



DEPARTMENT OF DEFENSE

FISCAL YEAR 2013

DEPARTMENT OF DEFENSE REPORT

ON SUBSTANTIATED INCIDENTS

OF SEXUAL HARASSMENT

IN THE ARMED FORCES



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Executive Summary

The Department of Defense (DoD) is committed to eliminating incidents of sexual harassment from our ranks and from our workplace. In addition to robust training and education programs, one of the keys to a successful prevention program is collecting data on substantiated incidents of sexual harassment, identifying perpetrators, and holding them appropriately accountable. The *DoD 2012 Workplace and Gender Relations Survey of Active Duty Service Members* found that of the sexual assaults that took place in 2012, nearly 30 percent of women and 19 percent of men reported that their offenders sexually harassed them before and/or after the incident took place. This finding is reflected in similar DoD surveys and implies a direct connection between sexual harassment and sexual assault, both of which are unacceptable across DoD and incongruent with the values we are committed to upholding. Therefore, analysis of sexual harassment incident data is valuable in informing DoD prevention efforts by both highlighting organizational factors that contribute to sexual harassment and informing commanders of insights that assist in their maintaining cohesive command climates that respect dignity for all.

Section 579(b) of the *National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013* required the Secretary of Defense to report on substantiated incidents of sexual harassment that involve members of the Armed Forces including identifying cases in which a member is accused of multiple incidents of sexual harassment. To comply with this requirement, the Department submits this *Fiscal Year 2013 Department of Defense Report on Substantiated Incidents of Sexual Harassment in the Armed Forces*, which reports on the information and data collected from the Military Departments and the National Guard Bureau through the *Data Collection Plan for Substantiated Incidents of Sexual Harassment in the Armed Forces* (Data Collection Plan) distributed on August 30, 2013.

Definition of Sexual Harassment

Within the DoD and according to 10 U.S.C. 1561, the term ‘sexual harassment’ is a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a person’s job, pay, or career, or
- Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive working environment.

This definition emphasizes that workplace conduct, to be actionable as “abusive work environment” harassment, need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or offensive. (“Workplace” is an expansive term for Military members and may include conduct on or off duty, 24 hours a day.)

Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a Military member or civilian employee is engaging in sexual harassment. Similarly, any Military member or civilian

employee who makes deliberate or repeated unwelcome verbal comments, nonverbal, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

Overview of Sexual Harassment Complaint Process

DoD Directive (DoDD) 1350.2, *Department of Defense Military Equal Opportunity Program*, August 18, 1995, certified current as of November 21, 2003, provides policy guidance and standards for the processing of complaints. Specific policy guidance and standards can be reviewed in DoDD 1350.2, paragraph 6.2. Policy guidance and standards found in this DoDD related to sexual harassment complaints include the following:

- Emphasis on the chain of command as the primary and preferred channel for identifying and correcting discriminatory practices, including the processing and resolving of sexual harassment complaints.
- Informing personnel of the policies and procedures for filing a complaint of reprisal under DoDD 7050.6, *Military Whistleblower Protection*.
- Establishing Service-level complaint procedures that include timelines for resolution. Service members are encouraged to file complaints promptly, normally within 60 days of the incident.
- Establishing Service-level criteria for the appeal of administrative findings of formal complaints of sexual harassment. The only mechanism for appealing the disposition of an informal complaint is to file a formal complaint.

All service Military Equal Opportunity (MEO) programs adhere to DoD policy and standards, but Service complaint processes vary because the Military Services differ in mission, organization, and culture. In each Service, Military members determine whether to submit a complaint according to service operating instructions through informal or formal channels to resolve allegations of sexual harassment as described DoDD 1350.2. Military members may consult their local MEO office for assistance in making this decision. For the purposes of this report, the Military Services and the National Guard Bureau collected and reported data on formal and informal complaints referred for investigation or inquiry during FY 2013.

A **formal sexual harassment complaint** is an allegation of sexual harassment, made either orally or in writing submitted through the Service MEO office.¹

An **informal sexual harassment complaint** is an allegation of sexual harassment, made either orally or in writing that is not submitted as a formal complaint through the Service MEO office.²

A **substantiated sexual harassment complaint** is a complaint containing at least one founded allegation of sexual harassment as documented in a report of investigation or inquiry.

An **unsubstantiated sexual harassment complaint** is a complaint without any founded allegations of sexual harassment as documented in a report of investigation or inquiry.

¹ Army Sexual Harassment/Assault Response and Prevention (SHARP) responders receive formal sexual harassment complaints in the Army.

² Air Force informal complaints are investigated by the commander via a Commander Directed Investigation.

Importance of the Report

The data contained in this report establishes a reporting baseline for information on substantiated and unsubstantiated informal and formal complaints. Recognizing that each Military Service and the National Guard Bureau has its own methods for collecting information and regulations for handling sexual harassment incidents, the data collection methodology in this report is the Department's first effort at standardizing data collection for sexual harassment incidents. The data includes information on formal and informal complaints determined by commanding officers to warrant an inquiry or investigation. An informal or formal complaint may include one or more allegations of sexual harassment. If an allegation of sexual harassment in an informal or formal complaint was confirmed for a finding of sexual harassment through a Service inquiry or investigation process, the complaint was recorded by the Military Services and the National Guard Bureau as substantiated in this report. If none of the allegations in an informal or formal complaint was confirmed for a finding of sexual harassment through a Service inquiry or investigation process, the complaint was recorded by the Military Services and the National Guard Bureau as unsubstantiated in this report. The Department is required to submit this report annually to Congress through the end of FY 2017. This report provides the baseline for future report comparisons.

Additionally, data and information contained in this report is important in guiding DoD policy and programmatic areas that require improvements to strengthen DoD prevention and eradication of sexual misconduct (i.e., sexism, sexual harassment, and sexual assault).

The FY 2013 report legislation directs that the plan to collect sexual harassment data address "...the need to identify cases in which a member is accused of multiple incidents of sexual harassment." Data collected by the Military Services and the National Guard Bureau indicated:

- Approximately 11 percent (75 of 680) of formal sexual harassment complaints involved an offender accused of multiple incidents of sexual harassment. 72 percent (54 of 75) of these incidents were substantiated.
- Over 14 percent (98 of 686) of informal sexual harassment complaints involved an offender accused of multiple incidents of sexual harassment. Approximately 35 percent (34 of 98) of these incidents were substantiated.

The Military Services and the National Guard Bureau are aware of substantiated formal and informal sexual harassment complaints involving repeat offenders and are taking appropriate action according to respective Service personnel policies.

The report's data and information is organized to provide similar insight in other policy and programmatic areas including the overall extent of complaint activity throughout the fiscal year, timeliness for submitting complaints, accountability, profile of offenders and complainants, locations of misconduct, and the nature of allegations.

Top Line Results

Presently, sexual harassment complaint data is not reported through a single automated DoD data collection system. The Military Services and the National Guard Bureau use Service-specific information management systems to collect, store, and analyze sexual harassment complaint information to assist in their program oversight. Prior to the FY 2013 National Defense

Authorization Act legislation requirement to submit a data collection plan and subsequent report on substantiated incidents of sexual harassment, periodic data calls to the Military Services were the source of DoD complaint data in response to Congressional inquiries.

This FY 2013 report presents significantly more information and DoD-wide analyses as a result of collaboration amongst the Services to develop a data collection process leveraging existing systems within the Military Services and the National Guard Bureau. The top line results presented in this section provide a summary of the information collected from the Services.

Overall Totals

- The Military Services and National Guard Bureau reported 1,366 formal and informal sexual harassment complaints in FY 2013. An overwhelming majority of complaints were filed within 60 days of the occurrence of the incident in compliance with the DoD time standard
- 59 percent (806) were substantiated complaints, 29.5 percent (404) were unsubstantiated, and 9.2 percent (125) were pending results as of the end of FY 2013
- Formal complaints (680)
 - 56.5 percent (384) were substantiated
 - 32.5 percent (221) were unsubstantiated
 - 11 percent (75) were pending at end of FY 2013
- Informal complaints (686)
 - 61.5 percent (422) were substantiated
 - 26.7 percent (183) were unsubstantiated
 - 7.3 percent (50) were pending at end of FY 2013
 - 4.5 percent (31) were complaints with incomplete data at end of FY 2013³

Accountability

- 88.7 percent (603) of the 680 formal complaints investigated as of close of FY 2013 were completed with the remaining 11 percent (77) pending completion
- 92 percent (631) of the 686 informal complaints investigated as of close of FY 2013 were completed with the remaining 8 percent (55) pending completion

For substantiated formal complaints

- 39.9 percent (198 of 496) of offenders for whom command action was completed received Adverse Administrative Actions (e.g., Chapter Discharge, Letters of Reprimand, etc.)
- 44.2 percent (219 of 496) of offenders for whom command action was completed received Non-Judicial Punishments (i.e., Uniform Code of Military Justice)

³ Complainant or offender involved in the complaint was not available during the data collection process to confirm outcome of complaint, which resulted in the categorization of “incomplete data.”

- The remaining 16 percent (79 of 496) of offenders received court-martials, discharges in lieu of court-martial, discharges in lieu of disciplinary action, or other adverse actions

For substantiated informal complaints

- 40.8 percent (223 of 547) of offenders for whom a command action was completed received Adverse Administrative Actions (e.g., Chapter Discharge, Letters of Reprimand, etc.)
- 51.2 percent (280 of 547) offenders for whom a command action was completed received Non-Judicial Punishments (i.e., Uniform Code of Military Justice)
- The remaining 8 percent (44 of 547) offenders received court-martials, discharges in lieu of court-martial, discharges in lieu of disciplinary action, or other adverse actions

Alleged Repeat Offenders

- Alleged repeat offenders comprised 11 percent (75 of 680) of formal sexual harassment complaints
 - 72 percent (54 of 75) of those complaints were substantiated
- Complaints that involved the same offenders comprised 14 percent (98 of 686) of informal sexual harassment complaints
 - 35 percent (34 of 98) of those complaints were substantiated

Alleged Offender Characteristics

- For all formal and informal complaints, alleged offenders were predominantly male, coworkers in the same unit, the majority in pay grades E5 to E9
 - For formal complaints, 755 alleged offenders were:
 - 52.5 percent in pay grades E5-E9 (396 of 755)
 - 23.2 percent in pay grades E1-E4 (175 of 755)
 - 7.7 percent in pay grades O1-O3 (58 of 755)
 - 5.3 percent in pay grades O4-O6 (40 of 755)
 - 0.1 percent in pay grades O7-O10 (1 of 755)
 - For informal complaints, 749 alleged offenders were:
 - 47.4 percent in pay grades E5-E9 (355 of 749)
 - 27.9 percent in pay grades E1-E4 (209 of 749)
 - 7.6 percent in pay grades O1-O3 (57 of 749)
 - 2.3 percent in pay grades O4-O6 (17 of 749)
 - 4.1 percent in pay grades O7-O10 (31 of 749)

Characteristics of Complainants

- For all formal and informal complaints, complainants were predominantly female, enlisted members in the same unit as alleged offenders, the majority in pay grades E1-E4

- For formal complaints, 740 complainants were:
 - 62.7 percent in pay grades E1-E4 (464 of 740)
 - 24.1 percent in pay grades in E5-E9 (178 of 740)
 - 6.2 percent in pay grades O1-O3 (46 of 740)
 - 1.5 percent in pay grades O4-O6 (11 of 740)
- For informal complaints, a total of 677 complainants were:
 - 59.7 percent in pay grades E1-E4 (404 of 677)
 - 27.9 percent in pay grades E5-E9 (189 of 677)
 - 5 percent in pay grades O1-O3 (34 of 677)
 - 2.4 percent in pay grades O4-O6 (16 of 677)

Timeliness of Reporting

- For formal complaints:
 - 89.3 percent (607) of the 680 complaints were forwarded to the General Court Martial Convening Authority (GCMCA) within 72 hours, 6.2% (42) were forwarded beyond 72 hours, and for 4.6% (31) the timeframe was not recorded. DoD will ensure all future complaint timelines are recorded properly.
- Of substantiated formal complaints:
 - 80 percent (307 of 384) of complaints were submitted by complainants within the 60-day DoD timeline following the incident
 - 12.5 percent (48 of 384) of complaints submitted by complainants exceeded the 60-day DoD timeline following the incident
 - For 7.6 percent (29 of 384) of complaints, the timeline was not recorded.
- Of substantiated informal complaints:
 - 81.5 percent (176 of 216) of complaints submitted by complainants within the 60-day DoD timeline following the incident
 - 10.6 percent (23 of 216) of complaints submitted by complainants exceeded the 60-day DoD timeline following the incident
 - For 7.9 percent (17 of 216) of complaints, the timeline was not recorded

Location of Substantiated Incidents of Sexual Harassment

- Military installations were the primary locations of misconduct identified in both substantiated formal and informal sexual harassment complaints
- Temporary duty (TDY/TAD) during field exercises and at training sites were secondary locations of misconduct identified in substantiated formal complaints
- State armories were tertiary locations of misconduct identified in substantiated informal complaints

Nature of Allegations in Substantiated Incidents of Sexual Harassment

- 501 allegations were reported in substantiated formal complaints and 264 allegations were reported in substantiated informal complaints
 - Crude and offensive behavior (e.g., offensive or embarrassing verbal or non-verbal behaviors of a sexual nature) was the most prevalent allegation
 - Identified in 51.5 percent of allegations in substantiated formal sexual harassment complaints (258 of 501)
 - Identified in 53.8 percent of allegations in substantiated informal sexual harassment incidents (142 of 264)

The format of this report includes background information on development of the report, the approach and methodology, and an overview of the complaint process. Subsequent sections of the report provide details on the DoD-wide findings within the highlighted categories and a summary of key findings for each Military Service and the National Guard Bureau.

Introduction

Background

In 2011, the Government Accountability Office (GAO) authored a review entitled, *Preventing Sexual Harassment: DoD Needs Greater Leadership Commitment and an Oversight Framework*. In the report, the GAO found “DoD’s available data for complaints of sexual harassment incomplete and inconsistent.” GAO identified inconsistencies with the data reported and concluded that, for purposes of providing Department-wide information, the data was unreliable when compared across services. Further, in section 579(b) of NDAA FY 2013, Congress required the Secretary of Defense to develop a plan and report on substantiated incidents of sexual harassment involving members of the Armed Forces including identifying cases in which a member is accused of multiple incidents of sexual harassment. In response to these requests, the Department disseminated the *FY 2013 Consolidated DoD Sexual Harassment Data Collection Template*, developed in conjunction with the Military Departments and National Guard Bureau. Recognizing that each Military Service and the National Guard Bureau has its own methods for collecting information and regulations for handling sexual harassment incidents, the template was the Department’s first attempt at standardizing data collection for sexual harassment incidents.

The Department submits this *Fiscal Year 2013 Department of Defense Report on Substantiated Incidents of Sexual Harassment in the Armed Forces*, which reports on the information and data collected from the Military Services and the National Guard Bureau through the *Data Collection Plan for Substantiated Incidents of Sexual Harassment in the Armed Forces* (Data Collection Plan) distributed on August 30, 2013. A copy of the DoD Consolidated Data Collection Plan, located in Appendix A, includes summarized DoD data and the data reported from each Military Service and the National Guard Bureau. The information and data contained in this report covers the period for October 1, 2012 through September 30, 2013 (FY 2013) and provides baseline data and information for comparison with future reports of sexual harassment incidents. Consequently, the Department understands and appreciates the importance of collecting the data requested pursuant to section 579(b) of the NDAA FY 2013.

Report Requirement: Approach and Methodology

To develop the Data Collection Plan required by section 579(b) of NDAA FY 2013, representatives responsible for the prevention of sexual harassment in the military from the Office of the Secretary of Defense, each Military Service, and the National Guard Bureau formed a working group that met regularly to develop the DoD Data Collection Plan. Beginning in March 2013, the working group reviewed the current state of data available for collection, possible methods of data collection, reporting capabilities, and how to access the need for identifying members accused of multiple incidents of sexual harassment. Limited resources resulted in the decision to leverage existing service-specific procedures, methodology, and technology for the collection of sexual harassment incident data and information. As required by section 579(b), the Department collected information for FY 2013.

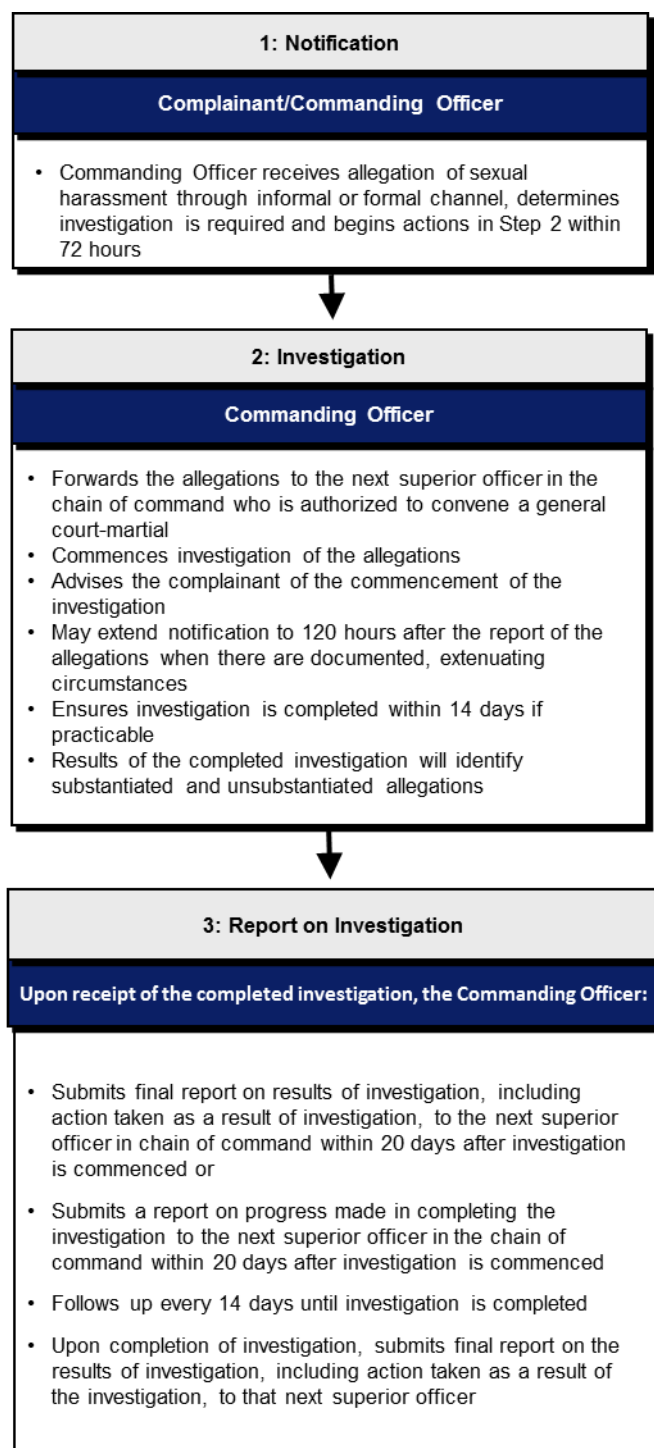
In a memorandum, dated August 30, 2013, the Acting Under Secretary of Defense for Personnel and Readiness required the Military Departments and the National Guard Bureau to submit the information required in the Data Collection Plan to the Office of Diversity Management and

Equal Opportunity (ODMEO), which provides oversight of the prevention and response to sexual harassment in the military. The Military Services and the National Guard Bureau submitted aggregate data and analyses to ODMEO manually through the use of Microsoft Excel. ODMEO reviewed each of the draft reports for accuracy of data and the resultant analyses. Where needed, ODMEO contacted the Services to obtain clarification and/or additional information. Once ODMEO verified the integrity of the data, it consolidated the data into a DoD data set, analyzed and synthesized the data using quantitative and qualitative analytical approaches, and developed this DoD-wide report on the findings.

This resultant report contains information on summaries of complaints, timeliness, accountability, offenders, complainants, location, and nature of allegations for incidents of sexual harassment. This report was formally coordinated with each of the Military Services and the National Guard Bureau. ODMEO incorporated the feedback and comments prior to publication.

Sexual Harassment Complaint Investigative Process

While each Military Service and the National Guard Bureau complaint processes may vary slightly, each investigation process follows the same fundamental steps prescribed in Public Law 105-85, November 18, 1997 (codified at 10 U.S.C. 1561). **Exhibit 1** depicts the fundamental steps of the DoD sexual harassment complaint process beginning with receipt of sexual allegations by the commanding officer. The commanding officer may be notified of the allegations through informal channels (verbally or in writing) or formal channels (by MEO office representative or authority designated to receive complaints) according to Service operating instructions. Regardless of how the allegations are received, if the commanding officer decides the allegations warrant an inquiry or investigation, the steps in **Exhibit 1** are followed.

Exhibit 1: 10 U.S.C. 1561 Sexual Harassment Complaint Investigation Process

**This flowchart depicts the fundamental steps in the sexual harassment complaint process. Each Military Service and the National Guard Bureau has a complaint process that may differ slightly based on their unique requirements.*

Summary of Key Findings

Formal Complaints

Among 1,366 complaints reported in FY 2013, 49.8 percent (680 of 1,366) were formal complaints, of which 56.5 percent (384 of 680) were substantiated. Approximately 88.7 percent (603 of 680) of investigations of formal complaints were completed by the close of FY 2013. The majority of formal complaints were reported in a timely manner with 89.3 percent (607 of 680) of reports forwarded to the senior officer with GCMCA within the DoD 72-hour standard. Of the 384 substantiated complaints, 80 percent (307 of 384) of reports were submitted for processing within 60 days after the alleged incident according to the DoD timeline standard. The majority, 80.9 percent (550 of 680), of complaints involved one complainant and one offender and 11 percent (75 of 680) involved a repeat offender, of which 72 percent (54 of 75) were substantiated. When examining 737 offenders based on gender, 95.9 percent (707 of 737) of offenders in formal complaints were male. Based on rank, 52.5 percent (396 of 755) of the 755 reported offenders were in pay grades E5-E9. Among 1,239 reported indications of nature of relationship between alleged offenders and complainants in formal complaints, the alleged offenders were often coworkers or in the same unit.⁴ Specifically, 23.8 percent (295 of 1,239) of the incidents occurred between military coworkers and 37.3 percent (462 of 1,239) of incidents occurred within the same unit. Upon analyzing 638 indications of gender relationships between the offender and complainant, 86.5 percent (552 of 638) involved different genders. Additionally, of the 740 complainants, 87 percent (640 of 740) were female and 62.7 percent (464 of 740) were in pay grades E1-E4. Among 398 reported locations in substantiated formal complaints, 41 percent (163 of 398) occurred on a military installation, 9.8 percent (39 of 398) occurred at temporary duty TDY/TAD5/sea/field exercise locations, and 9.5 percent (38 of 398) occurred at military specialists/technical training/advanced training schools and facilities. The remaining locations included combat zone, basic training, non-military locales, and unknown locations. Approximately 51.5 percent (258 of 501) of the allegations in substantiated formal complaints were described as crude/offensive behavior. **Exhibit 2** provides the highlights of formal complaints.

Exhibit 2: Highlights of Formal Complaints in FY 2013

Formal Complaints in FY 2013	
Summaries of Complaints	<ul style="list-style-type: none"> • 680 formal complaints were reported • 384 (56.5%) formal complaints were substantiated

⁴ Per complaint, there can be multiple relationships between complainant and offender and, as a result, a true grand total for relationships does not exist. As a result, there is a possibility of double counting for some incidents.

⁵ Tactical air direction, temporary additional duty (non-unit-related personnel), theater air defense, and time available for delivery

Formal Complaints in FY 2013	
Timeliness	<ul style="list-style-type: none"> 89.3% (607 of 680) reports were forwarded to GCMCA within 72 hours 6.2% (42 of 680) reports were forwarded to GCMCA after 72 hours For the remaining reports, 4.6% (31 of 680), reporting timelines were not annotated 80.0% (307 of 384) of substantiated formal complaints were submitted for processing within 60 days following the incident 12.5% (48 of 384) of substantiated formal complaints were submitted after 60 days following the incident For the remaining reports, 7.6% (29 of 384), submitted for processing, reporting timelines were not annotated
Accountability	<ul style="list-style-type: none"> 88.7% (603 of 680) of formal complaint investigations were completed by the end of FY 2013 11.3% (77 of 680) of formal complaint investigations were pending completion at the close of FY 2013 Of the 496 offenders for whom a command action was completed, 45.6 % (226 of 496) received Adverse Administrative Actions (e.g., Chapter Discharge, Letters of Reprimand) 44.2 % (219 of 496) of the offenders for whom a command action was completed received Non-Judicial Punishments (i.e., Uniform Code of Military Justice)
Offenders⁶	<ul style="list-style-type: none"> Of the 737 alleged offenders, 95.9% (707 of 737) were male Of the 755⁷ alleged offenders, 52.3% (396 of 755) were in the E5 – E9 pay grades Of the 1,239 indications of relationships between alleged offenders and complainants, 37.3% (462 of 1,239) involved offenders in the same unit, 23.8% (295 of 1,239) involved offenders within the chain of command, and 11.1% (138 of 1,239) occurred with personnel of a higher rank Of the 680 formal complaints, 11% (75 of 680) of complaints involved a repeat offender
Complainants	<ul style="list-style-type: none"> Of the 740 complainants, 87.% (640 of 740) were female 62.7% (464 of 740) were junior enlisted personnel in the E1 – E4 pay grades Of the 680 formal complaints, 80.9% (550 of 680) involved one complainant and one offender
Location	<ul style="list-style-type: none"> Reports of substantiated formal sexual harassment complaints identified 398 locations of misconduct. Of these: <ul style="list-style-type: none"> 41% (163 of 398) occurred on a military installation 9.8% (39 of 398) occurred at temporary duty TDY/TAD⁸/sea/field exercise locations 9.5% (38 of 398) occurred at military specialist/technical training/advanced training facilities or schools

⁶ Per complaint, there can be multiple relationships between complainant and offender and, as a result, a true grand total for relationships does not exist. As a result, there is a possibility of double counting for some incidents.

⁷ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

⁸ Tactical air direction, temporary additional duty (non-unit-related personnel), theater air defense, and time available for delivery

Formal Complaints in FY 2013	
Nature of Allegations	<ul style="list-style-type: none"> Of the 501 indications of nature of allegations reported in formal complaints: <ul style="list-style-type: none"> 51.5% (258 of 501) were identified as crude/offensive behavior 39.5% (198 of 501) were identified as unwanted sexual attention In the Air Force, 80% (44 of 55) of indications of nature of allegations in formal complaints were categorized as⁹: <ul style="list-style-type: none"> 65.5% (36 of 55) - Verbal¹⁰ 14.5% (8 of 55) - Non-verbal¹¹

Informal Complaints

The DoD reported 686 informal complaints during FY 2013, of which 61.5 percent (422 of 686) were substantiated. Approximately 92 percent (631 of 686) of the informal complaint investigations were completed at the close of FY 2013. Similar to formal complaints, the majority of informal complaints were reported in a timely manner. Of the 422 substantiated informal complaints, timeliness data was available for 216 investigations. Of the 216 substantiated informal complaints, approximately 81.5 percent (176 of 216) were submitted for processing within 60 days after the alleged incident according to the DoD timeline standard. The majority, 85 percent (583 of 680), of informal complaints involved one complainant and one offender and 14.3 percent (98 of 686) involved a repeat offender, of which 34.7 percent (34 of 98) were substantiated. When examining the 733 alleged offenders based on gender, 93.3 percent (684 of 733) were male. Based on rank, 47.4 percent (355 of 749) of 749 alleged offenders were primarily in pay grades E5-E9. Among the 992 reported indications of the nature of relationship between alleged offender and complainant in informal complaints, 40.5 percent (402 of 992) of incidents occurred between military coworkers and 23.7 percent (235 of 992) of incidents occurred within the same unit. Upon analyzing the 638 relationships between alleged offenders and complainants, 91.8 percent (578 of 638) involved different genders. Of the 677 complainants in informal complaints, 82.3 percent (557 of 677) were female and 59.7 percent (404 of 677) were junior enlisted rank in pay grades E1-E4. Of the 218 locations reported for informal complaints, the most prevalent location of misconduct for substantiated informal complaints were military installations with 42.7 percent (93 of 218), state armories/reserve centers with 17.4 percent (38 of 218), and at non-military locales with 8.7 percent (19 of 218). The remaining locations included a combat zone while being deployed, combat training, military occupational school/advanced training, and unknown locations. Approximately 53.8 percent (142 of 264) of the allegations in substantiated informal complaints were described as crude/offensive behavior. **Exhibit 3** provides the highlights of informal complaints.

⁹ Air Force does not characterize nature of allegations in the same manner as the DoD template.

¹⁰ Sexual advances in the form of proposition, request for sexual favors, objectionable comments about one's appearance, sexually degrading or abusive remarks, sexual jokes, and comments about a person's personal sexual activity

¹¹ Gestures, body language, elevator eyes, and written pictorials

Exhibit 3: Highlights of Informal Complaints in FY 2013

Informal Complaints in FY 2013	
Summaries of Complaints	<ul style="list-style-type: none"> • 686 informal complaints were received • 422 (61.5%) informal complaints were substantiated
Timeliness	<ul style="list-style-type: none"> • Timeliness data was reported for 216 of the 422 substantiated informal complaints¹² • 81.5% (176 of 216) of substantiated informal complaints were reported in less than 60 days following incident • 10.6% (23 of 216) of substantiated informal complaints were reported in more than 60 days following incident
Accountability	<ul style="list-style-type: none"> • 92.0% (631 of 686) of informal complaint investigations were completed • 8% (55 of 686) of informal complaint investigations were pending completion at the close of FY 2013 • Among the 547 offenders with completed actions, 43% (235 of 547) of the offenders for whom a command action was completed received Adverse Administrative Actions (e.g., Chapter Discharge, Letters of Reprimand) • 51.2% (280 of 547) of the offenders for whom a command action was completed received Non-Judicial Punishments (i.e., Uniform Code of Military Justice)
Offenders¹³	<ul style="list-style-type: none"> • Of the 733 alleged offenders reported by gender, 93.3% (684 of 733) were male • Of the 749¹⁴ alleged offenders reported by pay grade, 47.4% (355 of 749) were Non-Commissioned Officers (NCOs) in E5 – E9 pay grades • Of the 992 reported indications of relationships between alleged offenders and complainants, 40.5% (402 of 992) were military coworkers • For 17.3% (172 of 992) the offender was within the chain of command and 7.1% (70 of 992) occurred with personnel of a higher rank • Of 686 informal complaints, 14.3% (98 of 686) of complaints involved a repeat offender
Complainants	<ul style="list-style-type: none"> • Of 677 complainants, 82.3% (577 of 677) were female • 59.7% (404 of 677) were junior enlisted personnel in the E1 – E4 pay grades • Of the 686 informal complaints, 85% (583 of 686) of incidents involved one complainant and one offender
Location	<ul style="list-style-type: none"> • Reports of substantiated informal sexual harassment complaints identified 218 locations of misconduct. Of these: <ul style="list-style-type: none"> ○ 42.7% (93 of 218) occurred at military installations ○ 17.4% (38 of 218) occurred at state armories/reserve centers ○ 8.7% (19 of 218) occurred at non-military locales

¹² The number of substantiated informal complaints was 422, however, timeliness information was only available for 216 of the 422 substantiated informal complaints

¹³ Per complaint, there can be multiple relationships between complainant and offender and, as a result, a true grand total for relationships does not exist. As a result, there is a possibility of double counting for some incidents.

¹⁴ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

Informal Complaints in FY 2013	
Nature of Allegations	<ul style="list-style-type: none"> • Out of 264 nature of allegations reported in informal complaints: <ul style="list-style-type: none"> ○ 53.8% (142 of 264) were crude/offensive behavior ○ 44.3% (117 of 264) were unwanted sexual attention • In the Air Force, 80.8% (384 of 476) of informal complaints were categorized as:¹⁵ <ul style="list-style-type: none"> ○ 57.1% (272 of 476) - Verbal¹⁶ ○ 23.7% (113 of 476) - Non-verbal¹⁷

Statistical Data on Reported Incidents of Sexual Harassment: Armed Forces

Summaries of Complaint Activity/Total Numbers

This section summarizes data and information reported by the Military Services and National Guard Bureau on the total number of sexual harassment complaints filed and the total number of investigations of sexual harassment involving complainants and offenders (Sections A and C).

In FY 2013, 680 formal and 686 informal sexual harassment complaints involving members of the Armed Forces and the National Guard Bureau were investigated in the DoD. Out of the 680 formal complaints investigated, 56.5 percent (384) were substantiated, 32.5 percent (221) were unsubstantiated, and 11 percent (75) were pending (see **Exhibit 4**).

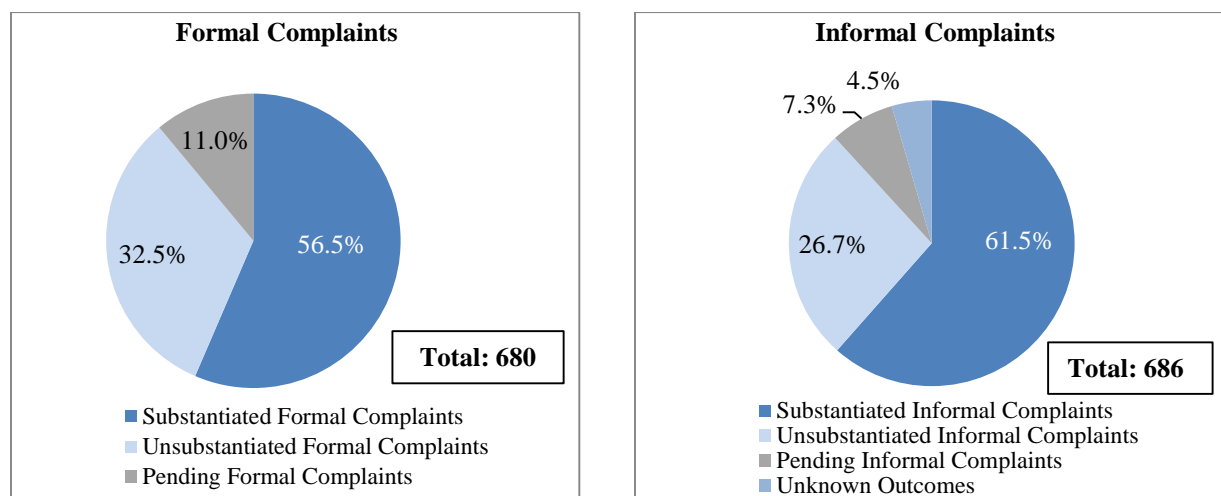
Furthermore, of the 680 formal complaints filed, 80.9 percent (550) involved one complainant and one offender. For the remaining complaints, 10.9 percent (74) involved more than one complainant and one offender, 6.2 percent (42) involved one complainant and more than one offender, and 0.6 percent (4) involved more than one complainant and more than one offender.

In addition, of the 686 informal investigations of sexual harassment incidents, 61.5 percent (422) were substantiated, 26.7 percent (183) were unsubstantiated, 7.3 percent (50) were pending, and the remaining 4.5 percent (31) contained incomplete data as of the end of FY 2013 resulting in unknown outcomes (see **Exhibit 4**). Of the 686 informal complaints filed, 85 percent (583), involved one complainant and one offender. For the remaining complaints, 8.5 percent (58) involved one complainant and more than one offender, 4.7 percent (32) involved more than one complainant and one offender, and 0.9 percent (6) involved more than one complainant and more than one offender.

¹⁵ The Air Force data collection system characterizes the nature of allegations differently than described in the DoD template.

¹⁶ Sexual advances in the form of proposition, request for sexual favors, objectionable comments about one's appearance, sexually degrading or abusive remarks, sexual jokes, and comments about a person's personal sexual activity

¹⁷ Gestures, body language, elevator eyes, and written pictorials

Exhibit 4: Formal and Informal Sexual Harassment Complaints in FY 2013

Note: Please refer to sections A and C of Appendix A of the Consolidated DoD Sexual Harassment Data Call Template for data pertaining to this exhibit. This exhibit highlights the formal and informal sexual harassment reports investigated in FY 2013

Timeliness

This section summarizes data and information reported by the Military Services and the National Guard Bureau indicating the timely filing of complaints and the timely notification of the GCMCA according to procedures for processing and investigating complaints of sexual harassment (Sections D and E).

In FY 2013, 384 of the 680 formal complaints of sexual harassment investigated were substantiated. For reporting purposes, a substantiated sexual harassment incident was defined as a complaint containing at least one founded allegation of sexual harassment as documented in a report of investigation or inquiry. Of the 384 substantiated formal complaints, 80 percent (307) were reported by complainants in less than 60 days following the incident while 12.5 percent (48) of substantiated formal complaints were reported after 60 days. The specific timeframe was undetermined for 7.6 percent (29) of substantiated formal complaints (see **Exhibit 5**). DoD policy encourages service members to file complaints within 60 days of the incident.

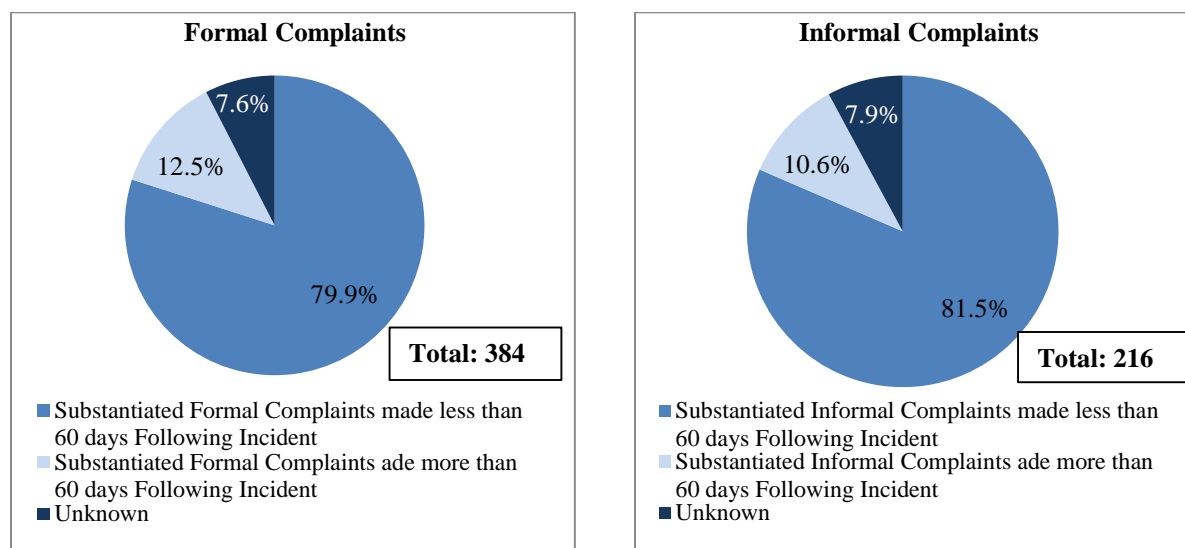
Timeline data were largely inconclusive for informal complaints since existing Service implementing instructions and regulations vary regarding the collection of information on informal sexual harassment complaints.¹⁸ As a result, the Air Force and Marine Corps did not provide any information on timelines for substantiated informal complaints. However, analysis of data available in two of the Services and the National Guard Bureau indicated the length of time between the incident and filing of the report for substantiated informal complaints was similar to that of substantiated formal complaints. In FY 2013, 422 out of the 686 informal complaints investigated in the DoD were substantiated. However, due to the aforementioned

¹⁸ Currently, the Air Force is not required to capture information about timelines for informal complaints. The Marine Corps considers any informal complaints of sexual harassment to reach a level that requires an investigation to be formal complaints handled through the formal complaint process.

reasons, timeline data was only available for 216 of the 422 substantiated informal complaints. Of the 216 substantiated informal complaints, 81.5 percent (176) of the 216 substantiated informal complaints were reported less than 60 days following the incident while 10.6 percent (23) were reported more than 60 days following the incident. Timeline data were undetermined for 7.9 percent (17) of substantiated informal complaint cases (see **Exhibit 5**).

In accordance with 10 U.S.C. 1561, procedures for processing sexual harassment complaints require that commanders forward the complaint to the GCMCA within 72 hours of receipt. In FY 2013, 89.3 percent (607 of 680) of all formal complaints filed were forwarded to the GCMCA within 72 hours and 6.2 percent (42 of 680) were filed after 72 hours. For 4.6 percent of the reports, it was unclear when they were forwarded to the GCMCA. Similar data does not exist for informal complaints because this report only collected information on informal complaints that warranted investigation. If the commander determines that an informal complaint does not warrant inquiry or investigation, the complaint is not forwarded to the GCMCA.

Exhibit 5: Length of Time between Incident and Report for Substantiated Complaints



Note: Please refer to sections E1 and E2 of Appendix A. The data represented in this exhibit pertains to substantiated formal and informal complaints only. The exhibit highlights the length of time between the incident and report for those sexual harassment investigations that were substantiated

Accountability

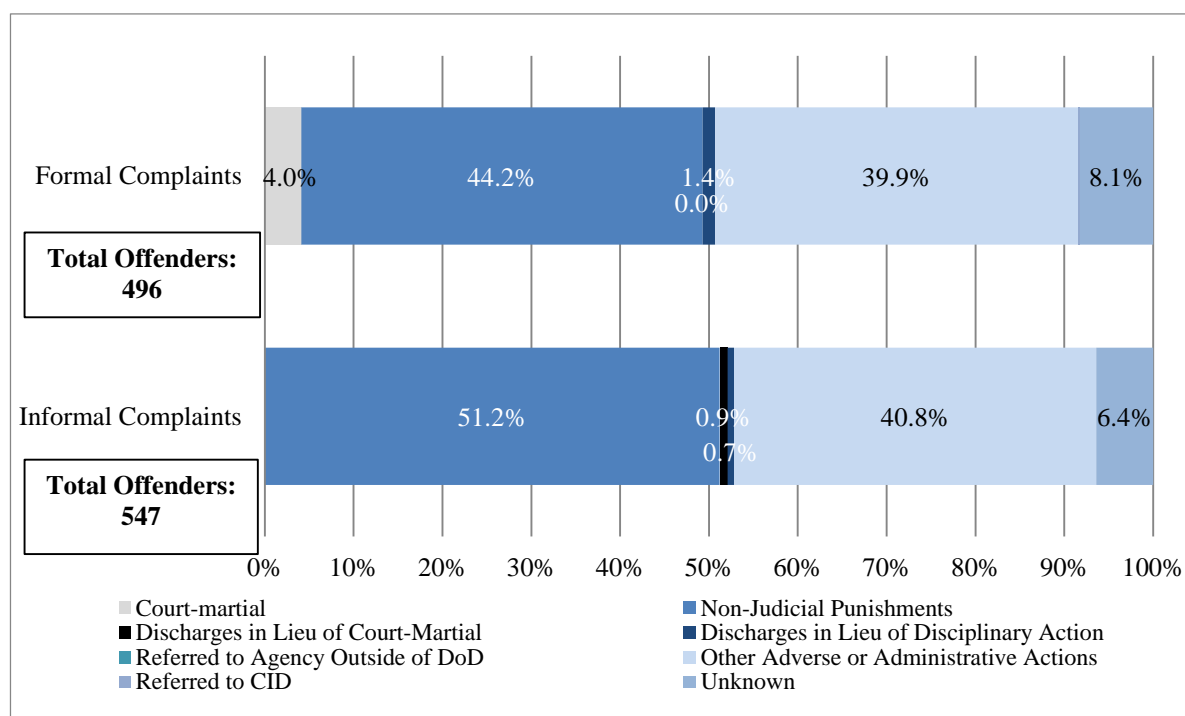
This section summarizes data and information regarding the actions taken in completed sexual harassment investigations and final dispositions for offenders in completed investigations (Sections G and H).

The majority of formal and informal sexual harassment complaint investigations initiated in FY 2013 were completed by the close of the fiscal year. Of the 680 formal complaints of sexual harassment investigated, 89 percent (603) were completed with the remaining 11 percent (77) pending completion. For the 686 informal complaints investigated, 92 percent (631) were completed with the remaining 8 percent (55) of investigations pending completion.

In the 603 completed investigations of formal complaints of sexual harassment, the Services and the National Guard Bureau reported 639 offenders. As of the close of FY 2013, command actions were completed for 496 of the reported offenders. Of these 496 offenders, 44.2 percent (219) received non-judicial punishments and 39.2 percent (198) received administrative sanctions (39.2 percent). Other command actions included court martials for 4.4 percent (20), discharges in lieu of court martial for 1.4 percent (7), and command actions were unknown for 8.1 percent (40) of the reported offenders.

In the 631 completed investigations of informal complaints of sexual harassment, the Services and the National Guard Bureau reported 687 offenders. As of the close of FY 2013, the Armed Forces completed command actions for 547 of the reported offenders. Of these 547 offenders, 51.2 percent (280) received non-judicial punishments and 40.8 percent (223) received administrative sanctions. Other command actions included discharges in lieu of court martial for 0.9 percent (5) and command actions were unknown for 6.4 percent (35) of the reported offenders (see **Exhibit 6**).¹⁹

Exhibit 6: Final Disposition for Offenders in Completed Investigations: Offenders for whom Command Action was Completed as of Close of Fiscal Year 2013



Note: Please refer to sections H1 and H2 of Appendix A. The data represented in this exhibit pertains only to those offenders in completed investigations for whom command actions were completed. Percentages reported above do not add up to 100 percent. The discrepancy is approximately 2.4 percent for formal complaints and 1.6 percent for informal complaints. These discrepancies exist as a result of certain reported command actions not being categorized in any of the 8 categories.

¹⁹ The Marine Corps MEO program categorizes and reports informal complaints that require an investigation as formal complaints of sexual harassment.

Alleged Offenders

This section summarizes data and information on the alleged offenders reported in formal and informal complaints by grade and gender, the relationship of the alleged offender to the complainant (Sections B, I1, J1, I4, and J4), and complaints involving the same alleged offender(s)

In FY 2013, the Military Services and the National Guard Bureau reported 639 offenders in completed investigations of formal complaints and 687 offenders in completed informal complaint investigations (see previous section). These totals do not take into account the alleged offenders identified in investigations still pending. Taking into account those completed investigations and the investigations still pending, 755 alleged offenders were identified in formal complaints of sexual harassment and 749 alleged offenders were identified in informal complaints of sexual harassment.

Of the 755 alleged offenders identified in formal complaints of sexual harassment, 76 percent (571) were in the enlisted force. The distribution was as follows: 23.2 percent (175) of the alleged offenders were in pay grades E1-E4 and 52.5 percent (396) of the alleged offenders were in pay grades E5-E9. Commissioned officers accounted for 13.1 percent (99) of the alleged offenders. More than 7.7 percent (58) of alleged offenders were in pay grades O1-O3 and 5.3 percent (40) in pay grades O4-O6. There was 1 (0.1 percent) alleged offender from the general/flag officer ranks. Furthermore, the remaining 11.4 percent (85) of alleged offenders comprised mainly of unknown pay grades, civilians, and contractors (see **Exhibit 7**).

In addition to the pay grade information, the Military Services and the National Guard Bureau reported the number of alleged offenders by gender.²⁰ The FY 2013 data identified 737 alleged offenders reported by gender in formal complaints of sexual harassment of which 95.9 percent (707) were male and the remaining 4.1 percent (30) were female.

Of the 749 alleged offenders identified in informal complaints of sexual harassment, 75 percent (564) were in the enlisted force. The distribution was as follows: 27.9 percent (209) were in pay grades E1-E4 and 47.4 percent (355) were in pay grades E5-E9. Commissioned officers accounted for 14 percent (105) of the alleged offenders, reflecting 7.6 percent (57) in pay grades O1-O3, 2.3 percent (17) in pay grades O4-O6, and 4.1 percent (31) of alleged offenders from the general/flag officer ranks. The remaining 10.7 percent (80) of alleged offenders comprised unknown pay grades, civilians, and contractors (see **Exhibit 7**).

In addition to the pay grade information, the Military Services and the National Guard Bureau also reported the number of alleged offenders by gender.²¹ The FY 2013 data identified 733 alleged offenders by gender in informal complaints of sexual harassment of which 93.3 percent (684) were male and the remaining 6.1 percent (45) were female.

²⁰ The reported number of all alleged offenders by pay grade in formal complaints is 755 whereas the total number of offenders reported by gender is 737. As a result, the reported percentage of males (93.3 percent) is based on a total count of 733 while the pay grade percentages are based on 755 alleged offenders.

²¹ The reported number of all alleged offenders by pay grade in informal complaints is 749 whereas the total number of offenders reported by gender is 733. As a result, the reported percentage of males (93.3 percent) is based on a total count of 733 while the pay grade percentages are based on 749 alleged offenders.

Exhibit 7: Alleged Offenders by Workforce Segment and Grade

Workforce Segment and Grade	Alleged Offenders in Formal Complaints	Alleged Offenders in Informal Complaints
Totals of Alleged Offenders in Complaints	755	749
E1-E4	23.2%	27.9%
E5-E9	52.5%	47.4%
CWO	0.1%	0.0%
O1-O3	7.7%	7.6%
O4-O6	5.3%	2.3%
O7-O10	0.1%	4.1%
W01-CW5	1.5%	2.0%
Cadet/Midshipman	0.1%	0.0%
DoD/Service civilian employee	3.7%	1.7%
Local National / Dependent	0.3%	0.0%
DoD/Service civilian contractor	1.9%	6.0%
Unknown Pay Grade	3.0%	0.9%
Multiple Offenders unknown grade	0.5%	0.0%
Other (Family Member)	0.1%	0.0%
Total	100%	100%

Note: The data in this table refers to all alleged offenders in formal and informal complaints and not just those offenders for whom a final disposition was reached. The total number of offenders in this section is not equal to the total offenders in the Accountability Section because the offenders mentioned in Exhibit 7 include alleged offenders for whom final disposition might not yet have been reached.

When filing a complaint of sexual harassment, in addition to documenting the rank and pay grade of the alleged offender, the Military Services and the National Guard Bureau were requested to identify the nature of the relationship between the alleged offenders and complainants. More than one type of relationship was identified in a given complaint. For example, alleged offenders could be identified as coworkers, members of the chain of the command, and members of the same unit simultaneously.

Of the 680 formal complaints of sexual harassment reported in FY 2013, 1,239 indications of relationships were reported. For the 686 informal complaints reported, 992 indications of relationships were captured. For the analysis in this section, a percentage analysis based on the sum of the indications of relationships captured was performed to identify the most prevalent nature of relationship category between an alleged offender and complainant. Because multiple relationships appeared to exist between a complainant and an alleged offender, the analysis and percentages depicted in **Exhibit 8** recognizes that the underlying totals might reflect double counting and should not be interpreted on a one complainant to one alleged offender basis.

Of the 680 formal complaints reported in FY 2013, 1,239 indications of relationships between alleged offender and complainant were captured. Regarding the relationship of the alleged

offender to the complainant in formal complaints, the involved parties were in the same unit in 37.3 percent (462 of 1,239) of the cases,²² coworkers in 23.8 percent (295) of the cases, both members of the chain of command in 17.1 percent (212) of the cases, and the complaint involved a higher-ranking military person not in the complainant's chain of command in 11.1 percent (138) of the cases. The other relationships reflected in formal complaints involved military subordinates in 2.8 percent (35) of the cases, civilian employees in 2 percent (25) of the cases, and other military persons in 3.6 percent (45) of the cases.

With regard to informal complaints, the same trends identified for formal complaints were seen for informal complaints. Of the 686 informal complaints filed, 992 indications of relationships were reported. The largest category, 40.5 percent (402 of 992) of the alleged offenders reported in informal complaints were identified as a military coworker, 23.7 percent (235) as being in the same unit, 17.3 percent (172) in the chain of command, and 7.1 percent (70) as a military person of a higher rank who was not in the complainant's chain of command. The other relationship categories included 5.4 percent (54) as a military subordinate, 0.9 percent (9) as civilian employees, and 2.4 percent (24) as other military persons.²³

Exhibit 8: Relationship of Alleged Offender to Complainant by Percentage

Relationship of Alleged Offender to Complainant	Relationship in Formal Complaints	Relationship in Informal Complaints
Total Relationships	1,239	992
Military coworker	23.8%	40.5%
In chain of command	17.1%	17.3%
Military subordinate	2.8%	5.4%
Military person of higher rank/grade who was not in chain of command	11.1%	7.1%
Other military person(s)	3.6%	2.4%
Person in the local community	0.7%	0.6%
DoD/Service civilian employee(s)	2.0%	0.9%
DoD/Service civilian contractor(s)	1.3%	1.9%
Same unit	37.3%	23.7%
Unknown	0.2%	0.1%
Total	100%	100%

²² Army numbers were reported as stand-alone figures in the same way as numbers for identifying the gender of individuals. The procedure did not allow for multi-counting to reflect more than one relationship between the alleged offender and complainant.

²³ The Marine Corps MEO program categorizes and reports informal complaints that require an investigation as formal complaints of sexual harassment. Therefore, no Marine Corps data are included for informal complaints.

Relationship of Alleged Offender to Complainant	Relationship in Formal Complaints	Relationship in Informal Complaints
Same gender	13.5%	9.4%
Different gender	86.5%	90.0%
Total	100%	100%

Note: Please refer to sections Sect I4 and J4 of Appendix A. For informal complaints, the gender is unknown for 0.6 percent of the indication of relationship data. The percentages reported in this section recognize that per complaint, there can be multiple relationships between complainant and offender and, as a result, that there exist no true grand totals and possible double counting. Army numbers were reported as stand-alone figures in the same way as numbers for identifying the gender of individuals. The procedure did not allow for multi-counting to reflect more than one relationship between alleged offender and complainant.

Alleged Repeat Offenders

Special Interest Item: This section summarizes data and information reported on offenders involved in multiple formal or informal sexual harassment complaints.

In the NDAA for FY 2013, section 579 (b)(1) directed that the *Data Collection Plan* specifically deal with the need to identify cases in which a member is accused of multiple incidents of sexual harassment. This section provides initial data and information reported on formal and informal sexual harassment complaints involving repeat offenders. As this is an initial report to baseline data and information on sexual harassment incidents, the results contained in this section will be examined further in collaboration with the Military Services and the National Guard Bureau. The results of this closer examination will be reported in subsequent reports with disposition details of how the Military Services and National Guard Bureau dealt with repeat offenders in incidents of sexual harassment..

In FY 2013, of the 680 formal complaints reported by the Military Services and the National Guard Bureau, the number of formal complaints involving the same offender was 11 percent (75 of 680). Out of the 75 formal complaints filed involving the repeat offenders, 71.2 percent (54) were substantiated while 14.6 percent (11) were unsubstantiated with 13.3 percent (10) still pending (see **Exhibit 9**).

In FY 2013, of the 686 informal complaints reported by the Military Services and the National Guard Bureau, the number of informal complaints involving the same offender was 14.3 percent (98 of 686). Out of the 98 informal complaints filed involving the same offender, 34.7 percent (34) were substantiated (see **Exhibit 9**). Data collection procedures were not available to capture the status of the remaining informal complaints involving the same offender for this report.²⁴

²⁴ Data collection procedures were not available to capture finite data within each of the Military Services. The percentage of substantiated and unsubstantiated informal complaints involving the same offender reported in this section does not include Air Force numbers.

Exhibit 9: Complaints Involving Same Offender

Complainants	Formal Complaints		Informal Complaints	
Total Number of Complaints Involving the Same Offender	75		98	
Substantiated Complaints	72.0%	54 of 75	34.7%	34 of 98
Unsubstantiated Complaints	14.7%	11 of 75	10.2%	10 of 98
Pending Complaints	13.3%	10 of 75	8.2%	8 of 98

Note: Please refer to sections Sect B1 and B2 of Appendix A for any additional data pertaining to this exhibit. Data collection procedures were not available to capture the status of the remaining 44 informal complaints involving the same offender for this report

Complainants

This section summarizes data and information reported by the Military Services and the National Guard Bureau to describe complainant(s) by grade and gender (Section I2 and J2).

At the close of FY 2013, the Military Services and National Guard Bureau reported 740 complainants in 680 formal sexual harassment complaints. Complainants were primarily female from the E1-E4 enlisted pay grades, contrasting with the largely male enlisted E5-E9 profile of the alleged offenders previously mentioned in this report. Specifically, females comprised 87 percent (640 of 740)²⁵ of the formal complainants. Of the 740 complainants in formal complaints, 62.7 percent (464) were identified in pay grades E1-E4 while 24.1 percent (178) fell in pay grades E5-E9, and 6.2 percent (46) in pay grades O1-O3. Officers in pay grades O4-O6 comprised 1.5 percent (11) of all complainants, and the remaining 5.5 percent (41) of complainants fell within other categories (e.g., family members, cadets, civilian employees).

Similar formal complaint patterns were observed in data for informal complainants. Of the reported 677 complainants in informal complaints, 82.3 percent (557) were female. Among informal complainants, 59.7 percent (404 of 677) were identified in pay grades E1-E4, 27.9 percent (189) were identified in pay grades E5-E9, and 5 percent (34) identified in pay grades O1-O3. Additionally, officers identified in pay grades O4-O6 comprised 2.4 percent (16) of all complainants, and the remaining 5 percent (34) of complainants fell within other categories (e.g., family members, cadets, warrant officers, civilian employees, and civilians unknowns) (see **Exhibit 10**).²⁶

Exhibit 10: Complainants by Workforce Segment and Grade

Complainants	Formal Complaints	Informal Complaints
Total Complainants	740	677
E1-E4	62.7%	59.7%
E5-E9	24.1%	27.9%
W01-W05	0.0%	0.1%

²⁵ There is a slight discrepancy between the total reported numbers by pay grade and total reported numbers for gender.

²⁶ The Marine Corps MEO program categorizes and reports informal complaints that require an investigation as formal complaints of sexual harassment. Therefore, no Marine Corps data are included for informal complaints.

Complainants	Formal Complaints	Informal Complaints
O1-O3	6.2%	5.0%
O4-O6	1.5%	2.4%
O7-O10	0.0%	0.0%
Cadet/Midshipman	0.1%	0.0%
DoD/Service Civilian Employee	0.4%	0.3%
DoD/Service Civilian Contractor	0.3%	0.3%
Family Member	1.0%	0.9%
Civilian	1.4%	2.4%
Unknown	2.0%	1.0%
Other	0.1%	0.0%
Total	100%	100%

Note: Exhibit 10 highlights the workforce segment and grade of all complainants who have reported an incident of sexual harassment regardless of outcome of the resultant investigation.

Location

This section summarizes data and information reported by the Military Services and the National Guard Bureau identifying the location of occurrences of substantiated sexual harassment complaints (Section F).

In FY 2013, the Military Services and National Guard Bureau only reported data from incident locations of substantiated sexual harassment complaints (see **Exhibit 11**). Out of the 384 substantiated formal complaints, a total of 398 locations were reported. The total number of reported locations and the total number of substantiated complaints are not additive because multiple locations can be associated with a given complaint. Not all Military Services reported location information for substantiated sexual harassment complaints in FY 2013.²⁷ In the subsequent paragraphs, a percentage analysis based on sum of the locations of the incidents was conducted to identify the prevalent locations of sexual harassment incidents in substantiated complaints. Because multiple locations appeared to exist per complaint, the analysis and percentages depicted in **Exhibit 11** recognize that the underlying totals might reflect double counting and should not be interpreted on the basis of one location per one complaint.

Of the 398 locations reported in substantiated formal complaint incidents, 41 percent (163) occurred at military installations, 9.8 percent (39) on temporary duty assignment locations (TDY/TAD) at sea or during field exercises/alerts, and 9.6 percent (38) during Military Occupational Specialty school/technical training/advanced training locations. A smaller percentage, 6.5 percent (26), of incidents occurred at non-military locales and 5.8 percent (23) occurred at other locations including deployment to combat zones or areas that drew danger pay. Additionally, 21.9 percent (87) occurred at locations that were not identified in Service reports.

²⁷ In FY 2014, the Air Force will start capturing the incident location data reflected in the sexual harassment data collection template. Please refer to Appendix B, Section F Notes. Marine Corps did not capture location data for informal complaints.

Of the 218 reported locations in substantiated informal complaint incidents, 42.7 percent (93 of 218) occurred at military installations, followed by 17.4 percent (38) at state armories and reserve centers (17.4 percent, 38 of 218), and 8.7 percent (19) at non-military locales. Additionally, 17.4 percent (38) occurred at locations that were not identified in Service reports.

Exhibit 11: Location of Substantiated Formal and Informal Complaints

Location of Substantiated Complaints	Location in Substantiated Formal Complaints	Location in Substantiated Informal Complaints
Total Number of Locations Reported	398	218
On a military installation	41.0%	42.7%
Deployed to a combat zone or to an area where complainant drew imminent danger pay	5.8%	3.7%
During any type of military combat training	1.0%	1.8%
On TDY/TAD, at sea or during field exercises/alerts	9.8%	3.7%
During military occupational specialty school/technical training/advanced individual training	9.5%	3.2%
During recruit training/basic training	1.0%	0.9%
During the delayed entry program	0.8%	0.5%
During Officer Candidate or Training School/Basic or Advanced Officer Course	1.3%	0.00%
Non-military locale	6.5%	8.7%
State armories and reserve centers	1.5%	17.4%
Unknown	21.8%	17.4%
Total	100%	100%

Note: Exhibit 11 highlights the reported location of incidents in those sexual harassment complaints that were substantiated. Refer to Section F of Appendix A for data pertaining to this exhibit. There may be multiple locations reported for a given complaint. As a result, the data reflect double counting in certain instances. Air Force data do not include information on location of the incident.

Nature of Allegations

This section summarizes data and information reported by the Military Services and the National Guard Bureau for the purpose of identifying the nature of allegation(s) in substantiated sexual harassment complaints (Sections I3 and J3).

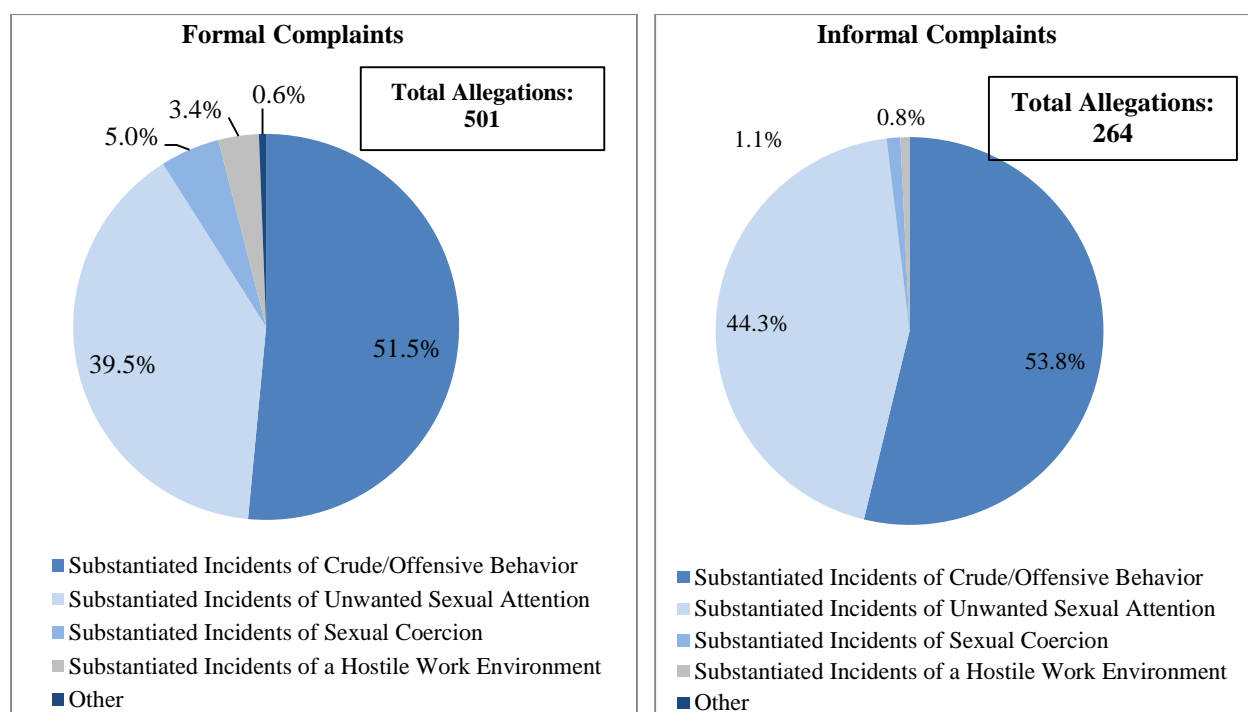
Information on the nature of the allegation in a sexual harassment complaint will help to inform Service initiatives to prevent sexual harassment through education and training programs. For the purposes of this report, sexual harassment allegations are described in five major categories. The categories include: crude offensive behavior, unwanted sexual attention, sexual coercion,

hostile work environment, quid pro quo request for sexual favors, and other.²⁸ The percentages depicted in **Exhibit 12** recognize that there can be multiple types of allegations per complaint.

Of the 501 allegations reported in formal sexual harassment complaints, 51.5 percent (258) of the allegations were substantiated for crude/offensive behavior, 39.5 percent (198) were substantiated for unwanted sexual attention, 5 percent (25) were substantiated for sexual coercion, and 3.4 percent (17) were substantiated for hostile work environment.

Of the 264 allegations reported in informal complaints, 53.8 percent (142) were substantiated for crude/offensive behavior, 44.3 percent (117) were substantiated for unwanted sexual attention, 1.0 percent (3) was substantiated for sexual coercion, and 0.8 percent (2) was substantiated for hostile work environment. (See **Exhibit 12**).

Exhibit 12: Nature of Allegations by Complainant in Sexual Harassment Complaints



Note: Exhibit 12 highlights the nature of allegation in substantiated complaints of sexual harassment reported by Army, Navy and the National Guard Bureau. The data may reflect double counting since there may be multiple types of allegations per complaint. Refer to Section I3 and J3 of Appendix A for data pertaining to this exhibit.

Air Force data characterizes allegations of sexual harassment as verbal, non-verbal, physical, and other and was not included in Exhibit 11. Air Force data reported for this report reflects the following information. For formal complaints, out of the 55 reported allegations of sexual harassment, the majority, 65.5 percent (36) were substantiated for verbal harassment, 14.5 percent (8) were substantiated for non-verbal harassment, 10.9 percent (6) were substantiated for physical harassment, and 9.1 percent (5) were other. Similar to formal complaints, out of the 476

²⁸ Air Force categorizes the nature of sexual harassment complaints as verbal, non-verbal, and physical. The Marine Corps does not capture data on the nature of sexual harassment allegations.

reported allegations, 57.1 percent (272) of substantiated informal sexual harassment allegations were verbal, 23.7 percent (113) were non-verbal, 13.7 percent (65) were physical harassment, and 5.5 percent (26) were other. The Marine Corps data collection system does not capture information on the nature of sexual harassment allegations; therefore, they were not included in this report.

Findings on Reported Incidents of Sexual Harassment: Overview of Service Data for Key Sections

Among the Services, a large variation existed on the number of sexual harassment complaints. The Army accounted for the majority of the 680 investigations of formal complaints in the DoD with 375, followed by the Navy with 180, Marine Corps with 54, Air Force with 36, and the National Guard Bureau with 35. Additionally, the percentage of formal complaints filed per capita for the four Services showed that Army had the highest rate with 0.071 percent (71 formal complaints for every 100,000 service members) followed by the Navy with 0.056 percent (56 formal complaints for every 100,000 service members), Marine Corps with 0.028 percent (28 formal complaints for every 100,000 service members), Air Force with 0.011 percent (11 formal complaints for every 100,000 service members) and the National Guard Bureau with 0.0074 percent (7.4 formal complaints for every 100,000 service members).²⁹

Similarly, for informal complaint investigations, the Air Force reported the highest number of investigations with 315, followed by the Army with 203, the Navy with 49, and National Guard Bureau with 119. Informal complaints of sexual harassment that reach a level that require an investigation in the Marine Corps are considered formal complaints and handled through the formal complaint process. The percentage of informal complaints of sexual harassment filed per capita for the four Services showed that the Air Force had the highest rate with 0.096 percent (96 informal complaints for every 100,000 service members) followed by the Army with 0.038 percent (38 informal complaints for every 100,000 service members), the Navy with 0.015 percent (15 informal complaints for every 100,000 service members) and the National Guard Bureau with 0.025 percent (25 informal complaints for every 100,000 service members).³⁰

This is the first year the Military Services and the National Guard Bureau are reporting by Service to Congress on incidents of sexual harassment using common procedures and a standard methodology. Data and information in this report will establish a baseline for continued DoD reports, which will reflect improved data collection processes that better inform policy decisions to strengthen the prevention of sexual harassment incidences.

Exhibit 13 provides a top level overview of the data reported across the Military Services and the National Guard Bureau for selected sections of the Sexual Harassment Data Collection

²⁹ The complaints per capita (complaint rate) for formal and informal complaints was calculated by dividing the number of complaints reported with the active duty end strength at the end of FY 2013 of each of the four Military Services and National Guard Bureau. The end strength includes all active duty officer corps, warrant officers, and the enlisted force. The total members in each of the armed forces as reported by the Defense Manpower Data Center are as follows: Army (528,070), Navy (319,838), Marine Corps (195,848), Air Force (326,573) and the National Guard Bureau (469,710).

³⁰ Please see footnote 29

template. **Exhibit 13** primarily covers data reported for formal complaints and the rows contain the top three to five most prevalent categories of information. More specific information is available in the FY 2013 Consolidated DoD Sexual Harassment Template found in Appendix A.

**Exhibit 13: Cross Cutting Findings from Select Sections of Service and National Guard Bureau
Sexual Harassment Data Collection Templates**

Select Sections		Army	Navy	Marine Corps	Air Force	NGB
Sec. A1: Total Formal Complaints						
Summaries	Total Number Formal Complaints	375	180	54	36	35
	Substantiated formal complaints	59.7%	57.2%	61.1%	25.0%	42.9%
	Unsubstantiated formal complaints	33.3%	26.7%	35.2%	47.2%	34.3%
	Pending formal complaints	6.9%	16.1%	3.7%	27.8%	22.9%
Sec. E1: Total Substantiated Formal Complaints						
Timeliness	Total Number Substantiated Formal Complaints	224	103	33	9	15
	Substantiated formal complaints made less than 60 days following the incident	81.3%	79.6%	81.8%	77.8%	60.0%
	Substantiated formal complaints made more than 60 days following the incident	8.9%	14.6%	18.2%	28.6%	33.3%
	Unknown	9.8%	5.8%	0.0%	0.0%	6.7%
Sec. H1: Final Disposition for Offenders in Completed Formal Investigations						
Accountability	Offenders For Whom Command Action Was Completed As of Close of FY	279	110	51	43	13
	Other adverse or administrative actions	48.0%	30.9%	49.0%	7%	15.4%
	Non-judicial punishments	32.3%	64.5%	31.4%	93%	15.4%
	Unknown	14.3%	0.0%	0.0%	0.0%	0%
	Courts-martial	3.9%	2.7%	3.9%	0.0%	30.8%

Select Sections		Army	Navy	Marine Corps	Air Force	NGB
Sec. I4: Relationship of Alleged Offender to Complainant in Formal Complaints						
Offenders	Relationship	567	459	53	76	100
	Same unit	32.8% ³¹	46.6%	0.0%	43.0%	29.0%
	Military coworker	21.5%	23.3%	22.6%	31.6%	30.0%
	In chain of command	18.5%	15.0%	3.8%	21.1%	20.0%
	Military person of higher rank/grade who was not in chain of command	11.6%	6.8%	60.4%	1.3%	8.0%
	Other military person(s):	4.1%	2.6%	9.4%	1.3%	4.0%
	Gender	244	246	54	43	51
	Same Gender	12.7%	10.9%	9.3%	46.5%	5.9%
	Different gender	87.3%	89.1%	90.7%	53.5%	94.1%
Sec. F1: Location of Incidents Occurred for Substantiated Formal Complaint						
Location	Location of Incidents Occurred	224	117	33	9	15
	Unknown	34.8%	0.0%	0.0%	100%	0.0%
	On a military installation	33.9%	47.0%	78.8%	0	40.0%
	During military occupational specialty school/technical training/advanced individual training	14.3%	5.1%	0.0%	0	0.0%
	Deployed to a combat zone or to an area where complainant drew imminent danger pay	8.5%	1.7%	0.0%	0	13.3%
	Non-military locale	3.1%	11.1%	12.1%	0	13.3%
	On TDY/TAD, at sea or during field exercises/alerts	1.3%	30.8%	0.0%	0	0.0%
Sec. I3. Identify Nature of Allegation(s) in Formal Complaints						
Nature of Allegations	Nature of Allegation(s)	307	115	47	N/A	32
	Substantiated incidents of crude/offensive behavior	46.3%	72%	44.7%	N/A	38%
	Substantiated incidents of unwanted sexual attention	44.3%	22%	46.8%	N/A	47%
	Hostile work environment	5.5%	2.0%	0.0%	N/A	0.0%
	Substantiated incidents of sexual coercion	3.6%	4.0%	8.5%	N/A	16%
	Other	0.3%	0.0%	0.0%	N/A	0.0%

Note: Exhibit 13 primarily covers data reported for formal complaints and the rows contain the top three to five most prevalent categories of information.

³¹ For the Army, the numbers reported for Same Unit are included in the various categories above (military co-worker, in chain of command, etc.). When Army completed this section, Army understood “same unit” as a stand-alone category, much as “same gender” or “different gender” is a stand-alone category.

Key Findings on Reported Incidents of Sexual Harassment: Army

The Army reported 375 formal complaints during FY 2013, of which 59.7 percent (224) were substantiated. Approximately 93.1 percent (349) of the formal complaint investigations were completed by the close of FY 2013. Of the 224 substantiated formal complaints, 81.3 percent (182) complaints were reported in less than 60 days after the alleged incident. In the formal complaints filed, 414 alleged offenders were reported. The majority, 72.7 percent (301), of the alleged offenders were in the enlisted force, 47.1 percent (195) were in pay grades E5-E9, and 96.5 percent (383 of 397) were male. The majority, 80.8 percent (303), of the 375 formal complaints filed involved one complainant and one offender. Among the 567 reported indications of the nature of relationship between the alleged offender and the complainant in formal complaints, 21.5 percent (122 of 567) of the relationships were identified between military coworkers and 32.8³² percent were identified within the same unit (186). The majority, 60.8 percent (231), of the 380 complainants in formal sexual harassment complaints were junior enlisted personnel in pay grades E1-E4. In addition, 85.3 percent (320 of the 375) of the complainants were female. Out of 224 indications of locations reported, the most prevalent locations for incidents of sexual harassment in substantiated formal complaint included 33.9 percent (76 of 224) at military installations, 14.3 percent (32) at military specialist schools/technical training/advanced individual training facilities, and 8.5 percent (19) in combat zones. Approximately 46.3 percent (142) of the 307 allegations reported in substantiated formal complaints were categorized as crude/offensive behavior.

Regarding informal complaints, the Army reported 203 informal complaints during FY 2013, of which 57.1 percent (116) were substantiated. Approximately 87.2 percent (177) of informal complaint investigations were completed at the close of FY 2013. Among the 116 substantiated informal complaints, 84.5 percent (98) were reported in less than 60 days after the alleged incident. Over 79.3 percent (172) of the 217 alleged offenders in informal complaints were enlisted personnel and 84.2 percent (171) of the 203 informal complaints reported involved one complainant and one offender. Of the 338 reported indications of relationships between alleged offender and complainant in informal complaints, 24.3 percent (82) of the relationships were identified between military coworkers and 32 percent (108) were identified within the same unit. The majority, 85.1 percent (183 out of 215), of complainants were female and 75.9 percent (164) in pay grades E1-E4. Of the 116 reported indications of locations for incidents of sexual harassment in substantiated informal complaints, the most prevalent locations reported were military installations with 45.7 percent (53 out 116) and 6.9 percent (8) at combat zones. Approximately 54.2 percent (83) of the 153 allegations reported in substantiated informal complaints were categorized as crude/offensive behavior.

Key Findings on Reported Incidents of Sexual Harassment: Navy

The Navy reported 180 formal complaints during FY 2013, of which 57.2 percent (103) were substantiated. Approximately 83.9 percent (151) of formal complaint investigations were

³² For the Army, the numbers reported for Same Unit are included in the various categories above (e.g., military co-worker, in chain of command). When Army completed this section, Army understood “same unit” as a stand-alone category, much as “same gender” or “different gender” is a stand-alone category.

completed at the close of FY 2013. Of the 103 substantiated formal complaints, 79.6 percent (82) were reported in less than 60 days after the alleged incident. The majority, 78 percent (149), of the 191 alleged offenders in formal complaints were in the enlisted force with 58.1 percent (111) in pay grades E5-E9 followed by 19.9 percent (38) in pay grades E1-E4. Over 96.9 percent of the offenders in formal complaints were male. Of the 462 reported indications of relationships between the alleged offender and complainant, 23.2 percent (107) were identified between coworkers and 46.3 percent (214) were identified in the same unit. In addition, 90.5 percent (209), of the 231 complainants were female and 63.1 percent (147 out of 233³³) were in pay grades E1-E4. Of the 117 indications of locations reported in substantiated formal complaint incidents, the most prevalent locations included military installations with 47 percent (55), TDY/TAD/sea/field exercise facilities with 30.8 percent (36), and 11.1 percent (13) at non-military locales. Approximately 72.2 percent (83) of the 115 nature of allegation information reported in substantiated formal complaints were categorized as crude/offensive behavior.

Regarding informal complaints, the Navy reported 49 informal complaints during FY 2013, of which 49 percent (24) were substantiated. Approximately 93.9 percent (46) of the 49 informal complaint investigations were completed at the close of FY 2013. Of the total informal complaints reported, 24 were substantiated and 54.2 percent (13) of substantiated informal complaints were reported in less than 60 days after the alleged incident. Of the 55 alleged offenders reported in informal complaints, 89.1 percent (49) were male and 47.3 percent (26) were primarily in pay grades (E5-E9). Of the 123 reported indications of relationships between the alleged offenders and complainants, 20.3 percent (25) were reported between coworkers, 20.3 percent (25) were identified within the chain of command, and 43.1 percent (53) were in the same unit. The majority, 70.3 percent (45 of 64), of complainants were female and 57.8 percent (37 of 64) were in pay grades E1-E4. Of the 26 locations identified in substantiated informal complaint incidents, the most prevalent location was a military installation (80.8 percent). Approximately, 53.9 percent (14 of 26) of substantiated informal complaints were categorized as unwanted sexual attention.

Key Findings on Reported Incidents of Sexual Harassment: Marine Corps

The Marine Corps reported 54 formal complaints during FY 2013, of which 61.1 percent (33) were substantiated. Approximately 96.3 percent (52) of formal complaint investigations were completed at the close of FY 2013. Among the 54 formal complaints received, 81.8 percent (27) were reported in less than 60 days of the alleged incident. The majority of the 53 alleged offenders, 98.1 percent (52), were male and 90.6 percent (48) were in the enlisted force. The majority, 85.2 percent (46), of the 54 formal complaints involved one complainant and one offender. Among the 53 reported indications of relationships between the alleged offender and complainant in formal complaints, 60.4 percent (32)) of incidents involved a Marine Corps member of a higher rank not within the complainant's chain of command and 90.7 percent of complaints involved different genders (49 of 54³⁴). Of the 66 complainants reported in formal complaints, the majority, 93.9 percent (62), were female. Of the 59³⁵ complainants for whom

³³ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

³⁴ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

³⁵ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

pay grade data was captured, 79.7 percent (47) were in pay grades E1-E4. Additionally, the Marine Corps reported 33 indications of locations for incidents in substantiated formal complaints of which the most prevalent locations reported were military installations with 78.8 percent (26). Approximately 46.8 percent (22 of 47) of the reported allegations were categorized as incidents of unwanted sexual attention. The Marine Corps did not report data for informal complaints. All complaints that require an inquiry or investigation are processed as formal complaints according to 10 U.S.C. 1561.

Key Findings on Reported Incidents of Sexual Harassment: Air Force

The Air Force reported 36 formal complaints during FY 2013, of which 25 percent (9) were substantiated. Approximately 72.2 percent (26) of formal complaint investigations were completed at the close of FY 2013. Of the nine (9) substantiated formal complaints, 77.8 percent (7) were reported in less than 60 days after the alleged incident. In the formal complaints of sexual harassment filed in the Air Force, the majority, 86 percent (37 of 43), of the alleged offenders were male and 55.8 percent (24) were in pay grades E5-E9. Additionally, 55.6 percent (20) of the formal complaints involved one complainant and one offender. Of the 76 indications of relationships that were reported between the alleged offender and the complainant, 31.6 percent (24) were between military coworkers and 43.4 percent (33) occurred within the same unit. The majority, 61.5 percent (16 of 26), of complainants were female and 53.9 percent (14) were junior enlisted personnel in pay grades E1-E4.

Regarding informal complaints, the Air Force reported 315 informal complaints during FY 2013, of which 65.4 percent (206) were substantiated. Approximately 97.8 percent (308) of informal complaint investigations were completed at the close of FY 2013. The majority, 92 percent (338 of 365), of alleged offenders were male and 48.5 percent (177) were in pay grades E5-E9. Of the 354 reported indications of relationships between alleged offender and the complainant, 70.3 percent (249) of the relationships were identified between military coworkers, 20.1 percent (71) in the chain of command, and 4.5 percent in the same unit (16 incidents). The majority, 78.9 percent (243 of 308), of complainants in informal complaints were female and 46.8 percent (144 of 308) were in junior enlisted pay grades of E1-E4.

Air Force utilizes different classifiers to characterize the nature of allegations previously mentioned in this report. Air Force data characterize allegations of sexual harassment as verbal, non-verbal, physical, and other and was not included in Exhibit 11. Air Force data reported for this report reflects the following information. For formal complaints, out of the 55 reported allegations of sexual harassment, the majority, 65.5 percent (36), were substantiated for verbal harassment, 14.5 percent (8) were substantiated for non-verbal harassment, 10.9 percent (6) were substantiated for physical harassment, and 9.1 percent (5) were other. Similar to formal complaints, out of the 476 reported allegations, the majority, 57.1 percent (272), of substantiated informal sexual harassment allegations were verbal, 23.7 percent (113) were non-verbal, 13.7 percent (65) were physical harassment, and 5.5 percent (26) were other. The Marine Corps data collection system does not capture information on the nature of sexual harassment allegations; therefore, they were not included in this report.

Key Findings on Reported Incidents of Sexual Harassment: National Guard Bureau

The National Guard Bureau received 35 formal complaints during FY 2013, of which 42.9 percent (15) were substantiated. Approximately 71.4 percent (25 of the 35) of formal complaint investigations were completed by the close of FY 2013. Among formal complaints, of the 15 substantiated formal complaints 60 percent (9) were reported in less than 60 days of the alleged incident. The majority of the 52 alleged offenders, 94.2 percent (49), were male and 63.6 percent (35 of 55)³⁶ were in pay grades E5-E9. In addition, 91.4 percent (32 of 35) of formal complaints involved one complainant and one offender. Among the 100 reported indications of relationships between alleged offender and complainant, 30 percent (30) of the relationships were identified between military coworkers, 29 percent (29) within the same unit, and 20 percent (20) in the chain of command. The majority of the 39 complainants in formal complaints, 84.6 percent (33), were female and 56.8 percent (25 of 44)³⁷ were junior enlisted personnel in pay grades E1-E4. Out of 15 reported locations, the most prevalent locations for incidents of sexual harassment included military installations with 40 percent (6) and state armories/reserve centers with 33.3 percent (5). Approximately 47 percent (15 of 32) of substantiated formal complaints were categorized as unwanted sexual attention.

Regarding informal complaints, the National Guard Bureau received 119 informal complaints during FY 2013, of which 63.9 percent (76) were substantiated. Approximately 84 percent (100) of informal complaint investigations were completed at the close of FY 2013. Of the 76 substantiated informal complaints, 85.5 percent (65) were reported in less than 60 days of the alleged incident. The majority of the 101 alleged offenders, 95.1 percent, were male and 57.1 percent (64 of 112)³⁸ were in pay grades E5-E9. In addition, 79.8 percent (95 of 119) of reported informal complaints reported involved one complainant and one offender. The National Guard Bureau reported 180 indications of relationships between the alleged offenders and the complainants in informal complaints. Over 25.6 percent (46) of the relationships were identified between military coworkers, 32.2 percent (58) within the same unit, and 17.2 percent (31) in the chain of command. The majority of complainants were female (90.5 percent) and junior enlisted personnel (54 percent). Of the 76 locations reported by the National Guard Bureau in substantiated informal complaints, the most prevalent locations identified were state armories/reserve centers with 48.7 percent (37), military installations with 25 percent (19), and non-military locales with 13.2 percent (10). Approximately 57.6 percent (49 of 85) of the allegations reported in substantiated informal complaints were categorized as crude/offensive behavior.

Conclusion

Sexual harassment is defined by law as a form of sex discrimination. According to DoD policy, the prevention of sex discrimination and sexual harassment fall under the purview of the DoD MEO program. The *May 1995 Report of the Task Force Report on Discrimination and Sexual*

³⁶ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

³⁷ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

³⁸ Discrepancies exist between the totals reported by pay grade and totals reported by gender.

Harassment identified five principles that MEO programs should follow in order to fulfill goals for an effective equal opportunity system. Among the principles is “Prompt, Thorough, and Fair Complaints Handling,” which establishes the foundation for current DoD military complaints policy. This principle is summarized as follows:

- Discrimination complaint (including sexual harassment complaint) processes should provide prompt resolution at the lowest appropriate level and be designed to prevent reprisals
- Support services should be made available to complainants and respondents as part of the complaints handling process
- Each proven offender should receive an appropriate sanction for the offense

The *Fiscal Year 2013 Department of Defense Report on Substantiated Incidents of Sexual Harassment in the Armed Forces* provides a comprehensive look at complaint data as an initial DoD performance measure for military equal opportunity complaints processing. This report represents an initial DoD-wide effort to compile information based on a data collection method devised by the Service MEO offices of the Navy, Marine Corps, Air Force, National Guard Bureau, and the Army Sexual Harassment/Assault Response and Prevention (SHARP) office. Each of these offices used a Service-specific data collection system and process for the reporting of common data elements and information to produce the findings in this report.

In summary, the *Fiscal Year 2013 Department of Defense Report on Substantiated Incidents of Sexual Harassment in the Armed Forces* reflects data and information from the Military Services and the National Guard Bureau that provides:

- An overview of complaint activity resulting from the investigation of sexual harassment allegations processed through formal and informal channels (and referred to as formal and informal complaints)
- A measure of accountability as reflected in the number and types of corrective actions taken in instances of substantiated informal and formal complaints of sexual harassment
- Insight into the number of cases in which an alleged offender is accused of multiple cases of sexual harassment
- A profile of alleged offenders and a profile of complainants, both to include gender, pay grade, unit of assignment, and relationship
- A sense of whether complaints are handled in a timely manner according to standards established in DoD policy
- Locations where substantiated incidents of sexual harassment occur
- Nature or type of sexual harassment behaviors reported by complainants in substantiated sexual harassment cases

This initial report serves as a baseline report and the lessons learned in this effort will serve to produce better, more detailed and higher quality results. The DoD ODMEIO will work with the Military Services and the National Guard Bureau to refine data collection methods to ensure commonalities in reporting to the maximum extent possible. The way ahead is for DoD leaders and program managers to use the data and information in the report to (1) identify and resolve

policy and programmatic issues related to sexual harassment complaint processing; (2) strengthen Service efforts to prevent and eliminate sexual harassment and sexual assault; and (3) contribute to an organizational climate of dignity and respect throughout DoD.

Appendices

Appendix A: FY 2013 Consolidated DoD Sexual Harassment Data Collection Template

Section 579(b)(3) of the NDAA FY 2013 required the Secretary of Defense to collect and submit to Congress information and data on substantiated incidents of sexual harassment involving members of the Armed Forces for the preceding year, FY 2013.

Instructions:

- Enter appropriate number (#) in each column for the required fiscal year.
- Where the information is available, but there are no numbers, write zero “0.”
- Where the information is not available, write “N/A.”

The total number of complaints should equal the summed number of subcategories below each total (For example, the total number of formal complaints should equal the summed number of substantiated, unsubstantiated, and pending formal complaints).

A. Total number of Sexual Harassment Complaints						
	DOD	Army	Navy	USAF	USMC	NGB
A1. Formal Complaints						
# Total formal complaints	680	375	180	36	54	35
# Substantiated formal complaints	384	224	103	9	33	15
# Unsubstantiated formal complaints	221	125	48	17	19	12
# Pending Formal complaints	75	26	29	10	2	8
A2. Informal Complaints						
# Total informal complaints referred for investigation/inquiry	686	203	49	315	N/A	119
# Substantiated informal complaints referred for investigation/inquiry	422	116	24	206	N/A	76
# Unsubstantiated informal complaints referred for investigation/inquiry	183	61	22	71	N/A	29
# Pending informal complaints referred for investigation/inquiry	50	26	3	7	N/A	14

B. Complaints Involving The Same Offender						
	DOD	Army	Navy	USAF	USMC	NGB
B1. Formal Complaints						
# Total formal complaints involving the same offender	75	59	7	0	1	8
# Substantiated formal complaints involving the same offender	54	42	5	0	1	6
# Unsubstantiated formal complaints involving the same offender	11	9	2	0	0	0
# Pending formal complaints involving the same offender	10	8	0	0	0	2

B. Complaints Involving The Same Offender						
	DOD	Army	Navy	USAF	USMC	NGB
B2. Informal Complaints						
# Total informal complaints involving the same offender	98	23	6	46	N/A	23
# Substantiated informal complaints involving the same offender	34	13	6	0	N/A	15
# Unsubstantiated informal complaints involving the same offender	10	5	0	0	N/A	5
# Pending informal complaints involving the same offender	8	5	0	0	N/A	3

C. Number of Complainants and Offenders						
	DOD	Army	Navy	USAF	USMC	NGB
C1. Formal Complaints						
# Formal complaint investigations with one complainant and one offender	550	303	149	20	46	32
# Formal complaint investigations with one complainant and more than one offender	42	27	7	6	1	1
# Formal complaint investigations with more than one complainant and one offender	74	43	22	0	7	2
# Formal complaint investigations with more than one complainant and more than one offender	4	2	2	0	0	0
C2. Informal Complaints						
# Informal complaint investigations with one complainant and one offender	583	171	41	276	N/A	95
# Informal complaint investigations with one complainant and more than one offender	58	13	3	32	N/A	10
# Informal complaint investigations with more than one complainant and one offender	32	16	5	0	N/A	11
# Informal complaint investigations with more than one complainant and more than one offender	6	3	0	0	N/A	3
C3. Total						
# Total alleged offenders in completed investigations (informal and formal)	1378	547	214	408	55	154

D. Number of Reports Forwarded to the General Court Martial Convening Authority (GCMCA)						
	DOD	Army	Navy	Air Force	USMC	NGB
# Total reports forwarded to GCMCA	680	430	181	N/A	54	15
# Reports forwarded to GCMCA within 72 hours	607	383	156	0	54	14
# Reports forwarded to GCMCA beyond 72 hours	42	16	25	0	0	1
# Reports forwarded to GCMCA Unknown	31	31	0	0	0	0

E. Length of Time Between Incident and Formal Report for Substantiated Complaints						
	DOD	Army	Navy	Air Force	USMC	NGB
E1. Formal Complaints						
# Total substantiated formal complaints (# from A1)	384	224	103	9	33	15
# Substantiated formal complaints made less than 60 days following the incident	307	182	82	7	27	9
# Substantiated formal complaints made more than 60 days following the incident	48	20	15	2	6	5
# Unknown	29	22	6	0	0	1
E2. Informal Complaints						
# Total substantiated informal complaints (# from A2)	216	116	24	N/A	N/A	76
# Substantiated informal complaints made less than 60 days following the incident	176	98	13	N/A	N/A	65
# Substantiated informal complaints made more than 60 days following the incident	23	7	6	N/A	N/A	10
# Unknown	17	11	5	0	N/A	1

F. Location of Substantiated Complaints						
	DOD	Army	Navy	Air Force	USMC	NGB
F1. Substantiated Formal Complaints						
# During military occupational specialty school/technical training/advanced individual training	38	32	6	0	0	0
# During recruit training/basic training	4	3	1	0	0	0
# During the delayed entry program	3	0	0	0	3	0
# During Officer Candidate or Training/Basic or Advanced Officer Corps	5	5	0	0	0	0

F. Location of Substantiated Complaints						
	DOD	Army	Navy	Air Force	USMC	NGB
F1. Substantiated Formal Complaints (cont.)						
# Non-military locale	26	7	13	0	4	2
# State armories and reserve centers	6	0	1	0	0	5
# Unknown	87	78	0	9	0	0
F2. Substantiated Informal Complaints						
# On Duty (i.e., during duty hours)	148	69	22	N/A	N/A	57
# Off Duty (i.e., during time off)	31	9	3	N/A	N/A	19
# Location of incidents that occurred:						
# On a military installation	93	53	21	N/A	N/A	19
# Deployed to a combat zone or to an area where complainant drew imminent danger pay	8	8	0	N/A	N/A	0
# During any type of military combat training	4	3	0	N/A	N/A	1
# On TDY/TAD, at sea or during field exercises/alerts	8	2	0	N/A	N/A	6
# During military occupational specialty school/technical training/advanced individual training	7	5	1	N/A	N/A	1
# During recruit training/basic training	2	0	0	N/A	N/A	2
# During the delayed entry program	1	1	0	N/A	N/A	0
# During Officer Candidate or Training/Basic or Advanced Officer Corps	0	0	0	N/A	N/A	0
# Non-military locale	19	5	4	N/A	N/A	10
# State armories and reserve centers	38	1	0	N/A	N/A	37
# Unknown	38	38	0	N/A	N/A	0

G. Completed Sexual Harassment Investigations						
	DOD	Army	Navy	USAF	USMC	NGB
G1. Formal Complaints						
# Total investigations of formal complaints at close of FY	680	375	180	36	54	35
# Investigations of formal complaints pending completion at close of FY	77	26	29	10	2	10
# Completed investigations of formal complaints at close of FY	603	349	151	26	52	25

G. Completed Sexual Harassment Investigations						
	DOD	Army	Navy	USAF	USMC	NGB
G2. Informal Complaints						
# Total investigations of informal complaints at close of FY	686	203	49	315	N/A	119
# Investigations of informal complaints pending completion at close of FY	55	26	3	7	N/A	19
# Completed investigations of informal complaints at close of FY	631	177	46	308	N/A	100

H. Final Disposition For Offenders In Completed Investigations						
	DOD	Army	Navy	USAF	USMC	NGB
H1. Formal Complaints						
# Offenders in formal complaints	639	353	162	43	55	26
# Offenders pending command action as of close of FY	82	71	1	N/A	4	6
# Offenders for whom command action was completed as of close of FY	496	279	110	43	51	13
# Courts-martial	20	11	3	0	2	4
# Non-judicial punishments	219	90	71	40	16	2
# Discharges in lieu of court-martial	0	0	0	0	0	0
# Discharges in lieu of disciplinary action	7	3	2	0	0	2
# Referred to agency outside of DoD	0	0	0	0	0	0
# Other adverse or administrative actions	198	134	34	3	25	2
# Referred to CID	1	1	0	0	0	0
# Unknown	40	40	0	0	0	0
# Offenders outside of command (civilian)	3	3	0	0	0	0
H2. Informal Complaints						
# Offenders in informal complaints	687	180	52	365	N/A	90
# Offenders pending command action as of close of FY	55	27	0	10	N/A	18
# Offenders for whom command action was completed as of close of FY	547	153	41	274	N/A	79
# Courts-martial	0	0	0	0	N/A	0
# Non-judicial punishments	280	49	8	203	N/A	20
# Discharges in lieu of court-martial	5	2	0	0	N/A	3
# Discharges in lieu of disciplinary action	4	0	1	0	N/A	3

H. Final Disposition For Offenders In Completed Investigations						
	DOD	Army	Navy	USAF	USMC	NGB
H2. Informal Complaints (cont.)						
# Referred to agency outside of DoD	0	0	0	0	N/A	0
# Other adverse or administrative actions	223	79	29	62	N/A	53
# Unknown	36	23	3	9	N/A	0

I. Summary Of Characteristic Information: Formal Complaints						
	DOD	Army	Navy	USAF	USMC	NGB
I1. Alleged Offender(s) by Grade and Gender						
# E1-E9	175	106	38	7	17	7
# E5-E9	396	195	111	24	31	35
# CWO	1	0	1	0	0	0
# O1-O3	58	33	7	8	3	7
# O4-O6	40	20	13	2	2	3
#O7-O10	1	1	0	0	0	0
# W01-W05	11	11	0	0	0	0
# Midshipman	1	0	1	0	0	0
# DoD/Service civilian employee						
# GS 1-12	16	8	8	0	0	0
# GS 13-15	9	6	0	0	0	3
# SES	2	0	0	0	0	0
# Unknown	1	0	0	1	0	0
# Local National/Dependent	2	2	0	0	0	0
# DoD/Service civilian contractor	14	7	7	0	0	0
# Unknown Grade	23	21	2	0	0	0
# Multiple Offenders unknown grade	4	4	0	0	0	0
# Civilian	2	0	2	0	0	0
# Other (Family Member)	1	0	0	1	0	0
# Gender (Male)	707	383	186	37	52	49
# Gender (Female)	30	14	6	6	1	3
#Gender (Unknown)	0	0	0	0	0	0
I2. Complainant(s) by Grade and Gender						
# E1-E4	464	231	147	14	47	25
# E5-E9	178	93	53	8	9	15
# O1-O3	46	26	12	3	2	3
# O4-O6	11	5	4	0	1	1

I. Summary Of Characteristic Information: Formal Complaints						
	DOD	Army	Navy	USAF	USMC	NGB
I2. Complainant(s) by Grade and Gender (cont.)						
# O7-O10	0	0	0	0	0	0
# Family Member	7	7	0	0	0	0
# Cadet	1	1	0	0	0	0
# Civilian	10	5	5	0	0	0
# Unknown Grade	15	11	4	0	0	0
# Other	1	0	0	1	0	0
# DoD/Service civilian employee	3	0	3	0	0	0
# DoD/Service civilian contractor	2	0	2	0	0	0
# Midshipman	2	0	2	0	0	0
# Gender (Male)	96	55	21	10	4	6
# Gender (Female)	640	320	209	16	62	33
# Multiple complainants of unknown gender or grade	3	1	1	0	0	0
I3. Identify Nature of Allegation(s)						
# Substantiated Incidents of Crude/Offensive Behavior	258	142	83	N/A	21	12
# Substantiated Incidents of Unwanted Sexual Attention	198	136	25	N/A	22	15
# Substantiated Incidents of Sexual Coercion	25	11	5	N/A	4	5
# Substantiated Incidents of a Hostile Work Environment	17	17	0	N/A	0	0
# Substantiated Incidents of Other	3	1	2	N/A	0	0
I4. Relationship of Alleged Offender to Complainant						
# Military Coworker	295	122	107	24	12	30
# In chain of command	212	105	69	16	2	20
# Military subordinate	35	20	5	1	2	7
# Military person of higher rank/grade not in the chain of command	138	66	31	1	32	8
# Other military person(s)	45	23	12	1	5	4
# Person in the local community	9	6	2	0	0	1
# Unknown Relationship	19	19	0	0	0	0
# DoD/Service civilian employee						
# GS 1-12	16	8	8	0	0	0
# GS 13-15	5	4	0	0	0	1
# SES	3	0	3	0	0	0
# Unknown	0	0	0	0	0	0

I. Summary Of Characteristic Information: Formal Complaints						
	DOD	Army	Navy	USAF	USMC	NGB
I4. Relationship of Alleged Offender to Complainant (cont.)						
# DoD/Service civilian contractor	16	8	8	0	0	0
# Same unit	462	186	214	33	N/A	29
# Unknown unit	2	0	2	0	0	0
# Same gender	86	31	27	20	5	3
# Different gender	552	213	219	23	49	48
# Unknown gender	0	0	0	0	0	0

J. Summary of Characteristic Information: Informal Complaints						
	DOD	Army	Navy	Air Force	USMC	NGB
J1. Alleged Offender(s) by Grade and Gender						
# E1-E9	209	84	15	88	N/A	22
# E5-E9	355	88	26	177	N/A	64
# W01-CW5	15	1	0	14	N/A	0
# O1-O3	57	23	5	17	N/A	12
# O4-O6	17	6	2	0	N/A	9
#O7-O10	31	0	0	31	N/A	0
# DoD/Service civilian employee						
# GS 1-12	9	4	2	0	N/A	3
# GS 13-15	3	1	0	0	N/A	2
# SES	0	0	0	0	N/A	0
# Unknown	1	1	0	0	N/A	0
# DoD/Service civilian contractor	45	6	1	38	N/A	0
# Unknown Grade	7	3	4	0	N/A	0
# Gender (Male)	684	201	49	338	N/A	96
# Gender (Female)	45	14	2	24	N/A	5
# Unknown Gender	7	3	4	0	N/A	0
# Not Interviewed	3	0	0	3	N/A	0
J2. Complainant(s) by Grade and Gender						
# E1-E4	404	164	37	144	N/A	59
# E5-E9	189	36	16	101	N/A	36
# W01-W05	14	0	0	14	N/A	0
# O1-O3	34	11	1	1	N/A	8
# O4-O6	16	1	0	9	N/A	6
# O7-O10	0	0	0	0	N/A	0
# Family Member	6	1	0	5	N/A	0
# DoD/Service civilian employee GS 1-12	2	0	2	0	N/A	0

J. Summary of Characteristic Information: Informal Complaints						
	DOD	Army	Navy	Air Force	USMC	NGB
J2. Complainant(s) by Grade and Gender (cont.)						
# DoD/Service civilian contractor	2	0	2	0	N/A	0
# Civilian	16	1	1	14	N/A	0
# Unknown Grade	7	2	5	0	N/A	0
# Gender (Male)	115	32	14	60	N/A	9
# Gender (Female)	557	183	45	243	N/A	86
# Unknown Gender	5	0	5	0	N/A	0
# Not interviewed	5	0	0	5	N/A	0
J3. Identify Nature of Allegation(s)						
# Substantiated Incidents of Crude/Offensive Behavior	142	83	10	N/A	N/A	49
# Substantiated Incidents of Unwanted Sexual Attention	117	68	14	N/A	N/A	35
# Substantiated Incidents of Sexual Coercion	3	0	2	N/A	N/A	1
# Substantiated Incidents of a Hostile Work Environment	2	2	0	N/A	N/A	0
J4. Relationship of Alleged Offender to Complainant						
# Military Coworker	402	82	25	249	N/A	46
# In chain of command	172	45	25	71	N/A	31
# Military subordinate	54	27	1	11	N/A	15
# Military person of higher rank/grade not in the chain of command	70	35	10	2	N/A	23
# Other military person(s)	24	15	1	3	N/A	5
# Person in the local community	6	4	1	1	N/A	0
# Unknown relationship	3	3	0	0	0	0
# DoD/Service civilian employee						
# GS 1-12	8	4	4	0	N/A	0
# GS 13-15	1	0	0	0	N/A	1
# SES	0	0	0	0	N/A	0
# Unknown	0	0	0	0	N/A	0
# DoD/Service civilian contractor	19	15	2	1	N/A	1
# Unknown Grade	1	0	1	0	N/A	0
# Same unit	235	108	53	16	N/A	58
# Same gender	60	23	13	11	N/A	13
# Different gender	578	119	53	331	N/A	75
# Unknown gender	4	0	4	0	N/A	0

Appendix B: Glossary of Acronyms and Key Terms

Acronym	Definition
DoD	Department of Defense
DoDD	DoD Directive
E	Enlisted
FY	Fiscal Year
GAO	Government Accountability Office
GCMCA	General Court Martial Convening Authority
MEO	Military Equal Opportunity
NDAA	National Defense Authorization Act
NGB	National Guard Bureau
O	Officer
ODMEO	Office of Diversity Management and Equal Opportunity
TAD	Tactical air direction; temporary additional duty (non-unit-related personnel); theater air defense; time available for delivery
TDY	Temporary Duty
U.S.C.	United States Code

Key Term	Definition
Complainant	In accordance with DoDD 1350.2, a Service member who submits allegations of unlawful discrimination.
Crude/Offensive Behavior	Offensive or embarrassing verbal/nonverbal behaviors of a sexual nature.
DoD Military Equal Opportunity (MEO) Program	The DoD-wide military program of EO that is accomplished through efforts by the DoD Components. It provides an environment in which Service members are ensured an opportunity to rise to the highest level of responsibility possible in the military profession, dependent only on merit, fitness, and capability.
Fiscal Year 2013	October 2012 – September 2013
Formal Complaint	In accordance with DoDD 1350.2, an allegation of sexual harassment that is submitted in writing to the authority designated for receipt of such complaints in Service implementing regulations.
General Court Martial Convening Authority (GCMCA)	The next superior officer in the chain of command who is authorized to convene a general court-martial
Informal Complaint	In accordance with DoDD 1350.2, an allegation of sexual harassment, made either orally or in writing that is not submitted as a formal complaint. For the purposes of this data collection, includes only informal complaints referred for investigation or inquiry.

Key Term	Definition
Location	<p>For purposes of location, please indicate whether incident occurred:</p> <ul style="list-style-type: none"> • on a military installation • while the complainant was deployed to a combat zone or to an area where they drew imminent danger pay • during any type of military combat training • while they were on TDY/TAD, at sea or during field exercises/alerts • during military occupational specialty school/technical training/advanced individual training • during recruit training/basic training • during the delayed entry program • during Officer Candidate or Training School/Basic or Advanced Officer Course • non-military locale • state armories and reserve centers
Reprisal	In accordance with DoDD 1350.2, a reprisal is taking or threatening to take an unfavorable personnel action or withholding or threatening to withhold a favorable personnel action, or any other act of retaliation, against a Military member for making or preparing a protected communication.
Sexual Harassment	<p>In accordance with DoDD 1350.2, sexual harassment is a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</p> <ul style="list-style-type: none"> • Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or • Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or • Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment. <p>This definition emphasizes that workplace conduct, to be actionable as "abusive work environment" harassment, need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or offensive. ("Workplace" is an expansive term for Military members and may include conduct on or off duty, 24 hours a day.)</p> <p>Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a Military member or civilian employee is engaging in sexual harassment. Similarly, any Military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, nonverbal, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.</p>
Sexual Coercion	Classic <i>quid pro quo</i> instances of special treatment or favoritism conditioned on sexual cooperation.
Substantiated Incident of Sexual Harassment	For report purposes, a substantiated sexual harassment incident is a complaint containing at least one founded allegation of sexual harassment as documented in a report of investigation or inquiry.
Unlawful Discrimination	In accordance with DoDD 1350.2, unlawful discrimination includes discrimination on the basis of color, national origin, race, religion, or sex that is not otherwise authorized by law or regulation.

Key Term	Definition
Unwanted Sexual Attention	Unwanted attempts to establish a sexual relationship.
Unsubstantiated Incident of Sexual Harassment	For report purposes, an unsubstantiated sexual harassment incident is a complaint without a single founded allegation of sexual harassment as documented in a report of investigation or inquiry.