ensure that the importance of complying with DOD and supplemental Military Service policies related to law enforcement's response to domestic violence incidents when collecting evidence, conducting interviews, notifying Family Advocacy Program staff members, and titling and indexing subjects in the Defense Central Index of Investigations is emphasized in writing to all law enforcement organizations.	Air Force	Resolved-Closed
The Secretaries of the Army, Navy, and Air Force should take prompt action to ensure that law enforcement practices, equipment, and supervisory reviews are adequate to comply with DOD policies when collecting evidence, conducting interviews, notifying Family Advocacy Program staff members, and titling and indexing subjects in the Defense Central Index of Investigations.	Army	Resolved-Closed
	Navy (Commander, Naval Installations Command)	Resolved-Open
	Navy (Naval Criminal Investigative Service)	Resolved-Closed
	Navy (Marine Corps)	Resolved-Open
	Air Force	Resolved-Closed

Source: GAO analysis of DODIG information. | GAO-21-289

Appendix VII: GAO Contact and Staff Acknowledgments

GAO Contact

Brenda S. Farrell, (202) 512-3604 or farrellb@gao.gov

Staff Acknowledgments

In addition to the contact named above named, Ryan D'Amore (Assistant Director), Serena Epstein (Analyst in Charge), Vincent Buquicchio, Miranda Cohen, Juliee Conde-Medina, Christopher Gezon, Cynthia Grant, Grant Mallie, Ian Reed, Paul Seely, Mike Silver, and Lillian M. Yob made key contributions to this report.

Related GAO Products

Domestic Violence: Improved Data Needed to Identify the Prevalence of Brain Injuries among Victims. GAO-20-534. Washington, D.C.: June 12, 2020.

Child Welfare: Increased Guidance and Collaboration Needed to Improve DOD's Tracking and Response to Child Abuse. GAO-20-110. Washington, D.C.: February 12, 2020.

Sexual Violence: Actions Needed to Improve DOD's Efforts to Address the Continuum of Unwanted Sexual Behaviors. GAO-18-33. Washington, D.C.: December 18, 2017.

Military Personnel: DOD Has Processes for Operating and Managing Its Sexual Assault Incident Database. GAO-17-99. Washington, D.C.: January 10, 2017.

Sexual Violence Data: Actions Needed to Improve Clarity and Address Differences Across Federal Data Collection Efforts. GAO-16-546. Washington, D.C.: July 19, 2016.

Gun Control: Analyzing Available Data Could Help Improve Background Checks Involving Domestic Violence Records. GAO-16-483. Washington, D.C.: July 5, 2016.

Sexual Assault: Actions Needed to Improve DOD's Prevention Strategy and to Help Ensure It Is Effectively Implemented. GAO-16-61. Washington, D.C.: November 4, 2015.

Military Personnel: Actions Needed to Address Sexual Assaults of Male Servicemembers. GAO-15-284. Washington, D.C.: March 19, 2015.

Military Justice: Oversight and Better Collaboration Needed for Sexual Assault Investigations and Adjudications. GAO-11-579. Washington, D.C.: June 22, 2011.

Military Personnel: Sustained Leadership and Oversight Needed to Improve DOD's Prevention and Treatment of Domestic Abuse. GAO-10-923. Washington, D.C.: September 22, 2010.

Military Personnel: Status of Implementation of GAO's 2006 Recommendations on DOD's Domestic Violence Program. GAO-10-577R. Washington, D.C.: April 26, 2010.

Military Personnel: Progress Made in Implementing Recommendations to Reduce Domestic Violence, but Further Management Action Needed. GAO-06-540. Washington, D.C.: May 24, 2006.

GAO's Mission

The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.

Obtaining Copies of GAO Reports and Testimony

The fastest and easiest way to obtain copies of GAO documents at no cost is through our website. Each weekday afternoon, GAO posts on its website newly released reports, testimony, and correspondence. You can also subscribe to GAO's email updates to receive notification of newly posted products.

Order by Phone

The price of each GAO publication reflects GAO's actual cost of production and distribution and depends on the number of pages in the publication and whether the publication is printed in color or black and white. Pricing and ordering information is posted on GAO's website, https://www.gao.gov/ordering.htm.

Place orders by calling (202) 512-6000, toll free (866) 801-7077, or TDD (202) 512-2537.

Orders may be paid for using American Express, Discover Card, MasterCard, Visa, check, or money order. Call for additional information.

Connect with GAO

Connect with GAO on Facebook, Flickr, Twitter, and YouTube.
Subscribe to our RSS Feeds or Email Updates. Listen to our Podcasts.
Visit GAO on the web at https://www.gao.gov.

To Report Fraud, Waste, and Abuse in Federal Programs

Contact FraudNet:

Website: https://www.gao.gov/fraudnet/fraudnet.htm

Automated answering system: (800) 424-5454 or (202) 512-7700

Congressional Relations

Orice Williams Brown, Managing Director, WilliamsO@gao.gov, (202) 512-4400,
U.S. Government Accountability Office, 441 G Street NW, Room 7125,
Washington, DC 20548

Public Affairs

Chuck Young, Managing Director, youngc1@gao.gov, (202) 512-4800
U.S. Government Accountability Office, 441 G Street NW, Room 7149
Washington, DC 20548

Strategic Planning and External Liaison

Stephen J. Sanford, Acting Managing Director, spel@gao.gov, (202) 512-4707
U.S. Government Accountability Office, 441 G Street NW, Room 7814,
Washington, DC 20548