

Understanding the Military Response to Domestic Violence



Tools For Civilian Advocates

By Judith E. Beals
May 2, 2003

Updated by Patricia Erwin, PhD
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“When civilian advocates don’t understand the military, it just strengthens the power and control that make it so hard for victims to get help. In my case, a knowledgeable advocate, working in partnership with a military advocate, would have made all the difference. Please, please, use this handbook, and become part of the solution, for the sake of so many others like me who are still out there...”

C.M., Survivor

“Wherever you work as a civilian advocate, you are bound to meet military victims of domestic violence who need your help. Use this handbook to expand your toolbox of options for supporting their journey to safety, justice and healing.”

**William Riley, Administration on Children and Families
U. S. Department of Health and Human Services**

“Our ability to end domestic violence depends, above all, on building a coordinated community response to the needs of every survivor. By using this handbook effectively, civilian advocates can build the strong, informed partnerships that are essential to ending domestic violence in military families. I urge you to do so.”

**Diane Stuart, Director, Office on Violence Against Women
U. S. Department of Justice**

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Training is also available upon request. Call: 1-800-903-0111, ext. 1.

Mission

The mission of the Battered Women's Justice Project is to promote systemic change within community organizations and government agencies engaged in the civil and criminal justice response to domestic violence that creates true institutional accountability to the goal of ensuring safety for battered women and their families. To this end, BWJP undertakes projects on the local, state, national, and international levels.

About the author

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Introduction

Preface

This handbook is designed for you, the civilian advocate working with military victims of domestic violence – both active duty victims and partners of active duty service members. It will help you respond to the uniquely challenging needs of this population of survivors.

Whether you work or volunteer in a shelter, state coalition, government or law enforcement agency, hospital, faith-based organization or other civilian setting, this handbook presumes that you are familiar with the dynamics of domestic violence, and that you are, already, working with survivors to help them build lives free from violence and abuse. It also presumes that you are familiar with civilian response systems in your state and community, and that you have already created a toolbox of strategies tailored to meet local needs.

This handbook is designed to enhance your skills – to expand your toolbox – so that you are able to work with survivors who are associated with the armed services. Think of yourself as building an extension to your existing warehouse of information and options. The foundation is already there, grounded in the empowerment principles of the domestic violence movement and in the knowledge of resources available in your local community. But you'll need extra building materials to work effectively with military-related victims. We'll provide general directions and guidance to assist you in building your toolbox. For the most part, however, you'll need to fill your toolbox yourself. This will depend not only on your community, but on the resources, culture, and leadership of your local military installation and the branch of service with which you are dealing. It will also change as the military response systems to domestic violence evolve and as the mission of the military services fluctuate over time.

In many cases throughout this handbook victims are referred to as “she/her.” Statistics and research show that the majority of victims of domestic violence are women. At the same time, we acknowledge that some men are abused by women.

Why this Handbook?

The Need . . .

There are approximately 3.4 million military personnel stationed in the United States and abroad. That's more than the population of many of our states! Of this number, approximately 1.4 million are active duty, with the remainder DoD and Coast Guard Ready Reserves. There are an estimated 1.9 million family members of the active duty members, with over one-third of active duty members identifying as married with children or as a single parent.

Among this population are victims and survivors of domestic violence – women, men, and children living with the daily reality of emotional, physical, and sexual abuse. The dynamics and impact of domestic violence are no different in the military context. However, characteristics of military life and culture such as these can make some military families particularly vulnerable:

- Economic dependence is increased due to the relative job security of the military (despite periods of down-sizing), and the availability of services provided by the military (housing assistance, day care, health care, formal support services) are highly valued benefits for many young families.
- Frequent family separation and reunification due to deployments and field exercises often requires the assumption of new roles for the partner left at home, usually the wife. Upon reunification, issues may arise related to this role reversal. Long separations can foster distrust between the couple and uncertainty about their future. Children born during deployments or shortly after the service member leaves can also place a great deal of stress on military families.
- The regular rotation of service members and their families, often to locations with unfamiliar cultures, may isolate victims from familiar support systems.
- It is an expectation of the military that service members will be held responsible for the behavior of their spouses and children. This cultural norm could be used as a rationale to exercise abusive power and control tactics with family members.¹
- Access to weapons has been shown to be a significant risk factor in domestic violence homicides.²

Military life, with its powerful control over the lives of service members, presents unique challenges for victims in need of help. Unlike the civilian world, where clear institutional boundaries exist between one's employer and the intervening doctor, judge, social worker, and advocate, the military system is, for the most part, seamless.³ Imagine if in the civilian world that calling a local shelter or confiding in your

¹ Carolyn West, *Partner Violence: A 20-Year Literature Review and Synthesis. Partner Violence in the Military*, www.nnfr.org.

² J. Campbell, et al., *Risk Factors for Femicide in Abusive Relationships: Results from a Multi-Site Case Control Study* (NIJ, R01#DA/AA1156, 2002).

³ One exception to this is civilian law enforcement agencies in which officers often face internal examination for criminal violations, including domestic violence.

doctor automatically caused your batterer's employer to find out about his acts of violence and abuse. The risk of retaliation is obvious and frightening. Of even greater concern to many military-related victims is the fear that if the abuse is reported, the batterer will lose his job or otherwise face adverse career consequences, possibly leaving the victim and her children impoverished and without housing or health care.

In fact, military social service and justice systems can be very responsive to the needs of domestic violence victims. However, to civilians, these systems may appear unapproachable. Not only are the institutional practices unfamiliar, they differ to some degree among the four branches of the armed services and even among installations. As within any community, the protocols that guide the military response on a given installation may vary dramatically depending on the resources, formal and informal relationships that exist on a particular installation, and the extent to which collaborative relationships exist with the surrounding civilian community.

It's Time to Work Together . . .

In the past, civilian and military response systems to domestic violence have usually operated independently of each other. Each response grew out of a different historical context, applied different theoretical frameworks, and operated under different sets of mandates. Most civilian advocates have lacked basic information about the military system, making it a mystery, fostering skepticism or even distrust.

Fortunately this disconnect between the military and civilian response is changing. There are a number of reasons for this:

- Public awareness about domestic violence within military families is rising.
- Increasingly, civilian advocates are called on to assist victims who are civilian partners of active-duty members or active-duty members themselves.
- A significant increase in the number of military victim advocates has meant more contact with civilian counterparts.
- Increasing numbers of military families are living off the installation, making it more likely they will access civilian resources.
- There are some populations of survivors – especially unmarried partners and victims of same-sex battering – for whom military domestic violence services are generally not available.
- Some survivors desire a level of confidentiality that military services may not be able to provide.

In addition, a recent Department of Defense study illustrated that in those communities where civilian advocates have contact with military victim advocates and on-installation resources, the civilian advocates are more aware of the services available to military-related victims. Consequently their attitudes about the military community

– and its response – are more favorable than those who have no knowledge of such services.⁴

At the same time, military response systems are rapidly changing. Since the first iteration of this manual, the Department of Defense has issued more than 10 additional directive-type memoranda related to domestic violence. Also,

- Each of the services has strengthened its protocols for protecting victims and holding batterers accountable.
- In 1999 the Department of Defense, under a mandate from Congress, created a Task Force on Domestic Violence that included both military experts and strong leadership from the civilian domestic violence movement. This Task Force made nearly 200 recommendations for improving the military response to domestic violence. Many of these recommendations have now been implemented, including alternative reporting options for victims, expansion of victim advocacy services, and enhanced civilian-military cooperation. However, strong civilian advocacy and expanded civilian/military partnerships are essential to ensure that the Department of Defense continues to make domestic violence prevention and intervention a priority.
- Most recently and significantly, military victim advocacy services have been greatly expanded across all of the services and overseas, and all military victim advocates are trained on the importance of civilian-military partnerships.
- Finally, the Department of Defense has launched two separate military-civilian Coordinated Community Response (CCR) demonstration projects to help promulgate best practices for all military-civilian communities in setting up such partnerships. Naval Air Station Jacksonville (NAS JAX) has entered into a groundbreaking Memorandum of Understanding (MOU) encompassing a broad array of military and civilian agencies and is now moving into further implementation issues. The army installation at Fort Campbell, Kentucky is also moving into the second stage of implementation after a comprehensive assessment of both military and civilian services and the needs of victims.

How Do I Use This Handbook?

The U.S. military is a large, complex, hierarchical institution. While this handbook provides a broad overview, it cannot begin to describe all the differences in policy and practice among the different branches of the armed services or among different military installations in different states or even countries. The ONLY way to become an effective advocate for military victims is to get to know your local military installation, how it operates, and who the players are. So, if you do nothing else, call up your local installation and start getting to know the Family Advocacy Program (FAP) staff and victim advocates (where available). Nothing will be as helpful as building relationships and creating allies within the system. Get to know people you can call with questions and concerns.

⁴ *Evaluation of the Department of Defense Domestic Abuse Victim Advocacy Pilot Project – Final Report*. December 2005, submitted by Cris M. Sullivan, Adrienne E. Adams, Patricia E. Erwin, Megan Greeson, and Maria Valenti.

Beyond building relationships, use this handbook **actively**; build your own toolkit for working with military survivors. Here's how:

- Gain basic familiarity with military response systems (read this handbook). For updates to the handbook and recent changes in military policy, visit www.bwjp.org.
- Learn **everything** you can about military resources in your community:
 1. Visit the Family Advocacy Program at your local installation. Ask FAP to do an in-service training for your staff.
 2. Review relevant Web sites and printed materials for your local installation and service.
 3. Find out what relationships and agreements (e.g., Memoranda of Understanding) currently exist between military and civilian response systems in your community. Sample MOUs are available in the Appendix of this handbook.
 4. Understand the roles of the military victim advocates, law enforcement personnel, and commanding officers. Memoranda describing these roles is located in the Appendix of this handbook.
 5. Think about what else is needed to help military-related victims and start building allies.

**TIP**

To find your local installation and FAP contact information, visit:
<http://www.militaryinstallations.dod.mil/ismart/MHF MI/isw/home.jsp>

Build your toolkit by completing the “Advocacy Tips” sections in “Tools for Advocates” and using the materials in “Filling Your Toolkit.”

- Continually add your own new tools and materials to this handbook.
- Construct your own set of best practices through experience and ongoing collaboration.

As an advocate, you are already skilled at working with differing, ever-changing, and inconsistent systemic responses within your community. A firm understanding of local practices and strong relationships are the keys to successful systems advocacy. These are the same skills you'll need as you begin to work with military response systems.

This handbook is available on-line at www.bwjp.org, and will be updated on a regular basis to reflect new military policies implemented as a result of the Task Force's recommendations. Please visit the Web site for recent updates and give us your feedback. A “Handbook Assessment” form is included in the Appendix, or you can email us at csponsler@bwjp.org. Thank you!



1

The Lay of the Land: Background Information

To start building your toolkit, you first need a sense of the terrain. Here's a brief snapshot of the four branches of the military and some background on military members and their families:

Structure

The United States Armed Forces are comprised of four service branches – the Air Force, Army, Marine Corps, and Navy. (The U.S. Coast Guard is part of the U.S. Department of Homeland Security.) Members of the National Guard and the Reserves are not subject to military domestic violence response systems unless they have been called into active duty through a presidential order.

Although all of the services report to the secretary of defense, who sets overall policy, they are largely distinct from each other.

TIP

TIP: To learn more about each of the Services, visit:

ARMY: www.army.mil

AIR FORCE: www.af.mil

NAVY: www.navy.mil

MARINE CORPS: www.usmc.mil

DEPARTMENT OF DEFENSE: www.militaryhomefront.dod.mil/service/fap

Since 2001, the Department of Defense (DoD) has issued several directive-type memoranda for all branches of the military in regard to the appropriate response to incidents of domestic violence committed by or against active-duty service members or their family members, as well as protocol for training key interveners and suggested collaborations between military and civilian communities. Each branch of the armed forces is tasked with producing “implementing instructions” which amplify these memoranda and create service-specific implementation guidance to describe the application of the response in detail for their soldiers, airmen, marines, or sailors. The “subject” line of each memorandum is as follows (in chronological order of issuance):

- Department of Defense Instruction Number 1342.24 – Transitional Compensation for Abused Dependents (May 23, 1995)

- Deputy Secretary of Defense Memorandum: Domestic Violence (November 19, 2001)
- Assistant Secretary of Defense Memorandum: Enlistment Waivers for Domestic Violence-Related Convictions (January 22, 2002)
- Under Secretary of Defense Memorandum: Department of Defense (DoD) Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for Military Personnel (November 27, 2002)
- Under Secretary of Defense Memorandum: Department of Defense (DoD) Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for DoD Civilian Personnel (November 27, 2002)
- Under Secretary of Defense Memorandum: Implementation of the Armed Forces Domestic Security Act (November 1, 2003)
- Under Secretary of Defense Memorandum: Establishing Domestic Violence Memoranda of Understanding Between Military and Local Civilian Officials (January 29, 2004)
- Under Secretary of Defense Memorandum: Domestic Abuse Training for Chaplains (January 29, 2004)
- Under Secretary of Defense Memorandum: Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel (February 3, 2004)
- Under Secretary of Defense Memorandum: Domestic Abuse Identification and Assessment Training for Health Care Providers (February 6, 2004)
- Department of Defense Per Diem, Travel and Transportation Allowance Committee Memorandum: Uniformed Travel Determination – MAP 55-03 – Travel and Transportation for Dependents Relocating for Reasons of Personal Safety (FY04 DAA)
- Under Secretary of Defense Memorandum: Military Protective Orders (March 10, 2004)
- Department of Defense Instruction Number 1030.2: Victim and Witness Assistance Procedures (June 4, 2004)
- Under Secretary of Defense Memorandum: Duration of Payment for Transitional Compensation for Abused Dependents (June, 14, 2004)
- Under Secretary of Defense Memorandum: Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty (October 2, 2004)
- Under Secretary of Defense Memorandum: Domestic Abuse Victim Advocate Program (February 17, 2005)
- Deputy Secretary of Defense Memorandum: Restricted Reporting Policy for Incidents of Domestic Abuse (January 22, 2006)

Copies of each memorandum can be found in the Appendix of this manual. They may also be retrieved from <http://www.dtic.mil/whs/directives/>.

Given that each service has its own specific implementing instructions for DoD memoranda, the U.S. Marine Corps, Navy, Army, and Air Force each have somewhat distinct practices and procedures for responding to, intervening in, and “treating” domestic abuse cases. Nonetheless, there are some basic tenets of response which all branches are instructed to follow.

You can expect **commonality** in:

- Benefits entitlements.
- Applicability of federal law, including the Uniform Code of Military Justice (UCMJ), the Victims’ Rights and Restitution Act, and legal remedies under the Violence Against Women Act (VAWA).
- Existence of a Family Advocacy Program (FAP) (though the method of service delivery may differ).
- Victim Advocacy Services.

There are **differences** among the services as they relate to:

- Institutionalized protocols and operating procedures for responding to domestic violence.
- Provision of services to families and victims.
- Housing policies and procedures.
- Types of outreach and prevention programs.

Although a great deal of standardization has taken place, the options available to a military-related victim of domestic violence will depend to a significant extent on which service of the military is responsible for taking action. This is due not only to the differing missions of the various services, but also to the size of the installations, what training has been afforded to personnel, and what resources are available either locally or service-wide. Also, do not assume that it is always going to be the service with which the active duty member is affiliated that will respond to the case. This is because increasingly some installations are housing multiple services, either temporarily or permanently. For example, where an army post also houses Marine Corps units, the Army will provide social services to both Marine Corps and army families affiliated with the installation. With regard to disciplinary action, however, it is the individual service member’s commander, in this example the Marine Corps, who will make the decisions.

NOTE: As you begin to work with military response systems, you are bound to confront an alphabet soup of acronyms. To help you out, we've included a list of the major ones in the Appendix. **You'll need it!**

Each military service has its own rank structure for both enlisted personnel and officers, although some of them are the same across services. Don't be embarrassed – ASK, DON'T GUESS – what to call someone. In a pinch, use "sir" or "ma'am."



To give you a sense of who you are dealing with, here is some background on service members, as well as some information about risk factors and institutional barriers particular to the military system. All of these figures are drawn from the most recent DoD report on military demographics.⁵

Service Member Data

A 2005 Demographics report is available on Military Homefront website.

- The U.S. Army is the largest of the services (494,291 members), followed by the Navy (368,211), the Air Force (372,611), and the Marine Corps (177,020).
- The total number of active duty military personnel in 2004 was 30.4% smaller than it was in 1990.
- Most active duty military personnel are men (85%).
- Almost half of active-duty personnel are 25 or younger, and overall, almost 80% are 35 years old or younger.
- A little over half (52.9%) of active-duty personnel report being married, with 6.8% of these in dual-military marriages.
- One-third of married service members have children – almost 6% report being single parents – with the largest group of children (471,883) between the ages of birth and 5 years, and almost that many (385,435) between the ages of 6 and 11 years.
- At the time of this report, approximately 84% of active-duty members were assigned to the U.S. and its territories, 8 % to Europe, and 7% to East Asia.
- The states with the most military personnel (in order) are California, Virginia, Texas, North Carolina, Georgia, Florida, Washington, Hawaii, South Carolina, and Kentucky.

⁵ 2004 Demographic Report.

- Military wives (i.e., wives of active-duty service members) earn less and are less likely to be employed than their civilian counterparts.⁶
- A majority (56%) of U.S. military personnel and their families live off-installation in civilian settings.
- On average, military personnel are required to change locations (i.e., move) about once every three years. This is called a Permanent Change of Station or PCS in military lingo.

Risk Factors for Domestic Violence

- A high percentage of military personnel have prior histories of family violence. Among navy recruits, 54% of women and 40% of men witnessed parental violence prior to enlistment.⁷
- The military population is concentrated in the ages of highest risk for interpersonal violence (20-40).⁸
- Constant mobility and geographic separation isolate victims by cutting them off from family and support systems.⁹
- Higher-than-average unemployment/underemployment rates for military spouses leave them economically dependent on service members.¹⁰
- Deployments and reunification create unique stresses on military families.¹¹

Prevalence Data

Efforts to accurately compare victimization rates in military vs. civilian communities are generally problematic and inconclusive. Regardless, domestic violence is recognized as a serious problem by the Department of Defense (DoD).

- In FY 2005, approximately 16,000 incidents of spouse abuse were reported to the Family Advocacy Program. Of these, 8,306 – or 52% - were “substantiated.” (You’ll find out what that means later.) Among cases substantiated by the services:¹²
 - The abuser was an active duty military member in 63% of the cases and identified as a civilian spouse of an active duty member in the remaining 37% of cases.

⁶ Hosek, et. al., *Married to the Military: The Employment and Earnings of Military Wives Compared with Civilian Wives* (RAND, 2002).

⁷ Merrill, Hervig, Milner, Booth-Kewley, Patriarca, and Gilman, “Maltreatment histories of U.S. Navy basic trainees: Prevalence of abusive behaviors for the 4th quarter of 1994 and the 2d quarter of 1996,” *NHRC Report No. 97-2* (San Diego, CA: Naval Health Research Center).

⁸ FBI, *Crime in the United States, 1996* (Defense Manpower Data Center, 1999).

⁹ Family Advocacy Program, *Military Community and Family Policy* (Department of Defense, 2002).

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *FY 2005 Report: Family Advocacy Program Spouse Abuse Data* (Department of Defense, Washington, DC).

- The victim was active duty 45% of the time and a civilian spouse in the remaining cases.
- FAP reported 11 spouse abuse fatalities in FY 2005, including two cases where one of the parties had had previous contact with FAP.

In addition to FAP statistics, the DoD also commissioned a study of its Victim Advocacy Pilot Project, which included advocates from all four armed services. According to the study, of those victims seeking services from victim advocates:

- 73% were civilian, 26% were active-duty enlisted, and 1% were officers.
- 84% of victims were married, and the remaining clients were dating (7%), separated (7%), or divorced (2%).
- According to the victims' self-reports, 77% of the cases involved physical abuse, 23% were emotional or verbal only, and 6% involved sexual abuse.
- In 33% of the physical abuse cases, the victim reported being injured.

NOTE: DoD statistics reflect domestic violence reported to FAP, and how the services' FAPs assessed these cases. They should not be considered reflective of the scope and demographics of victimization within military marriages. Nevertheless, it is important to recognize (perhaps contrary to assumptions) that active-duty military women (and men) are sometimes battered by their civilian or military spouses, and that men are sometimes the victims of violence perpetrated by their active-duty or civilian wives. Beginning in FY 2007, FAP began collecting data on domestic abuse allegedly perpetrated by former spouses and by current and former intimate partners of the opposite sex.

Institutional Challenges

Military-related victims remain hidden for the same reasons as other victims of domestic violence (shame, isolation, victim blaming, financial concerns, etc.). However, the unique nature of the military services adds other barriers to reporting abusive behaviors with which civilian survivors are not often confronted. One such barrier is a lack of 100% confidential advocacy services – though gains have been made in this area – and the other is fear of career consequences for either the service member victim or the service member assailant.

Reporting Options

The U.S. military is built upon the foundation of the commander's "need to know" everything about the safety and well-being of military personnel and their family member in order to continually assess the service members' fitness

for duty and any potential impact on “mission readiness.” However, the DoD has recently made a critical exception to this “need to know” for domestic-violence victims (as well as active-duty sexual assault victims), giving each individual the option of either making a “restricted” or “unrestricted” report. The full memorandum explaining this policy is included in the Appendix, but in brief, these reports are as follows:

- a) **Unrestricted Report** This option is for victims wishing the military chain-of-command to know of an incident and to have an investigation and assessment of the case conducted by law enforcement, the Family Advocacy Program (FAP), the command, and others. An unrestricted report generates a series of mandated actions, for example, if a victim advocate is the first to receive the report, she/he must report it to FAP, the command, etc.
- b) **Restricted Report** This allows victims of abuse to report to specific individuals within the military systems, including victim advocates and health care providers (such as FAP clinical social workers and providers in an OB/GYN clinic), the details of the abuse without that person having to report it further. There are exceptions to this policy, so it does not convey to military victim advocates the same level of confidentiality that many civilian advocates have. In addition, if a restricted report comes to be known to the command or FAP by a source other than the restricted report, it will be fully investigated as if it were an unrestricted report.



Each Military Service must develop its own implantation guidance for restricted reporting; be sure to have a copy so you can know what to advise military-related victims.

Regardless of the path the victim chooses, either unrestricted or restricted, many victims remain wary of reliance upon the military system to help them. They understand that they are completely dependent upon the military system, but are reticent to divulge all aspects of their personal lives to representatives of that system. Strong alliances between military victim advocates and civilian advocates will help to provide a vital bridge to victims who may initially be too afraid to turn to the military for support.

One of the key reasons many victims avoid turning to the military is fear of career consequences, either for themselves, if they are the victim, or for their service member partner. This fear may be heightened by an abusive partner threatening a victim that he/she will lose his/her job if the victim reports.

Fear of Career Consequences

When an unrestricted report of domestic violence is made, the service member's supervisor – his or her commander – will be among those who automatically learn about the allegation. Fear of negative career consequences is the primary

disincentive to reporting domestic violence in the military.¹³ This is due both to the fact most spouses do not want to negatively impact a partner's career, such as chances for promotion, but also because it often directly affects them in terms of housing, economic support, and other supportive services. In addition, active-duty victims may fear they will be perceived as "weak" and unsuitable for career advancement. Moreover, both victims and offenders fear that any involvement by military response systems will blemish the service member's career, even if the allegations are not substantiated. as "weak" and unsuitable for career advancement.¹⁴ Civilian victims of active duty offenders fear that the batterer will lose his job, placing the family in economic jeopardy. Moreover, both victims and offenders fear that **any** involvement by military response systems will blemish the service member's career, even if the allegations are not substantiated.

¹³ Caliber Associates, *The Final Report of the Study of Spousal Abuse in the Armed Forces* (Department of Defense, 1996).

¹⁴ Sullivan, et al., *2005 VA DoD Pilot Project Study*.



2

The Foundation: Advocacy Principles and Victim Rights

- No one deserves to be abused. The use of violence against an intimate partner is always unacceptable, except in situations of self-defense.
- “Domestic violence will not be tolerated in the Department of Defense . . . Commanders at every level have a duty to prevent domestic violence, protect victims, and hold those who commit it accountable.” Deputy Secretary of Defense Paul D. Wolfowitz, November 19, 2001. (See Appendix.)
- Every aspect of the response to domestic violence must be victim-centered, grounded in the victim’s right to safety, autonomy, and self-determination.
- Perpetrators of domestic violence are fully and solely responsible for their actions. There’s no excuse for domestic violence.
- The responsibility for holding perpetrators accountable rests with the system, not the victim.
- Domestic-violence policies and practices must be continually reviewed and monitored by community members from the diverse cultural and language backgrounds being served.
- A consistent Coordinated Community Response is required to fully support the needs of victims.
- Victim advocacy, both military and civilian based, is a cornerstone to ensuring victim safety and autonomy.
- “Domestic violence will not be tolerated in our military communities. It is criminal, it hurts individuals, ruins families, weakens communities, undermines readiness, and is contrary to the institutional values of the Armed Forces.” Undersecretary of Defense, David S.C. Chu, October 2006. (See Appendix.)



3

The Building Blocks: Overview of Military Response Systems

Although there are some differences in the way each of the services responds to domestic violence cases, there is a general overall response system that can be outlined here for unrestricted reports of domestic violence involving active-duty service members.

Military Response Systems

The military response to domestic violence, like the civilian response, includes both a social service component and an enforcement/discipline component. However, there are key differences, including:

- **The Restricted versus Unrestricted Reporting Policy** Although this new policy gives victims a better option of being able to report without mandatory notification to command and law enforcement, there are still exceptions to the policy which require victim advocates to report the abuse to authorities.
- **The Family Advocacy Program (FAP)** At each installation, FAP is tasked with preventing, identifying, assessing, and treating domestic abuse. In most cases, military victim advocates are housed within the FAP offices. Other FAP staff may include clinical social workers as well as prevention and outreach specialists.
- **The Installation Command (CO)** The installation CO has the overall responsibility for the response to domestic violence on the installation, including FAP, any military law enforcement, housing issues, etc. In many ways, an installation CO is similar to the mayor of a city or town – the buck stops with him or her!
- **The Service Member's Command and Batterer Accountability** The commanding officer (CO) alone can decide whether to order a member to counseling or take disciplinary action. The latter also represents a significant difference from the civilian community, as disciplinary action can range in the military from administrative in nature (i.e. documenting the behavior in the service member's record book) to several degrees of military court martial.

Unrestricted Report

In general, the military response system to unrestricted domestic violence reports involves four phases:

PHASE 1: Reporting and Immediate Actions An unrestricted report of domestic violence can originate through military or civilian law enforcement, victim advocates, medical personnel housed on military bases, FAP, the victim or offender, command or others such as coworkers, neighbors, friends, etc. Once an unrestricted report is made to any official entity, the military response mandates a series of cross-reports. For example, if an unrestricted report were made to a military victim advocate, she would then report the incident to FAP. Then, depending upon installation-specific guidelines, either the advocate or an FAP counselor would make the additional reports to the service member's command and to law enforcement. Simply put, whoever receives the unrestricted report first is supposed to forward the report to the other two interveners. Also, many installations have reporting agreements with civilian law enforcement agencies. These reporting agreements generally cover how to handle civilians who are abusive on-installation (depending upon jurisdictional issues), and reports of domestic violence that originate off-installation that involve active-duty members. The Department of Defense has established as policy that formal Memoranda of Understanding (MOUs) be developed between installations and local jurisdictions, including specifically civilian and military law enforcement agencies. (See the Appendix for an example.)

During this stage, a military victim advocate will work with the identified victim to ascertain immediate safety issues. As part of this step, the advocate will also work with the command to determine the need for a Military Protective Order (MPO) in the case. See DoD policy guidance and sample MPO in the Appendix of this handbook.

MPOs cannot be enforced by civilian law enforcement, but they do apply to the active-duty member wherever he or she is; it is violation of a command order to violate the MPO, and the active-duty member can be disciplined under the Uniform Code of Military Justice for such violation. Victims should document any and all violations.



PHASE 2: Investigation and Assessment This is a two-part process. If law enforcement determines an investigation is warranted, or if command requests it, military law enforcement will conduct any follow-up investigation that is required. This may be done by the police, military investigators (Criminal Investigations Division (CID), Naval Criminal Investigative Services (NCIS), Office of Special Investigations (OSI)), or command. (In a case of an unrestricted, reported sexual assault case, the investigative branch of military law enforcement will always be involved.) Concurrently, FAP staff are tasked with conducting a clinical assessment of both the alleged offender and the victim regarding the history and the reported incident of domestic violence. The active-duty member is usually

required to participate in the assessment process by his/her command; however, civilians (both victims and abusers) have the option of whether or not to participate. In most cases, it can be helpful for the victim to let FAP know about the history of abuse. If a victim does not want to talk to a counselor, she can relay information through the victim advocate as an alternative.

PHASE 3: Findings and Recommendations Once the investigation and assessments are complete, the information gathered is presented to a review board. The Army, Marine Corps, and Navy convene a multi-disciplinary FAP committee, which may include law enforcement personnel, command representatives, FAP representatives and legal representatives. Victim advocates and counselors may attend based on service and installation policies.

The goal of the FAP committee is to determine if abuse happened in the incident reported. The committee can make one of three decisions: substantiated abuse, unsubstantiated abuse, or find the incident unsubstantiated/unresolved. In substantiated cases, the committee will make recommendation to the service member's command (if that who was substantiated against) for clinical follow-up services. Depending on the severity of abuse and danger to the victim, this can include:

- **Victim Protection** possible continuation of the MPO, relocation of the victim, monetary support, etc.
- **Services and Treatment** for both victims and offenders, such as continued advocacy services for the victim, military-based batterer intervention program for the offender, one-on-one counseling, etc.

Restricted Report

In general, the military response system to a restricted report involves only a single phase.

When a victim decides to make a restricted report of domestic violence, she must make the report to specific personnel on the installation: the victim advocate, victim advocate supervisor, or a health care provider which may include FAP clinical social workers. If a victim first reports to a clinical social worker or other health care provider, she will be referred to a victim advocate. The victim advocate will do safety planning with the victim and discuss the victim's immediate and long-term needs. A military-related victim may make both restricted and unrestricted reports.

NOTE: It is important to remember that if a victim makes a restricted report and it becomes known to a mandated reporter such as law enforcement or the command, the report automatically becomes an unrestricted report.

Overlap with Civilian Response Systems

There is – and needs to be – tremendous overlap between military and civilian response systems as they relate to victims and offenders. Here’s what you need to know:

Cooperative Relationships and Memoranda of Understanding

Increasingly, civilian communities located near military installations either have, or are developing, Memoranda of Understanding (MOUs) with the installation for responding to domestic violence incidents involving military personnel. These agreements generally cover law enforcement response, prosecution, protective orders, shelter, and information sharing. Some communities utilize liaison personnel to facilitate coordination and information sharing. Others have not yet taken these steps. In collaboration with the Department of Justice (DOJ), Office of Violence Against Women (OVW), two installations are currently proceeding as demonstration sites for a military-civilian Coordinated Community Response (CCR) – the Fort. Campbell, Kentucky (U.S. Army) and Jacksonville, Florida (several U.S. Navy installations). In addition, the DoD has issued a memorandum outlining the need for MOUs between civilian and military communities, including sample MOUs, which are included in the Appendix.

Jurisdictional Issues

Questions of jurisdiction can be confusing. Some installations are under exclusive federal jurisdiction while others have both local and federal jurisdiction (concurrent). Also, in some installations certain areas are solely under federal jurisdiction while other areas are under concurrent jurisdiction. Find out which type of jurisdiction governs the installation with which you are working. A key person to help you in your understanding of jurisdictional issues will be the judge advocate general (JAG) officer (an attorney) for the base. Each installation commander has a JAG office and the staff here will be critical if you ever want to pursue an MOU between the military installation and your civilian community.

Besides getting to know the JAG, the most important things to remember are:

a) Advocacy and Social Services

Jurisdictional issues NEVER stand in the way of your obligation to provide services. You SHOULD offer to provide shelter, counseling, and other services, regardless of perceived jurisdictional issues or whether the victim is receiving services on the installation. State and federal law prohibit discrimination on the basis of military status. Oftentimes, a victim will need services from multiple access points in order to have his or her needs met.

b) Protective Orders

Even if a Military Protective Order (MPO) has been issued, a victim should always consider pursuing a civil protection order (CPO) in the civilian jurisdiction. A CPO is enforceable both on and off the installation, as well as in all 50 U.S. states. Furthermore, a CPO may last longer than an MPO and can often include orders concerning custody and financial support.

Under the Armed Forces Domestic Security Act issued in 2003 (see Appendix), CPOs are given the same force and effect on a military installation as in the civilian jurisdiction of the court that issued the order. However, the Act's definition of a CPO does not include a support or child custody order issued pursuant to state divorce and child custody laws except to the extent that such an order is entitled to full faith and credit enforcement under other federal law. CPOs within the Act's scope include civilian protection orders that pertain to the conduct of government civilian employees, government contractors, members of the National Guard or Reserve who are not on active duty, and family members of all of these. Consult a JAG as to whether CPO provisions that restrict access to firearms are enforceable. Provisions pertaining to personally owned firearms are clearly included, but provisions that purport to restrict access to firearms issued by the military may not be enforceable. This may be relevant if the subject of the CPO works in law enforcement on a military installation and customarily carries a firearm during duty hours without restrictions or supervision.

A government civilian employee who violates a civilian protection order while on a military installation is subject to appropriate administrative or disciplinary action by the military authorities. A government civilian employee, government contractor, member of the National Guard or Reserve not on active duty, or family member who violates a civilian protection order while on a military installation may be barred from the installation. A civilian judge who issued the civil protection order may impose sanctions on any person who violated the order while on the military installation.

If the alleged assailant is an active-duty member, an MPO can also be sought. As stated earlier, the MPO follows the service member regardless of where s/he is, either on or off installation, and even outside the U.S., so long as the service member remains assigned within the command that issued the MPO. However, an MPO cannot be enforced by civilian law enforcement, so in most cases it is beneficial for a victim of domestic violence to pursue a civilian restraining order as well as an MPO. Also, MPOs are generally short-term in nature. Some of the services recommend a total duration of no more than 10 days following the initial incident.

Whenever possible, seek both. Don't let jurisdictional concerns prevent you from accessing all the safety and protective measures at your disposal. If questions arise, seek legal advice both on and off the installation.

c) Criminal Enforcement

Service members can potentially be prosecuted in a local, county, or state court, in federal court, and/or through the military justice system for a variety of crimes. Civilians generally cannot be prosecuted through the military criminal justice system for acts committed within the U.S. If a civilian is arrested or commits a crime on an exclusively federal jurisdiction, the responsibility for pursuing any criminal action falls to the U.S. attorney's office. If a service member is prosecuted for a domestic violence-related incident, it is important to work with the prosecutor to ensure that the domestic violence aspect of the crime remains in the charges so that a victim eligible for transitional compensation will receive

it if the prosecution is successful. Victims ineligible for transitional compensation may nevertheless be eligible for state or federal crime-victim compensation, depending on the jurisdiction that prosecuted the case.

d) Soldiers and Sailors Relief Act

Under the Soldiers and Sailors Civil Relief Act (SSCRA), service members can sometimes avoid responding to criminal charges and civil lawsuits (including divorce and custody actions as well as domestic violence protective order actions) if they are deployed or if the proceeding is not in the state where the installation is located. The SSRA also makes it easier to obtain a divorce and custody determination outside of the family's home state. If questions arise, get legal advice. Commanders who are aware that the legal proceeding concerns the safety of another person usually do not concur with the service member's request for a postponement or change to a different jurisdiction.



4

Tools for Advocacy

Your Role as an Advocate

Your role as an advocate is:

- To listen, and to understand the full range of concerns and needs facing the person with whom you are speaking or meeting.
- To offer accurate information and an informed understanding of the options available to the victim.
- To actively support the victim in choosing her/his own path to safety.
- Where appropriate, to clear the path and remove obstacles confronting the victim by advocating on the victim's behalf with systems and individuals that will impact the quality of response.
- To constantly work to improve systems so that they will be more responsive to future victims.

As a civilian advocate, your role is uniquely important because you are in a position to offer this support *confidentially*. It is not firmly settled in law that a victim advocate with confidentiality under state law or a federal grant program has total confidentiality in a military court martial or federal criminal prosecution. There are complex issues of constitutional rights for defendants and federal-state relationships that require careful analysis and balancing.

- Explain the scope of your confidentiality policies, as well as your role, to the person you are assisting.
- **Never take action yourself without the victim's consent.** If the victim requests that you share information with anyone else, be sure to obtain a signed release that clearly states the scope of information you are authorized to share. If your agency does not already have a standard release form, seek legal guidance in crafting one.

If the victim is or will be utilizing military response systems, your role as a civilian advocate is uniquely challenging. Your ability to directly influence the military response will be limited. For example, even with the victim's consent, you are unlikely to have direct access to command or military law enforcement. Your primary interactions are likely to be with FAP personnel and military victim advocates. These individuals are in the **best** position to advocate internally for the victim. Developing strong internal allies is **critical** to your success.

Where to Start: Assessing Needs

Use the needs and safety assessment tools adopted by your agency or program. Supplement them with additional questions to find out:

1. If active duty, what is the victim's rank? What is the rank of his/her partner? Do they live in military housing? How long have they been in the service?
2. Are there any upcoming deployments or returns from deployment?
3. What does the victim want (if anything) in terms of a military response?
4. Has the victim reported the abuse to anyone at the installation? What exactly did s/he report? To whom? What happened?

NOTE: The section entitled "My Toolbox" (see page 61.) includes a suggested "NEEDS/SAFETY ASSESSMENT: SUPPLEMENTAL QUESTIONS FOR MILITARY VICTIMS OF DOMESTIC VIOLENCE" as well as the DoD directive-type memo, "Domestic Violence Victim Advocate Program," which includes a sample safety plan used by military victim advocates.

Deciding Whether to Report

Some victims will come to you because they want the violence to stop, but are unsure or concerned about the consequences of reporting to the military victim advocate, FAP, military law enforcement, or the command. Your first and perhaps most important role will be to help a victim make an informed choice about how to proceed. This decision is a central component of safety planning.

Make sure you understand the difference between restricted and unrestricted reports so you explain this to military victims. Ask a military victim advocate to do an inservice training for your agency.



Below, we've listed some of the major concerns victims are likely to voice. Keep in mind that:

- Determining whether these fears are real or perceived will depend on a wide range of factors, including:
 1. Severity of abuse/violence.
 2. Sensitivity and training of installation personnel.
 3. What the particular commander thinks about issues of domestic violence.
 4. Rank and performance of service member (whether victim or abuser).
- There are clear safety benefits as well as risks to reporting. The victim must understand both in order to make an informed decision.
- Generalities and “official policy” are of limited value in separating fact from fiction about the implications of reporting. To help a survivor sort this out, you need relationships with installation personnel within FAP – someone to whom you can present a hypothetical scenario and know that you'll get the “real deal” on what's likely to happen. Most installations now have an on-base victim advocate or an advocate who is part-time at the installation; build relationships first so you can use this person as a resource for these hypothetical situations.

REMEMBER: While your role is to help the victim sort through these issues, there is seldom a clear answer to be found and no guarantees in how the system will actually respond.

Increased Violence/ Retaliation by the Batterer:

“My active duty partner is hurting me. I'm afraid that if I report, his commander will find out, and I'll be beaten even worse for ratting on him.”

► What You Need to Know:

All victims face increased risks when they take action to end the violence. These risks may be amplified in the military context because of:

Restricted/Unrestricted Reporting There is no outright confidentiality in the military system. The armed services do now provide victims the option of restricted reporting. There are exceptions to this policy, such as in cases of a serious and

imminent threat to the victim or another party, if the allegation may affect an active-duty member's fitness for duty (related to Disability Retirement Boards), cases in which the victim discloses that the alleged abuser has also abused her child, or in cases where a judge or other court official issues a subpoena for the covered communication. Because of this, civilian advocates should discuss the consequences of reporting to the military fully with the victim and/or consider having her speak about these issues with a military victim advocate before she decides upon making a report.

Potential Consequences

To the Batterer A service member who is convicted of misdemeanor domestic violence by a civilian criminal court, or of that crime's military equivalent by a general or special court martial – is subject to the Lautenberg Amendment of the Federal Gun Control Act, and so loses his/her ability to possess firearms. Active duty personnel may be reassigned to a duty position where the use of firearms is not required or, in most cases, separated from the service.

To the Victim If a service member is reduced in rank or possibly his/her position in the military, the victim's economic well-being may also be severely impacted, as her access to base housing, medical services, and other support may be lost. When a service member "loses" rank, this will be accompanied by a pay cut, which can negatively affect overall family finances, particularly if there are children involved.

▶ Exploring This Further:

- Carefully assess danger using safety and lethality assessment tools that have been tailored to the military context.
- Talk about safety planning and options for getting both military and civilian protective orders when the report is made.
- Understand and explain housing and sheltering options.

NOTE: The Department of Defense issued guidelines in 2004 stating that commanders "shall issue MPOs when necessary to safeguard victims, quell disturbances, and maintain good order and discipline while victims have time to pursue protection orders through the civilian courts" Civilian advocates should check with their local installations to learn the particular guidelines in place at that service and installation. Also, have a copy of the MPO form on file so victims can see what it looks like.

Active Duty Batterer Will Face Adverse Career Consequences or be Discharged:

“I have young kids and no job. If I report, my spouse will be discharged and we’ll have nothing.”

► What You Need to Know:

- DoD studies confirm that although this fear is the primary deterrent to reporting domestic violence, it is in fact more a perception than a reality. At present, few service members are actually discharged due to domestic violence. The exact numbers of service personnel facing discharge or other adverse career consequences (e.g., loss of assignment or promotion) is unknown, as no universal tracking system exists at this time.
- If a military member is **convicted** of a misdemeanor domestic-violence offense (in a civilian court, military special court, or general court martial), a federal law known as the Lautenberg Amendment requires that the offender be denied access to firearms. For certain service members, this means s/he may be reassigned or separated from the service. It is more likely that a male marine or soldier in the army will be separated, since the expectation for those services is that every male active-duty member can be a warrior in combat.
- The definition of “firearm” under Lautenberg does not include other major weapons systems and equipment, e.g., missiles, tanks, etc.¹⁵

► Exploring This Further:

- Explore the sources of the victim’s fears about her partner’s career. Often-times, the batterer will maximize this fear to threaten the victim and secure her/his silence.
- Make sure you, as a civilian advocate, understand the different levels of non-judicial and judicial punishment that can be applied to a service member and how such measures are recorded, either in a service record or a medical record. For example, in some services one of the lowest forms of “official” non-judicial punishment is what is called a “Page 9.” It is called this because adverse events such as domestic violence or other issues are recorded on page 9 in a service member’s record book. Get to know the policies of the service with which you are working; the installation judge advocate is a great resource for this and may even be able to provide training. Once you have this knowledge, you can explain it to victims and help

¹⁵ For more information on Lautenberg, see DTFDV, Initial Report, pp. 41-42.

inform their decisions on whether to make a report and whether it should be restricted or unrestricted.

- As previously mentioned, understand and explain the Lautenberg Amendment. (Be aware, however, that within the military, most domestic violence is handled through disciplinary action that does not invoke the Lautenberg Amendment.) The DoD directive-type memo regarding application of the Lautenberg Amendment is included in the Appendix to this handbook.
- Explain options for financial support if a report is made, e.g., through terms of a CPO. Also, explain transitional compensation for victims who are spouses of active-duty personnel if charges are filed in the case either through the military or civilian courts. The military victim advocate is an excellent resource for information about transitional compensation and each service and the DoD can provide brochures to help explain how a victim's case can become eligible. This is important for civilian victim advocates to know, particularly if a case is being prosecuted in the civilian courts. In some jurisdictions, cases may be pled down from a domestic violence charge to disorderly conduct; in cases where the defendant is military, this may disqualify the victim for transitional compensation.

Batterer Won't be Held Accountable:

“If I report, nothing will happen. They only care about their service member, and no one will believe me.”

What You Need to Know:

- Commanders have broad discretion in deciding to take any action against a service member, and the degree to which the importance of the service member's skills and performance (to the military mission and his/her potential for future service) will factor into the decision. Some victims report that they have discussed their abuse with their partners' supervisor and they wonder why nothing has happened to hold him/her accountable. Often the service member's direct supervisor is not the commanding officer, but simply someone with a higher rank than her partner and not usually a person in a position to make any decisions. Find out who the person in the unit is who is authorized to make decisions regarding personnel and get his/her name, rank, and contact information.
- Sometimes the victim does not clearly identify specific acts of physical or sexual violence, but only discusses the abuse in generalities like “things are not going well/ he scares me/ last month we had an incident/ he has been

mean to me.” When reporting abuse, the victim should provide specific information about the abuse, including, if possible, dates and what happened during the incident, e.g. type of violence used.



Per DoD policy (see the memorandum in the Appendix), all commanding officers and senior enlisted personnel are now required to receive domestic violence training, including required annual training. In addition, officers and senior enlisted personnel must familiarize themselves with local resources within 90 days of taking on a new command. The latter includes familiarity with local shelter services. Civilian victim advocates should ensure that up-to-date materials are available through the FAP and coordinate with the military victim advocate to help make all commanders aware of the range of civilian services available.

Exploring This Further:

- Who, if anyone, has the victim talked to about the issue to date? If s/he has, what was the response? Is the abuser friends with the person to whom s/he reported?
- Explore what the victim knows about the abuser’s overall level of support from his/her supervisor and/or commander. Does s/he have performance problems? Does s/he have unique skills for the military mission?
- It may seem that the service member has support from his/her immediate supervisor, but someone higher up in her/his partner’s chain of command may take a stronger view on issues of domestic violence. Try and determine if the victim has ever spoken to any senior enlisted personnel in the unit or the executive officer (XO) or commanding officer (CO) about the issue.
- Discuss command options that will not necessarily impact the member’s duty obligations – e.g., batterer’s intervention, MPOs. Also, explain that a responsive commander may actually have extra leverage over a highly valued/skilled member, who has much more to lose in terms of his/her career.
- Discuss hypothetical scenarios with military victim advocates who can provide valuable insight regarding the likely response from the military system.
- Visit Military Homefront to view the Web-based training for commanding officers to get an understanding of the protocol they are expected to follow.

Adverse Career Consequences for Active Duty Victim:

“I’m active duty, and I’m being beaten at home. If I report, I’ll be perceived as weak and my career will be over.”

► What You Need to Know:

Active-duty victims face unique challenges and many fear for their own military career if they are identified as being a “victim.” Shame and fear of exposure – the primary impediments to any victim seeking help – are exacerbated for active-duty victims who are expected to be “able to handle anything.” If the victim-blaming is coming from the person with greatest influence over your professional advancement, the risks are real. Further, recent research indicates that for some active-duty victims, the fear that everyone in the unit will know what is happening with them is another impediment to reporting.

► Exploring This Further:

- Explore the relationship/history between the victim and her/his direct supervisor and/or commander. Is s/he likely to have support?
- Explore information about the batterer. Is s/he civilian or military, and, if military, is s/he senior or junior to the victim? Has the batterer had other problems with the command?
- Be sure the victim understands that the DoD’s and the service’s official policies on domestic violence make clear that domestic violence is not to be tolerated and that commanders are expected to take action, including MPOs.
- Talk about the benefits and limitations of both restricted and unrestricted reporting with the active-duty victim.

If the Victim Decides to Make an Unrestricted Report. . .

After considering both the risks and benefits, the victim may choose to make an unrestricted report of domestic violence to military authorities.

► What You Need to Know:

- The victim can report/disclose abuse to FAP, military law enforcement, medical personnel, or command. As discussed earlier, make sure the report of abuse is specific and is reported high enough in the chain-of-command to ensure a response. It may be a good idea to first consult with the on-base victim advocate to determine the best strategy for reporting.

- The FAP staff will want to interview both parties to obtain information about the “incident” and about the history of abuse in the relationship. Participation in this assessment process is voluntary for the civilian victim. However, once the victim has decided to report the incident (or the incident has been reported by another agency/party) participation in the assessment process is the only means for the victim to present her/his side of the story to the committee which makes determinations about abuse. FAP staff (particularly victim advocates) can assist victims with additional safety planning, offer information about their rights and benefits, and facilitate access to other on-base services. In addition, FAP and you, as the civilian advocate, can ensure the victim has ongoing confidential advocacy services both in the local area and in another part of the country to which she may relocate.
- Once an unrestricted report is made, military directives will control the sequence of events and who is notified. A victim who says “I want him to get help, but I don’t want command to find out” should be advised that once an unrestricted report is made, each intervener, e.g. law enforcement, command, medical, and FAP, are all obligated to report to one another.



Advocacy Tips:

- With an unrestricted report, the victim is more likely to get a favorable response if s/he makes a timely report of a specific incident of abuse or violence (as opposed to a more generalized report) and there is some type of documentation or corroboration – pictures, witnesses, medical reports, a log, etc. If the incident has just occurred, it is critical to involve the law enforcement response as soon as possible in order to document injuries, take statements, and have officers interview any available witnesses.
- Help clear the path for the victim by providing contact information within FAP that will be most helpful. Advise her/him to remain in contact with an FAP social worker or victim advocate and to request immediate notification of updates, e.g., issuance of MPO, CRC determination, disciplinary proceedings, etc. This is a critical safety issue.
- **Always** engage in careful and ongoing safety planning when the victim is considering reporting. (Use the “SAFETY CHECKLIST” sheet in the Appendix). But remember: **safety planning is a process, not just a piece of paper.** Talk to the victim frequently about her/his safety plan, what has changed, what has not, and how safe she is feeling.

If the Victim Decides to Make a Restricted Report...

After considering both the risks and benefits, the victim may choose to make a restricted report of domestic violence to specific personnel on the installation, such as the victim advocate or identified health care providers, including clinical social workers.

 **What You Need to Know:**

- The victim can make a restricted report of domestic violence to identified individuals upon an installation. However, a restricted report does not guarantee the same level of confidentiality as a report to a civilian advocate. There are situations in which, even if a victim wants a report to remain restricted, an advocate or counselor may determine that a serious threat is imminent to the health or safety of the victim (or others) and an unrestricted report must be made. In any case where the advocate or counselor believes an exception applies, the advocate or counselor must seek guidance from his/her supervisor and the JAG. If there is uncertainty or disagreement as to whether the exception applies, the installation commander must be notified and will make the decision. In cases where a victim advocate or her/his supervisor determine a previously restricted report must be disclosed, every reasonable effort must be made to notify the victim and tell him/her what is being disclosed and to whom.
- Even in cases where a victim has made a restricted report, if someone else such as law enforcement or others reports the same incident, the entire report becomes unrestricted.
- A victim may have had previous unrestricted reports and still make a restricted report.
- A victim who makes a restricted report is entitled to both victim advocacy and medical services.
- Both current and former spouses and current and former intimate partners of the opposite sex of military personnel can make restricted reports and are entitled to receive victim advocacy and medical services to the extent that they are eligible for military benefits.

In jurisdictions where medical personnel are mandatory reporters of domestic violence, civilian victim advocates should consult with military victim advocates and the installation JAG to determine if the military medical personnel can take restricted reports.

 **Advocacy Tips:**

- Strategize with the victim about what to do if a restricted report turns into an unrestricted report, or if the victim later decides to make it an unrestricted report. What are the safety implications for the victim? Any children?
- Keep in touch with the on-base victim advocate, working as a team to ensure all possible measures are in place to protect the victim.
- Encourage the victim to document the incident in case she later decides to report. S/he may take photographs, keep a written journal of incidents with details, or tell a trusted friend.

Civilian Options/Tools

Your existing toolbox of civilian options is available for you to use whether or not the victim reports the abuse. These tools include:

Safety Planning

▶ What You Need to Know:

Safety planning will differ, depending on whether the victim plans to leave or stay. It will also differ depending on whether the victim is active-duty military or civilian.

▶ Advocacy Tips:

- **Always** do safety planning.
- Use your existing safety planning tools and supplement them with military-specific information. Pay attention to:
 - Identifying fears/concerns related to deployments and returns, new duty assignments at the same installation, or permanent change of station (called a PCS) to a new installation. (For example, ask, “When are you most afraid?”)
 - Providing key contact information to the victim, both on and off-installation.
 - Listing and collecting additional key documents, including passports and military ID cards.
 - Military and Civilian Protective Orders.

NOTE: The section “My Toolbox” includes supplemental questions to include in your “NEEDS/SAFETY ASSESSMENT” and “SAFETY CHECKLIST” forms.

Civilian Protective Orders (CPO)

▶ What You Need to Know:

- If either the victim or offender lives off-installation, or if an incident of abuse took place off-installation, the local civilian court has jurisdiction to issue a civilian protective order (CPO); in other cases, check with your local legal advocates to determine a victim’s eligibility to pursue a civilian order.

- A CPO is subject to the full faith and credit provisions of the Violence Against Women Act (VAWA) and is enforceable in any state in the country.
- Under a new law known as the “Armed Forces Domestic Security Act,” CPOs are also enforceable on military property.¹⁶ Included in the Appendix is a memo outlining the DoD implementation of the Armed Forces Domestic Security Act (AFDSA). In short, the DoD states that:
 - CPOs will have the same force effect on a military installation as it has within the jurisdiction of the court which issued it; a civilian judge may impose sanctions against any civilian or active-duty service member who violated the order while on the military installation;
 - Installations may establish procedures for registering such orders, but are not required to do so, and the fact that a civilian order is not so registered cannot be used as an excuse not to enforce it;
 - Commanders may issue MPOs which are more restrictive than the civilian restraining order and which may be applicable beyond the jurisdiction of the civilian court, including locations outside of the United States;
 - Violations of any order issued to active-duty personnel can be prosecuted under the Uniform Code of Military Justice (UCMJ).

Advocacy Tips:

- If the victim obtains a CPO, consider if, how, and when the military installation will be notified, and engage in appropriate safety planning. Contact the military victim advocate to determine; if the installation has an agreement in place with the local Court which results in all CPOs against military members being automatically sent to the installation (This may influence her desire to obtain a CPO), and if the installation has a process for registering the CPO.
- If the victim obtains both a CPO and an MPO, try to ensure that the provisions are consistent with each other (e.g., if children are protected by the MPO, they should also be protected by the CPO). Pay special attention to provisions concerning access to firearms. Consider the need for the MPO to be more restrictive if the victim or abuser will be traveling out of the court’s jurisdiction, e.g. overseas.
- If the victim is moving, ensure that s/he brings the CPO with her/him and registers it per local procedures in the new location (if it is safe to do so).

¹⁶ P.L. 107-311 (enacted 12/02/02).

Divorce and Custody

► What You Need to Know:

- Divorce and child custody are private civil matters, governed by state law in the filer's state of permanent residence. Given the mobility of military families, jurisdictional issues can present a challenge. However, the Soldiers and Sailors Civil Relief Act (SSCRA) makes it easier for military members to engage in legal proceedings outside of their home states.
- Military lawyers (judge advocates general or "JAGs") may be available for limited consultation (but not representation) on divorce and custody matters. Whether this assistance is available will depend on the service and installation. If such assistance is available, counsel will only consult with the first party to seek assistance.
- Generally, upon separation or divorce, civilian family members will be required to vacate military housing within 30 days. If the military member vacates housing sooner (i.e., relocates to barracks), the home must generally be vacated within 30 days of the service member's relocation. If the victim can demonstrate to the commander that she needs to move for reasons of "personal safety" due to dependent abuse prior to separation or divorce, the military will cover the costs of her transportation. The military will pay the cost of shipping the victim's household goods and personal vehicles if the property has been divided by agreement with the service member or a court order.
- The Uniformed Services Former Spouse Protection Act (USFSPA) determined that military retirement, pay, and benefits can be considered marital property upon divorce. The USFSPA establishes a ceiling relative to the distribution of military retirement pay and benefits; distribution system; and eligibility for commissary, ID cards, health care benefits, etc.
- Upon divorce, a non-military spouse may lose military IDs and health care benefits, depending on years of service during the marriage. Children may be able to keep health benefits even if they remain in the custody of the civilian spouse.

► Advocacy Tips:

- Identify a domestic violence attorney who is familiar with laws of your state, and, if possible, familiar with military related family law, including the Soldiers and Sailors Civil Relief Act, the USFSPA, the Transitional Compensation Program etc. Possible resources include Legal Aid, a volunteer attorney program, or the local bar association. Don't get just any attorney!

- If the victim and abuser have children and he sues for legal custody, she needs an attorney. The victim can bring her own suit or try an emergency custody order. Consider having passports turned over if there is a concern of a flight risk.
- Gather resources about divorce and custody from the JAG office, FAP and civilian sources, e.g., Miles Foundation.

Military Options

Involving military response systems has numerous advantages – added leverage against the offender if s/he is a service member and the availability of services. It also has risks, as discussed earlier. Above all, victims need to know what is likely to happen if military response systems are activated. (Of course, as in the civilian world, there is no guarantee that things will always happen as they are supposed to happen.)

Remember, your role will consist primarily of:

- Providing information to the victim about military options.
- Supporting the victim's self-advocacy with military personnel.
- Working with FAP personnel, as requested and authorized by the victim, to ensure they have the necessary information to achieve the results desired by the victim.

Confidential and Other Resources

What You Need to Know:

- Victim advocates, victim advocate supervisors, and health care professionals (including clinical social workers) are all authorized to take restricted reports on domestic violence cases. As stated earlier, however, there are exceptions to the restricted reporting policy under which a report taker would have to disclose the abuse.
- A communication intended to be confidential that is made to a military chaplain as a formal act of religion or as a matter of conscience in the chaplain's capacity as a spiritual advisor is privileged under the military rules of evidence. Depending on their level of understanding about domestic violence, military chaplains may be a source of information and support to victims.

 **Advocacy Tips:**

- Learn about the installation's chaplaincy services. (Don't assume the chaplain's knowledge of domestic violence issues or understanding of confidentiality issues. Check this out before making referrals.)
- Find out about the availability of victim advocates on the installation and implementation of restricted reporting on the installation. Some services differ on the interpretation of when a restricted report has to be disclosed; know this before you recommend any actions to a victim.
- Discuss with FAP personnel whether there is an option for the victim to consult with them without making a report. If not, find out if there are ways for you to present hypothetical scenarios to a contact on the installation in order to help a victim decide whether to access installation services.

Military Law Enforcement

 **What You Need to Know:**

- In most cases, if an incident occurs on the installation, military law enforcement personnel will respond to the scene. In some cases, however, civilian police may respond if housing is located in an area where there is an agreement for the local police to do so. However, military law enforcement may be the first responders if the incident occurs in military housing located in a civilian community.
- Some military law enforcement personnel may not have domestic violence training and may not be versed in predominant/dominant aggressor issues or in evidenced-based domestic violence prosecutions (photographs, excited utterances, defensive vs. offensive wounds, etc.).
- In many communities, there is an information-sharing relationship between the military security office, sometimes called the provost marshal's office (PMO), which oversees security issues for the installation and the local civilian police department. These relationships may be formalized through a Memorandum of Understanding (MOU) and cover such issues as jurisdiction, what happens if a military member is arrested in the civilian community, etc.

NOTE: See the section below on “Strengthening the Structure: Systems Advocacy” for information on DoD language regarding suggested MOUs between civilian and military law enforcement agencies.

- The Uniform Code of Military Justice (UCMJ) does not classify crimes as misdemeanors or felonies but does authorize an increased maximum punishment based on the circumstances of the offense. Assaults that would be similar in seriousness to gross misdemeanors or felonies in the civilian system (sexual assault, use of weapons, broken bones, etc.) may be investigated by plainclothes military investigators in the CID, NCIS, or OSI.

Advocacy Tips:

- Determine the law enforcement agencies who respond to different locations on your local installation. Check with both the civilian police and the military law enforcement (or the JAG) to get the best information. Check to see if there are any existing MOUs that cover jurisdictional issues or information sharing and, if possible, obtain copies.
- Determine if military victim advocates are responding to the scene with law enforcement or are available 24/7. Ask them about the extent of military law enforcement training on domestic violence, evidence collection, interviewing, etc.
- See the next section on Systems Change to determine ways of including military law enforcement in local police training on domestic violence issues. Military law enforcement officers are often eager to learn additional information about policing, especially those who plan on pursuing a career in law enforcement upon leaving the military.
- Find out if the local installation has a process for conducting follow-up investigations and who conducts these. Talk with the victim to ensure that both military law enforcement response and investigation are adequately documenting and bringing forward facts and circumstances of the domestic violence incidents. Also work with victims to ensure that this information is included at other points in the process (e.g., through victim advocates, FAP at CRC, etc.).
- Advocate with the military victim advocate to allow an advocate to sit in on any interviews with the victim by law enforcement investigators; check with state laws and with the JAG to help bolster your case for a victim's right to have a support person present.

Family Advocacy/ Military Social Service Programs

What You Need to Know:

- The Family Advocacy Program (FAP) has a major role in addressing abuse in military families. The role of FAP is to prevent abuse, work with command to quickly protect victims when abuse occurs, treat

abusers, and support victims. Each installation with command-sponsored families has an FAP to provide services in the areas of prevention (e.g., public awareness campaigns), identification, assessment, and treatment and support.

- FAP reports to command. FAP communications are not confidential. Allegations of domestic violence and the FAP responses will be reflected in a service member's FAP case records.
- FAP provides services to active-duty members and to family members who hold military ID cards. FAP services are available to active-duty victims and perpetrators whether or not they are married to their partners.
- An unmarried civilian partner of an active-duty abuser cannot generally access FAP services but can be referred to appropriate civilian services by the victim advocate on the installation.
- FAP services vary among the services and between installations. They may include outreach, victim advocacy, parenting classes, New Parent Support Program (NPSP), couples counseling, stress and anger management classes, support groups, batterer's intervention, etc. Other social services exist outside of FAP (e.g., through a Family Center). Any active-duty service member or military family member can access these services.
- In addition, military communities have nonprofit charitable relief organizations (e.g., Navy Marine Corps Relief Society, Army Emergency Relief, etc.) that provide food, financial support, and other services to military families.



To find information on each Service's FAP, visit:
www.militaryhomefront.dod.mil/troops/fap

Advocacy Tips:

- Learn **everything** you can about all social services on the installation with which you'll be working, including:
 - Domestic violence services provided by the FAP for both victims and abusers.
 - Social services that may be useful to persons seeking help with issues other than domestic violence, e.g., new spouse programs, financial planning programs, etc.
 - The response to reports of domestic abuse.
 - The availability of victim advocates, including any 24/7 responses.

The FAP Committee

What You Need to Know:

- An FAP committee is a multidisciplinary group convened by FAP to decide whether to “substantiate” an allegation of domestic violence, and, if an allegation is substantiated, to recommend supportive services for the adult victim and children and treatment options for the offender.
- It is not the role of the FAP Committee to recommend disciplinary or prosecutorial enforcement action. A commander may take such action at any time – before, during, or after the FAP committee meets.
- FAP will present a case to the committee after an unrestricted report of a domestic violence incident by the victim, offender, military or civilian law enforcement, command, or a medical provider. Prior to an FAP committee meeting, an FAP social worker (case manager) will generally gather relevant law enforcement, medical, and other reports and conduct separate clinical assessments with both the victim and offender.
- The FAP committee generally includes the FAP social worker, the service member’s commander (or representative), and other relevant law enforcement, legal, and medical representatives. In the FAP committee process, the victim advocate may be present as well, although s/he generally does not have the right to vote. The alleged victim and offender are not present nor are their attorneys, though they may be permitted to submit a prepared statement.
- The FAP committee members vote on whether to “substantiate” an allegation of domestic violence (i.e., determine that it occurred) after the FAP social worker has presented a report and other participants have offered their input, including supporting documentation such as police reports or medical reports. If the case is not substantiated, it may be designated as “unsubstantiated” or “unsubstantiated/unresolved” and it is closed (though services may still be offered). If it is substantiated, most FAP committees then classify the abuse as “mild,” “moderate,” or “severe” in accordance with service guidelines. FAP committee substantiation determinations are NOT legal findings. However, substantiation will usually be reflected in the service member’s records.

If the case is substantiated, the FAP committee will recommend intervention or support services for each family member as appropriate and will forward these recommendations to the service member’s commander. The intervention plan is likely to include counseling, batterers’ intervention, support groups for the victim, and services for children exposed to domestic violence.

 **Advocacy Tips:**

- The FAP committee process can have a profound impact on how a batterer is held accountable. If the case is going to the FAP committee, work with the victim to ensure that FAP personnel have all the necessary information (including, e.g., information about civilian protective orders and prior history of abuse). If it is authorized, ensure that the victim is represented by a military victim advocate at the FAP committee. (The FAP social worker's role is to present the results of his/her assessment, not advocate for the victim.)
- If authorized by the victim, work with FAP personnel and the victim advocate to craft a meaningful and practical intervention plan that includes protection and services for the victim and children and mandated intervention for the batterer. Beware of “couples counseling” or joint offender/victim programs.
- As stated, the command investigation of a domestic violence incident takes place independently of the FAP committee process. You should be aware of what is happening with this process and, when requested by the victim, advocate for discipline/enforcement action through the military chain of command. Make sure to work with your military victim advocate or FAP staff when doing so.

Military Protective Orders (MPO)

 **What You Need to Know:**

- A military protective order (MPO) is similar to a temporary restraining order issued by a civilian court. An MPO can be a powerful deterrent for some abusers because violation of an MPO is equivalent to disobeying a direct order. Within the military environment, disobeying a direct order is a serious infraction and is prosecutable under the Uniform Code of Military Justice. An MPO is issued by the commanding officer of the suspected service member abuser. As outlined in the Appendix, DoD instructions state that commanders “shall” issue written MPOs on the form contained in the Appendix (DD Form 2873). Because an MPO is not subject to requirements of due process (notice, hearing, etc.), nor is it issued by a neutral and detached magistrate, it does not meet the requirement for full faith and credit enforcement. MPOs are generally of short duration (not more than 10 days) but may be extended, in which case the commander may give the suspected abuser an opportunity to be heard. MPOs should be recorded on the blotter (the military police log).
- MPOs generally include provisions to prohibit contact or communication with the victim, to vacate military housing (if appropriate), and/or

stay away from certain designated areas. They may include other provisions as well, such as surrendering any personal firearms or attending counseling.

- MPOs can only be issued against active-duty members. If the abuser is a civilian spouse, the installation commander or his representative can issue an order barring the individual from the base. (NOTE: This may get complicated if the civilian spouse works on the installation.)
- MPOs are enforceable by and at the discretion of the command. They are NOT enforceable by a civilian court. An MPO is not transferable (i.e. if the service member is transferred to another command, the MPO is no longer binding).

Advocacy Tips:

- Working within the military system, find out the service-specific and installation-specific guidelines surrounding MPOs. Although DoD has mandated written MPOs, this may not be the case at every installation. Encourage the victim to pursue a written MPO that s/he may keep. Work with FAP and the military victim advocate to accomplish this.
- If the victim seeks an MPO, be sure it covers all relevant issues (stay away, removal to barracks, etc.) and that it is very specific so there is no room for confusion. MPOs are not a substitute for civilian protective orders that are judicially enforceable. Ideally the victim should have both, and they should contain consistent provisions. Pursue the civilian protection order as soon as possible after the incident. Some courts may wrongly interpret a time delay as an indication that the victim is not afraid and therefore does not need a civil protection order. Or, if the victim waits several months to pursue a civilian order, the court may decide the incident occurred too long ago.

Options for Batterer Accountability and Intervention

What You Need to Know:

The command is responsible for disciplinary or punitive action against an active-duty member and has complete discretion as to what action, if any, to pursue. Some commanders will await the outcome of the CRC/CRB before pursuing action, but they do not need to do so. The options include:

- **MPOs** Violations of an MPO are punishable by the command (described above).
- **Administrative action** A commander may initiate or take administrative action in addition to or in lieu of other actions under the UCMJ. Possible actions include counseling (such as treatment), reprimand and similar actions, exhortation, extra military instruction, the administrative withholding of privileges, or some combination of these.

Actions that may significantly affect the service member's career include negative information in efficiency reports, administrative reduction for inefficiency, rehabilitation and reassignment, career field reclassification, reclassification of security level and personnel reliability, financial liability for misconduct, and being barred from reenlistment. The commander can also initiate administrative separation from the service.

- **Treatment** Whether by recommendation of the CRC/CRB or as part of a disciplinary action, the batterer may be ordered to attend one or more FAP or civilian treatment programs as one form of administrative action. These programs could include batterers' intervention, parenting classes, or possibly anger management classes. If attendance interferes with the service member's duty obligations, the commander will decide which obligation takes priority.
- **Non-judicial punishment (NJP)** An NJP is an administrative action that may involve demotion in rank, loss of pay, or extra work assignments. An "Article 15" is a specific form of NJP that results in a written reprimand that becomes part of the service member's service record. NJPs do not, in themselves, lead to separation from the service and do not constitute "convictions" for purposes of the Lautenberg amendment. Most domestic violence cases at the level of misdemeanors are handled through NJPs.
- **Prosecution under the UCMJ** Currently, only the most severe cases of domestic violence are prosecuted under the Uniform Code of Military Justice (UCMJ). UCMJ actions differ in important ways from civilian prosecutions, with the command having control over the entire proceeding, and judge advocates general (JAGs) serving as both prosecutors and defense counsel. The outcome may include a general or special court-martial, with punishments that range from incarceration or forfeiture of pay to dismissal of charges or discharge from the military.

Advocacy Tips:

- Whenever treatment options are being considered, work with the victim to ensure that s/he understands her own expectations and the possible outcomes of any treatment. In particular, discuss any potential risks and dangers of anger management and any form of "couples counseling" or mixed victim/offender groups that may be recommended by the FAP.
- Updating any safety plans and discussing current options is critical whenever disciplinary or enforcement action is being pursued against an abuser
- If UCMJ action is pursued, have the victim consult with the JAG officer about her/his rights. Find out if a Victim/Witness Assistance Program advocate is able to meet with and support the victim or if the mili-

tary domestic violence advocates can play any role in supporting her. (NOTE: Victim/Witness Assistance Program advocates are associated with the JAG office to provide support to victims solely through the UCMJ process. Their role is limited to this, and therefore, different from the role of military domestic violence victim advocates.)

- If the service member may be administratively discharged or court-martialed, ensure that the papers state “dependent abuse” as a basis so that a spouse who is a victim can qualify for transitional compensation (see below for more details).

Military Housing/Shelter

► What You Need to Know:

- Military housing is a privilege conferred on the service member. If the service member is discharged or ordered to barracks, or if the couple legally separates, a civilian spouse and family members will generally be required to move out of military housing within 30 days.
- Instructions for each of the services make clear that, following a domestic violence incident in military housing when separation is warranted, removal of the primary offender is generally the appropriate course of action regardless of whether this individual is active-duty or civilian.¹⁷ In other words, if the offender is the service member, s/he should be ordered to the barracks. If the offender is nonmilitary, s/he should be ordered off the installation. Children should not be left in the care of a suspected offender.

► Advocacy Tips:

- If sheltering is required for the safety of the victim and the victim’s children, some commands will place the victim in billeting (guest quarters) for a limited period of time. Only two installations have shelters and both of those are outside the continental U.S. (OCONUS).
- Engage in careful safety planning regarding any separation. If confidential sheltering is required and the civilian shelter is not available or appropriate, advocate for safe billeting on the installation. (The Appendix includes a “SAFETY CHECKLIST.”)
- If the victim needs more than 30 days to move out of military housing, seek an extension. You may get some flexibility, particularly if there are safety concerns. At some military installations, military advocates have developed specific guidelines to deal with domestic violence cases with the housing magistrate.

¹⁷ DTFDV Initial Report, pp 69-70; DTFDV Second Report, pp 101-102.

Relocation Assistance

For some civilian victims and their children, moving away from the service member will be the best course of action. However, the expense of moving, especially from overseas locations, can present a formidable barrier.

► What You Need to Know:

- Until recently, family members living in the U.S. could only get relocation entitlements—personal travel expenses and shipment of household goods (HHG)—in conjunction with the active duty member through a permanent change of station (PCS), separation, retirement, etc. However, recent guidelines allow for “dependent relocation for personal safety” when the member has committed abuse against a dependent spouse or child.

Under the new regulations (see the Appendix), a service member’s spouse and/or dependent children may request “relocation for personal safety.” There are several requirements to qualify for relocation assistance under this new regulation, including:

- The member must have committed a “dependent-abuse offense” against the spouse or another dependent of the service member;
- The dependent’s safety must be identified as “at risk,” and the dependent must have engaged in safety planning;
- Relocation is advisable and in the best interests of the service member or member’s dependents and the U.S. government.
- If all of these requirements are met, the dependent is entitled to reimbursement for transportation to a site within the U.S., or, if the victim is a foreign national, to their country of origin.
- One major restriction to the policy is that household goods (HHG) and personal vehicles (POV) may only be authorized for transportation by order of a civilian court (giving possession to the dependent) or by written agreement of the service member because the military does not have a counterpart to a family court and commanders do not have authority to assign personal property.
- The relocation must be approved by a service-designated official.
- Family members residing overseas are considered “sponsored” by the command and the service member. Joint Federal Travel Regulations (JFTR) permit relocation assistance for the Early Return of Dependents (ERD) for unspecified reasons, but this entitlement must generally be requested by the service member.

 **Advocacy Tips:**

- If the victim is seeking to relocate separate from the active-duty member, help her/him to document any dependent-related abuse, such as a CPO or a police report. Ensure that the victim is willing to make an unrestricted report and understands the risk and safety issues before doing so.
- Work with the military victim advocate and FAP to document safety planning and counseling provided to the victim/dependent and to help make the determination that the victim's safety is at risk and relocation is advisable.
- If possible, seek prior agreement on division of household goods before relocation. Otherwise, the victim may have to leave certain items behind.
- Create a safety plan regarding any plan for separation or relocation.

Transitional Compensation (TC)

 **What You Need to Know:**

The Transitional Compensation Program provides financial and other support to victims of domestic violence (including sexual violence against family members) and their dependents. Benefits levels are set by law and are updated every year. For FY 2003, benefits are \$950/month for a spouse, and \$240/month for each dependent child in the care of the spouse. Children who live separately from the spouse (e.g., with a foster parent or legal guardian) are currently eligible for approximately \$400/month. In addition to cash payments, eligible spouses and dependents are entitled to continuation of their medical and dental benefits ("TRICARE"), as well as commissary (groceries) and exchange (other goods and products) privileges.

- In order to qualify for TC, the victim must demonstrate that:
 - The service member is administratively separated from active duty and the documented basis for discharge includes dependent abuse, OR the service member is convicted by court-martial of a dependent-abuse offense and is either separated from active duty after such conviction or is sentenced to forfeiture of all pay and allowances.
 - The victim was married to and residing in the home of the now-separated service member when the offense occurred.
 - The service member has served at least 30 days on active duty.
- TC is available for a minimum of 12 months and a maximum of 36 months. Entitlement begins either:

- on the date the administrative separation is initiated, or
 - on the date the court-martial sentence is adjudged, or
 - if there was a pretrial agreement providing for disapproval or suspension of the dismissal, discharge, or forfeiture of all pay and allowances, on the date the court-martial sentence with such a provision is approved.
- Entitlement to TC is forfeited if the spouse receiving payments remarries, begins living with the abusive service member again, or if the domestic violence conviction is reduced to a lower punishment or the administrative separation is revoked.
 - Dependent children not living with the service member or spouse may be eligible for TC even if the spouse is not initially eligible or later becomes ineligible.

Advocacy Tips:

- **Always** discuss the potential availability of TC. Be sure the victim understands the limitations on eligibility.
- When eligibility for TC is a possibility, work with FAP to ensure that the service member's discharge papers or court martial clearly states "dependent abuse" as at least one of the reasons for adverse action. Without this documentation, the victim will not be entitled to benefits even if domestic violence was among the factors for administrative discharge or court martial.
- Be aware that if the court-martial conviction included a pretrial agreement between the prosecution and the defendant on the sentence, it can take months for the sentence to be approved. Explore other options for support in the short-term.

Other Financial Issues

What You Need to Know:

- Military ID cards provide access to discounted food and clothing (commissary and exchange privileges) and to the military health system ("TRICARE"). Both the spouse and children are entitled to military ID cards which must be periodically updated.
- Children may be entitled to keep military health care benefits even if the service member does not have custody. They must be enrolled in the Defense Eligibility Enrollment System (DEERS).
- If the military member destroys or removes a victim's military ID card,

the military member may be punished, and the card can be replaced. Military victim advocates and FAP can assist with replacement.

- Military service regulations require service members to provide “adequate support” to their family members. The amount varies, depending on whether there is a court order or agreement between the parties, and on guidance provided by the particular service, which is generally available through the installation’s legal office.

Advocacy Tips:

- If the victim is being financially abused, work with the military victim advocate and/or FAP personnel to enforce her/his military rights.
- Use all civilian tools at your disposal, such as orders under a CPO, food stamps, WIC, Victim Compensation Programs, food lockers, military and civilian charitable relief societies, etc.
- Encourage the victim to make copies of all important documents.

Special Circumstances

Immigration Issues

What You Need to Know:

- A significant number of U.S. service members marry non-U.S. citizens. Foreign-born spouses are dependent on the U.S. service member to file a petition on the spouse’s behalf before relocating to the U.S. In an abusive relationship, the batterer can use this power as a threat, both before and after relocating to the U.S, to silence non-citizen family members.
- Under VAWA, battered immigrant women may “self-petition” to gain lawful permanent residence in the U.S. if they meet VAWA guidelines. This information is not widely known by immigrant victims or by the military community.

Advocacy Tips:

- Immigration issues require special attention. Find an attorney who can provide specialized help for these issues, e.g., the Immigrant Women Project (NOWLDEF) and the National Immigration Project (National Lawyer’s Guild).

- Don't assume that military personnel (FAP, JAGs, commanders, etc.) understand VAWA as it relates to battered immigrant women. You may need to educate them or work with the military victim advocate to educate them. Consider working with the military advocate to arrange for a training on the issue by a civilian attorney for military interveners.

Victims Stationed Overseas

What You Need to Know:

- Domestic violence victims may become more vulnerable when the family moves overseas. Apart from issues of isolation, there are likely to be fewer services available both on and off-installation.
- If the family will live off the installation (“living on the economy”), the victim may or may not be protected under the laws of the host country (and the country may or may not take prosecution of batterers seriously). The applicability of foreign laws to U.S. military members and families is governed by complex international agreements called Status of Forces Agreements (SOFAs).
- Civilians (government employees, civilian contractors, and family members) who accompany the military overseas and commit a felony can be prosecuted in a federal court in the U.S. if the host nation declines to prosecute. Make sure the victim provides specific details of the offense so that it is clear whether a felony was committed. Service members who commit crimes can always be prosecuted under the UCMJ whether the incident occurred on or off the installation, even if the host nation declines to prosecute.
- Military family members are neither entitled nor required to relocate overseas with service members. This is a privilege granted by the command. Families with histories of domestic violence may be screened out for overseas relocation because of increased vulnerability and reduced access to services.
- Under the new regulation outlined above (see Appendix), a service member's spouse and/or dependent children may request “relocation for personal safety.” For victims located overseas, the same requirements apply as to those in the U.S. However, if a dependent victim is located at a station overseas, the military may authorize the victim to transport one personal vehicle that is in either the dependent's or service member's name for her/his personal use.

For information about domestic violence service providers overseas, visit: http://www.militaryhomefront.dod.mil/portal/page/itc/MHF/MHF_DETAIL_1?section_id=20.80.500.270.0.0.0.0&content_id=168004



 **Advocacy Tips:**

- If a victim faces the prospect of relocation overseas, discuss options for remaining in the U.S. (or if the victim is active duty, for leaving the spouse in the U.S.).
- If the victim will be moving overseas, investigate civilian service/sheltering options in the host country. Understand and explain options/limitations for Early Return of Dependents (ERD) if this becomes necessary.



Strengthening the Structure: Systems Advocacy

5

Keeping Coordinated

The best way to support military victims in your community is to build a Coordinated Community Response by bringing together the many players who have a role in the response system. Ideas include:

- Cross-train advocacy staff. Offer to provide training to FAP, and invite FAP and military victim advocates to train your staff.
- Ensure that your community domestic violence Coordinating Council or Task Force includes military representation.
- Work toward the creation of MOUs between installation personnel and your program or civilian law enforcement and prosecutors' offices. In January 2004, the Department of Defense issued guidelines on setting up just such an MOU between military and civilian law enforcement and prosecutors.
- In its directive to the field, the DoD says such MOUs are needed because of staff turnover on installations, the nature of multiple jurisdictions often surrounding a single military installation, and the fact that many civilian agencies have not yet developed specific procedures for when an alleged offender is an active-duty member.
- DoD says the MOU between military and civilian law enforcement should address the following issues:
 - Statement of the purpose of the MOU.
 - Explanation of jurisdictional issues, including the response and investigation of incidents occurring on and off the installation.
 - Procedures for responding to incidents on an installation that involve a civilian alleged offender (in exclusive federal jurisdictions, this may involve

the U.S. Attorney's Office).

- Procedures for sharing information throughout the course of an investigation, as well as sharing information related to restraining orders (both military and civilian).
- Provision of information to victims regarding services available.
- Although DoD has not yet issued guidance, MOUs can also be established between non-profit domestic violence shelters/programs and the military and could include:
 - General statement of purpose.
 - Outline of procedures for cross-referrals.
 - Understandings and commitments regarding confidentiality of client information.
 - Commitments to cross-training and joint outreach efforts.
 - Provisions for compensation/support to the shelter from the installation for services provided to military victims.
- Convene a monthly roundtable of military domestic violence responders – military and civilian police, shelter and FAP staff, medical providers, civilian prosecutors and JAGs, and command staff. This can either be the starting point for a Memorandum of Understanding (MOU) or the means of ensuring that it remains a living document. Rotate meeting places and include a short training by the host organization.
- Create collaborative outreach materials for victims.
- Coordinate Domestic Violence Awareness Month activities. Show visible support for each other's efforts on behalf of victims.

Advocacy Tips:

- Before embarking on an MOU, be sure to involve all of the right participants. Reach out to your military counterparts and brainstorm on who needs to be involved. Set up a schedule to meet individually with key individuals first before setting up a large group meeting. Have both civilian and military attorneys involved from the get-go – you'll need them!
- Differences are bound to arise. Keep conversations respectful, grounded in the goal of providing the best possible response to victims, and recognize differences in roles.
- **Never** breach victim confidentiality.

NOTE: Each victim, and each set of responses, offers lessons for systems improvement. **It is your role to continually work to improve these systems for the benefit of future victims.**

Proactive Role

An ounce of prevention is worth a pound of cure. We cannot stress enough the importance of building open, trusting relationships with personnel on the installation and of pursuing all of the “Keeping Coordinated” suggestions discussed above. The military is part of YOUR community; it is your responsibility to ensure that victims and service providers within the Department of Defense know who the civilian service providers are and what options are available to victims outside the gates.

The Department of Defense has made significant strides in the last few years to address both the individual and systemic needs of victims of spouse abuse. Take advantage of this! Reach out to and support military victim advocates who face challenges that are both similar to and different than yours.

Responsive Role

The U.S. military is a hierarchical system. Your effectiveness in supporting victims through systems change will be enhanced by developing strong, supportive relationships on the installation. Solving or addressing all issues related to abuse by active-duty service members will require going through the chain-of-command.

► What You Need to Know:

- **Respect is highly valued in this system.** Military members expect to be addressed formally with recognition of their rank.
- The actions of command and FAP staff are governed by their institutional practices and written policies – being aware of these is critical to your success.

► Advocacy Tips:

- Ask the rank of the person with whom you are speaking and use it. Do not call Major Bob Thomas “Bob” unless he tells you to do so. Instead, address him as “Major Thomas.”
- As an advocate, start your communication with the military victim advocate, the FAP case manager, the FAP manager (FAPM), or FAP officer (FAPO). You can reach these people by calling the installation and asking to be directed to the Family Advocacy Program. These staff can assist you in communicating with the offender’s command. Be polite, direct, and succinct.
- If you do not understand why a particular action is being taken, request

a copy of the policy or seek other guidance from FAP. (For example, if an active-duty victim is directed to move out of military housing, request a copy of the order and review the related service policies that strongly advise against this.)

- You may need to contend with many levels of command. To do so you'll want to know the name of the direct supervisor of the person with whom you are speaking. Be sure to ask for this information at the end of every conversation so you know where to go next if you do not get the desired result or information you've requested.
- Just as you would not go straight to the mayor if a police dispatcher acted inappropriately, do not try to "leapfrog" the military chain-of-command. It is not advisable to approach the base commander or chief-of-staff unless you run into a brick wall at lower levels. When you have exhausted your other options, it is time to call the commander or his/her staff. Explain your role, your title, and who you work for. An attorney or JAG officer may return your call. When given the opportunity, you need to be able to explain what you have done so far, the type of assistance you are seeking, and with whom you have already spoken. Do not guess at any of this. Keep detailed notes that you can refer to during these conversations.

The reports of the Defense Task Force on Domestic Violence are an excellent source of information about Service policies. Visit: www.dtic.mil/domesticviolence



- If you continue to face obstacles within a particular installation, it may be appropriate to direct your concerns to Service Family Advocacy Program, i.e.:

| | |
|--------------------------|------------------------|
| US Army FAP: | 703-681-7396/93 |
| US Navy FAP: | 901-874-4355 |
| US Air Force FAP: | 210-536-2031/32 |
| US Marine Corps: | 703-784-9546 |

You may also contact:

| | |
|---------------------------|------------------------------|
| DoD FAP: | 703-602-4990 |
| Inspector General: | (within each Service) |

- For assistance and support with systems advocacy, we suggest contacting:

| | |
|---|-----------------------------|
| Battered Women’s Justice Project: | 800-903-0111, ext. 1 |
| The Miles Foundation: | 203-270-7861 |
| National Center on Domestic And Sexual Violence: | 512-407-9020 |

Complete contact information is in “Additional Civilian Resources” on page 67.

6



Filling Your Toolbox: Resources and Contact Information

My Toolbox

Now you've got the building materials - it's time to get to work! Below, we've included three tools:

1. Installation Contact Sheet
2. Needs/Safety Assessment: Supplemental Questions for Victims of Domestic Violence
3. Safety Checklist for Emergency Exit (Supplemental Form)

In the Appendix, you'll find:

4. Resource and Contact Information
5. Military Acronyms
6. Model MOU (included in the Appendix)
7. Sample MPO
8. DoD Policies referenced throughout this handbook

After meeting with Family Advocacy Program staff on the installation or visiting Military Homefront or individual service Web sites, add the following:

9. Brochures and Outreach Materials
10. The "Memorandum Of Understanding" (MOU) if one exists
11. Service and Installation-specific Protocols and Policies

Now, consider creating new tools, including:

12. Joint Military/Civilian Outreach Materials
13. Cross-Training Materials

Other ideas:

14. _____
15. _____
16. _____
17. _____

As you gather these tools, remember that building your response plan is an integrative process. Your efforts will be strengthened by joining in true partnership with builders of military response systems. Only by working together will we fully meet the needs of military survivors of domestic violence. **Good luck!**

Installation Contact Sheet

Military Installation: _____ Tel: _____ Email: _____

Address: _____

Main Command: _____

Tenant Commands: _____

Installation Website: _____

Service Website(s) _____

Contacts:

Commanding Officer: Name: _____ Tel: _____ E-mail: _____

FAP Manager: Name: _____ Tel: _____ E-mail: _____

Victim Advocate: Name: _____ Tel: _____ E-mail: _____

Military Law Enforcement : Contact: _____ Tel: _____ E-mail: _____

Housing: Contact: _____ Tel: _____ E-mail: _____

Chaplain: Contact: _____ Tel: _____ E-mail: _____

Benefits: Contact: _____ Tel: _____ E-mail: _____

Medical Treatment Facility: Contact: _____ Tel: _____ E-mail: _____

Legal office: Contact: _____ Tel: _____ E-mail: _____

Immigration: Contact: _____ Tel: _____ E-mail: _____

Installation Resources/Programs:

1. _____ Contact: _____ Tel: _____ E-mail: _____

2. _____ Contact: _____ Tel: _____ E-mail: _____

3. _____ Contact: _____ Tel: _____ E-mail: _____

4. _____ Contact: _____ Tel: _____ E-mail: _____

5. _____ Contact: _____ Tel: _____ E-mail: _____

Other tools:

1. _____

2. _____

3. _____

4. _____

Needs/Safety Assessment

Supplemental Questions for Military Victims of Domestic Violence

NOTE: Use your existing needs/safety assessment tools. This form should be used for *supplemental* purposes, and not to replace existing tools.

CLIENT NAME: _____

SAFE CONTACT INFO: _____

ADVOCATE: _____

MIL INSTALLATION: _____

DATE: _____

BACKGROUND INFORMATION

A. Victim Information

1. Are you active duty or civilian? _____ Former / retired? _____
2. If active duty:
Service _____
Rank _____
Position _____
CO (name and contact info) _____
Direct Supervisor (name/info) _____
Expected tour of duty _____
Any orders to PCS? _____
Anticipated upcoming deployment? _____ yes / no
If yes, when & where? _____
3. If civilian, are you employed? _____ yes / no
Employer _____

4. Drivers license/access to car: _____
5. Do you have an updated military ID card? _____
6. Are you receiving financial support from the abuser? _____
Describe _____

7. If not a U.S. citizen, what is your immigration status? _____

B. Abuser Information

1. Is your partner active duty / civilian? Former / retired?
2. If active duty:
 - Service _____
 - Rank _____
 - Position _____
 - CO (name and contact info) _____
 - Direct Supervisor (name/info) _____
 - Expected tour of duty _____
 - Any orders to PCS? _____
 - Ancipated upcoming deployment? yes / no
 - If yes, when & where? _____
 - Any returns from deployment in next six months? _____
3. If civilian, is the abuser employed? yes / no
 - Employer: _____
 - _____
 - _____
 - _____

C. Housing

1. Are you living on or off the installation? _____
2. If living off the installation, are you in military or civilian housing? _____
3. Address: _____

D. Children

1. Do you have children? yes / no
2. Are they dependents of the service member? yes / no
3. Age(s) of child(ren) _____
2. Do the children have updated military ID cards? yes / no
3. Are the children enrolled in DEERS (Defense Enrollment Eligibility System)? yes / no
4. Where are the children in school/daycare? _____

RESPONSE TO DATE

A. Civilian Response

1. Have civilian police been called to respond? yes / no
When? _____
What happened? _____

Did police notify anyone at the installation? yes / no
Who? What happened? _____

2. Do you have a civilian restraining/protective order? yes / no
3. Are you receiving any other civilian services? yes / no
What services? _____

- Contact info _____

4. Pending legal proceedings: _____
Criminal: _____
Civil (divorce, CPO) _____

B. Military Response

1. Have military police been called to respond? yes / no
When? _____
What happened? _____

2. Have you reported domestic violence to anyone on the installation? yes / no
If so, to whom? _____
When? _____
What happened? _____
3. Are you accessing services on base? yes / no
If yes, what services? _____
Name of FAP social worker or other contact _____
4. Have you obtained a Military Protective Order? _____
5. Pending disciplinary or UCMJ actions? _____

SAFETY ASSESSMENT/NEEDS

A. Safety Assessment

1. What is the batterer's access to weapons? _____

2. What is the batterer's relationship with his/her supervisor and/or CO? What do you know about them?

3. Do you see a relationship between the partner's use of violence and his/her work assignments or deployments?
When is he/she most violent? _____

B. Needs/Goals

Short-term (immediate) needs/goals:

1. _____
2. _____
3. _____

Medium-term goals:

1. _____
2. _____
3. _____

Long-term goals:

1. _____
2. _____
3. _____

SAFETY CHECKLIST FOR EMERGENCY EXIT

SUPPLEMENTAL FORM FOR MILITARY VICTIMS OF DOMESTIC VIOLENCE

NOTE: Use your existing checklist for documents the victim will need for an emergency exit. This form should be used for *supplemental* purposes, and not to replace existing tools. As with all safety plans, remind the victim that this plan is only a guideline, she should always follow her best instincts in a dangerous situation. Most documents can be replaced, lives cannot.

CONTACT INFORMATION

CIVILIAN CONTACTS

Civilian Victim Advocate (confidential)

Name: _____

Tel: _____

e-mail: _____

Civilian Police

Contact: _____

Tel: _____

e-mail: _____

Hotline (confidential)

Tel: _____

Shelter (confidential)

Tel: _____

e-mail: _____

School

Contact: _____

Tel: _____

e-mail: _____

Day Care

Contact: _____

Tel: _____

e-mail: _____

Legal

Contact: _____

Tel: _____

e-mail: _____

Friend

Name: _____

Tel: _____

e-mail: _____

Other

Contact: _____

Tel: _____

e-mail: _____

MILITARY CONTACTS

Family Advocacy Program

Contact: _____

Tel: _____

e-mail: _____

Military Victim Advocate

Contact: _____

Tel: _____

e-mail: _____

Military Police

Contact: _____

Tel: _____

e-mail: _____

MCIO Detachment

Contact: _____

Tel: _____

e-mail: _____

CO/ Command representative

Name: _____

Tel: _____

e-mail: _____

Chaplain (confidential)

Name: _____

Tel: _____

e-mail: _____

Medical Treatment Facility

Contact: _____

Tel: _____

e-mail: _____

Legal

Contact: _____

Tel: _____

e-mail: _____

Other

Contact: _____

Tel: _____

DOCUMENTS

____ Military ID cards
(yours and children's)

____ Copy of Leave and
Earnings Statement
(LES)

____ Social Security cards
(yours and children's)

____ Health cards
(yours and children's)

____ Health records
(yours and children's)

____ Birth certificates/mar-
riage license

____ Drivers license/keys

____ Passports

____ Green card/ work
permit

____ Military Protective
Orders

____ Civilian Protective
Orders

____ Other

ADDITIONAL MILITARY RESOURCES

Contacts:

**Department of Defense
Family Advocacy Program**
4000 Defense Pentagon
Room 5A726
Washington, DC 20301-4000
703-602-4990

Army Family Advocacy Program
HQ DA, FMWR Command
Department of the Army
4700 King St., 4th Floor
Alexandria, VA 22302-4418
703-681-7396/93

US Navy Family Advocacy Program
Navy Personnel Command P661
Department of the Navy
5720 Integrity Drive
Millington, TN 38055-6610
901-874-4355

US Air Force Family Advocacy Program
AFMOA/SG300
2664 Flight Nurse, Building 801
Brooks AFB, TX 78235-5135
210-536-2031/32

US Marine Corps
HQMC M&RA (MRO)
3280 Russell Road
Quantico, VA 22134-5009
703-784-9546

ADDITIONAL CIVILIAN RESOURCES

Contacts:

Asian & Pacific Islander Institute on Domestic Violence

450 Sutter Street, Suite 600
San Francisco, CA 94108
415-954-9988
www.apiahf.org

Battered Women's Justice Project

2104 4th Ave. So., Suite B
Minneapolis, MN 55404
Domestic Violence/Criminal & Civil
Justice & Military Issues
800-903-0111 Ext.1
Defense Issues
800-903-0111 Ext. 3
www.bwjp.org

Center for the Prevention of Sexual and Domestic Violence

2400 North 45th St., Suite 10
Seattle, WA 98103
206-634-1903
www.cpsdv.org

Family Violence Prevention Fund

383 Rhode Island Street, Suite 304
San Francisco, CA 94103-5133
415-252-8900
www.endabuse.org

Legal Momentum's Immigrant Women Program (IWP)

1101 14th St.
Suite 300
Washington, DC 20005 202-326-0040
202-842-2032
iwp@legalmomentum.org
www.legalmomentum.org

Institute on Violence in the African American Community (IDVAAC)

University of Minnesota
School of Social Work
290 Peters Hall
1404 Gortner Ave.
St. Paul, MN 55108-6142
612-624-9201
877-643-8222

Domestic Violence Resource Network

National Resource Center on Domestic Violence

PCADV
6400 Flank Drive, Suite 1300
Harrisburg, PA 17112
800-537-2238
www.nrcdv.org

Health Resource Center on Domestic Violence

FVPF
383 Rhode Island St., Suite 304
San Francisco, CA 94103-5133
800-313-1310
www.endabuse.org

Resource Center on Domestic Violence: Child Protection and Custody Family Violence Department

NCJFCJ
PO Box 8970
Reno, NV 89507
800-527-3223
www.ncjfcj.org

Native Resource Center to End Violence Against Native Women

Cangleska, Inc/Sacred Circle
722 Saint Joseph St.
Rapid City, SD 57701
877-733-7623
www.sacred-circle.com

The Miles Foundation

P.O. Box 423
Newtown, CT 06470-0423

National Center on Domestic and Sexual Violence

7800 Shoal Creek Blvd., Suite 120-N
Austin, TX 78757
512-407-9020
www.ncdsv.org

National Coalition Against Domestic Violence

1120 Lincoln St., Suite 1603
Denver, CO 80203
303-839-1852
www.ncadv.org

National Clearinghouse on Abuse in Later Life

WCADV
307 South Paterson St., Suite 1
Madison, WI 53703
608-255-0539
www.ncall.us/

National Clearinghouse for the Defense of Battered Women

125 South 9th St., Suite 302
Philadelphia, PA 19107
215-351-0010

National Domestic Violence Hotline

1-800-799-7233
1-800-787-3244 (TTY)

National Sexual Assault Hotline

1-800-656-4673

National Immigration Project of the National Lawyers Guild

14 Beacon Street, Suite 602
Boston, MA 02108
617-227-9727
www.nationalimmigrationproject.org

National Latino Alliance for the Elimination of Domestic Violence

PO Box 672
Triborough Station
New York, NY 10035
1-800-342-9908
www.dvalianza.org

National Network to End Violence Against Immigrant Women

C/o Family Violence Prevention Fund
383 Rhode Island Street, Suite 304
San Francisco, CA 94103-5133
415-252-8900

Women Helping Battered Women

802-658-1996
800-228-7395 (tollfree in VT)
www.whbw.org

Links/ Publications:

- Hansen, *A Considerable Service: An Advocate's Introduction to Domestic Violence and the Military*, Domestic Violence Report, Civic Research Institute, April/May 2001.
www.civicrosearchinstitute.com/dvr_military.pdf
- Hansen and Summers, *Intimate Partner Violence and the Military: A Victim's Handbook*, The Miles Foundation, 2001.