



**SECRETARY OF THE ARMY
WASHINGTON**

04 MAR 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2015-16 (Command Engagement to Prevent Retaliation)

1. References:

a. Department of Defense Instruction 5505.18 (Investigation of Adult Sexual Assault in the Department of Defense), January 25, 2013 (Incorporating Change 1, May 1, 2013).

b. Department of Defense Instruction 5505.19 (Establishment of Special Victim Investigation and Prosecution (SVIP) Capability within the Military Criminal Investigative Organizations (MCIOS)), February 3, 2015.

c. Memorandum, Secretary of Defense, Dec 03 2014, subject: Sexual Assault Prevention and Response.

d. Army Directive 2014-20 (Prohibition of Retaliation Against Soldiers for Reporting a Criminal Offense), 19 June 2014.

e. Army Regulation 600-20 (Army Command Policy), Appendix E, 6 November 2014.

f. Info Memo, Chief of Staff of the Army, 02-03-15, subject: Sexual Assault Prevention and Response – Engage Command to Prevent Retaliation.

2. The Army identifies the Sexual Assault Prevention and Response Case Management Group as the Sexual Assault Review Board (SARB). It is chaired by the senior commander (or designated representative). Army Regulation 600-20, Appendix E prescribes the mission, responsibilities, procedures and policies pertaining to the installation-level SARB at garrisons and in deployed environments. In a deployed environment, the SARB will be convened at the brigade or higher level, as appropriate, and follow the same format as the installation SARB.

3. Effective immediately, during every SARB meeting, the SARB chair will ask SARB members if the victim, witnesses, bystanders (who intervened), Sexual Assault Response Coordinators, Victim Advocates, first responders or other parties to the incident have experienced any retaliation or reprisal.

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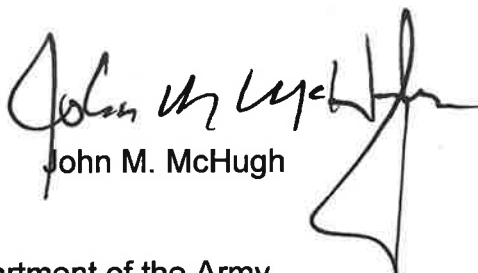
4. If any incidents are reported, the lieutenant colonel (O-5)-level or higher commander of the victim of retaliation or reprisal will develop a plan to immediately address the issue and forward the plan to the SARB chair.

5. The retaliation or reprisal incident(s) will remain on the SARB agenda for status updates until the victim's case is closed or until the retaliation or reprisal has been appropriately addressed. Commanders are responsible for ensuring that instances of retaliation or reprisal are appropriately addressed to completion even when no longer tracked on the SARB agenda because a victim's sexual assault case has been closed.

6. When U.S. Army Criminal Investigation Command initiates a sexual assault investigation, it will also initiate and conduct subsequent investigations relating to suspected threats against the sexual assault victim, including minor physical assaults and damage to property. Complainants and/or their commander should immediately notify Criminal Investigation Command whenever the victim of an unrestricted sexual assault is threatened, assaulted or suffers property damage subsequent to her/his complaint of a sexual assault.

7. Commanders are reminded that reference 1d prohibits any Soldier from retaliating against a victim, an alleged victim or another member of the Armed Forces based on that individual's report of a criminal offense. Soldiers may be punished under Article 92 of the Uniform Code of Military Justice for violations of reference 1d.

8. The provisions of this directive are effective immediately and apply to the Active Army, Army National Guard/Army National Guard of the United States and U.S. Army Reserve. The Deputy Chief of Staff, G-1 is the proponent for this policy and will incorporate the provisions of this directive into Army Regulation 600-20 as soon as practicable. This directive is rescinded upon publication of the revised regulation.



John M. McHugh

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