

Sexual Assault: Know Your Rights, Know Your Options



You are not alone. As a Service member, you have many protections, services, and resources to help you recover after a sexual assault. Knowing your rights and options can help you take your next steps. Be sure to speak with your SARC or SAPR Victim Advocate about additional legal rights and protections if you decide to participate in an investigation or the military justice process.

What are my rights? You are entitled to...

Safety.

Receive a Safety Assessment to determine if you need additional assistance or protections. A SARC or SAPR VA can help file a restraining order, obtain a military protective order, find you temporary shelter, or help you request a transfer from your duty location or installation if you made an Unrestricted Report.

Free Forensic Exam and Medical Care.

All Service members making a report are entitled to a free forensic examination and follow-up medical care. The forensic exam collects DNA and other evidence that can be used to identify your attacker; it will be safeguarded in case you decide to convert your report and participate in the justice process. Medical care can address other health concerns such as treating sexually transmitted infections, preventing pregnancy, and helping with stress.

Protection.

If you make a report and you believe your career has been negatively impacted, or you are being socially excluded or mistreated, tell your SARC or SAPR VA right away.

What are my options? You can...

Make a report.

File an Unrestricted Report to receive all available services and participate in an investigation. Your commander will update you regularly during the investigation and justice process. File a Restricted Report to receive healthcare, advocacy services, and legal advice without notifying command or law enforcement. Keep in mind, you can report an incident of sexual assault that occurred before you joined the military, including incidents from your childhood.

Check with an attorney.

Retain a military attorney to protect your interests when speaking to investigators, prosecutors, and defense attorneys. Your attorney is called a Special Victims' Counsel (SVC) in the Army and Air Force, or Victims' Legal Counsel (VLC) in the Navy and Marine Corps. SVCs and VLCs are free of charge, and your conversations with them are private and protected under military law.

Request an expedited transfer if you made an Unrestricted Report.

You can ask your leadership for a change in duty location, which can be a different place to work at your unit, on the military installation, or at a different installation altogether. The transfer can be for any reason, such as feeling afraid, uncomfortable, or being concerned about retaliation.

Receive emergency care, medical treatment, and counseling.

You can receive both physical and mental care even if you make a report about a sexual assault that occurred in the past.

Who Can Help

Sexual Assault Response Coordinator (SARC):

An installation or unit resource that supports you throughout the recovery and military justice processes, depending upon your choices.

SAPR Victim Advocate (SAPR VA):

An installation or unit member that assists the SARC in providing you confidential support, information, and assistance. Your SAPR VA will explain resources available to you and escort you to appointments, meetings, or other support services.

SVC or VLC:

A military attorney who represents you in a confidential, attorney-client relationship, whether or not you choose to file a report. SVCs and VLCs CANNOT take a report of sexual assault.

Chaplain:

A military officer who provides confidential, spiritual advice and the opportunity to privately discuss your concerns even if you're not religious. Conversations with a chaplain are confidential and protected by military law. Chaplains cannot take a report of sexual assault.

Victim Witness Assistance Personnel (VWAP):

Specially trained legal workers who support the military prosecutor throughout the Courts-Martial process. VWAPs can help you get to military proceedings, arrange for transportation, and apply for crime victim's compensation. Conversations with VWAP personnel are NOT confidential.

DoD Inspector General (IG):

Your point of contact to report any form of retaliation. You can access information about retaliation and connect to the DoD IG at www.SafeHelpline.org.