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SECTION XI - OPREP-3 NAVY BLUE (OPREP-3)

1. General Instructions. OPREP-3 NAVY BLUE reports are used to provide the CNO and other naval commanders with immediate notification of incidents of military, political, or press interests which are of high Navy, vice national level, interest. The reports are submitted to provide "as it happens" information on the following types of incidents:
 - a. Instances of misconduct which may be reported by local press. Instances of misconduct which may be reported by local press, shall include, but not be limited to:
 - (1) Murder
 - (2) Rape
 - (3) Robbery
 - (4) Sexual Assault
 - (5) Aggravated Assault/Assault with a Deadly Weapon
 - (6) Child Abuse/Molestation
 - (7) Kidnapping
 - (8) Carjacking
 - (9) Burglary of an Occupied Dwelling
 - (10) Spouse Abuse/Domestic Violence
 - (11) Simple Assaults - Where a Report was Filed with the Police or Local Security Department
 - (12) Discrimination and Sexual Harrassment
 - b. Significant damage to civilian property resulting from actions of members of the Department of the Navy.
 - c. Near or actual collisions of minor significance to Navy ships or aircraft with civilian ships or aircraft.
 - d. Discharges or spills of material or fluids that might be considered pollutants which endanger critical water areas, have the potential to generate public concern, become the focus of enforcement action, or pose a threat to public health or welfare.
 - e. Events involving radioactive material or radiation exposure which do not present a hazard to life, health or property, but which are of such a nature as to warrant immediate notification of cognizant higher commands. Included in this category are those events having domestic or international implications and those which are likely to give rise to inquiries by the public or press.
 - f. Labor strikes which may significantly impair operational readiness, high priority industrial production for Navy projects, or mobility.
 - g. Acts or attempts to willfully destroy property of the U.S. Navy.

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- h. Bomb threats which are evaluated by the reporting officer as probably valid. Use a UNIT SITREP for those bomb threats determined to be a hoax.
- i. Disorders or natural disasters of minor significance if naval assistance is provided or requested.
- j. Death of, critical injury to, or missing commanding officers or senior officers (flag officer or equivalent).
- k. Fires, flooding, explosions, collisions, groundings, or other accidents to naval units.
- l. Initial report of a submarine incident (SUBMISS/SUBSUNK).
- m. The diagnostics of any disease of potential epidemic significance, the presumptive diagnosis of any international quarantinable disease of such widespread proportions among naval personnel that it may affect operational readiness.
- n. Actual or suspected duress situation or unusual occurrence affecting any nuclear capable unit.
- o. Notification of a search and rescue (SAR) incident in the alert or uncertainty phase. Not all SAR incidents may require submission of an OPREP-3 NAVY BLUE. The initial OPREP-3 NAVY BLUE submitted for a SAR mission may also be the last OPREP-3 NAVY BLUE for the incident. The UNIT SITREP will be used daily to notify CNO and interested commands of the progress of ongoing SAR operations.
- p. Serious incidents with racial overtones which indicate a serious lack of racial harmony and which could become a matter of high Navy interest.
- q. The loss at sea of any ships, boats, aircraft, missiles, torpedoes, warheads, live ordnance, cryptological equipment, high technology equipment, or other valuable items.
- r. Violation of the letter or spirit of the US-USSR agreement for prevention of incidents on and over the high seas (INCSEA AGREEMENT).
- s. Major fraud, waste, or abuse, which could involve high level naval interest, media inquiry, or gross inefficiency or mismanagement.
- t. Incidents involving death, serious injury, or serious illness in which the adequacy of medical care is reasonably in question.
- u. Any incident of high level Navy interest which does not fall into the category of any other report in the OPREP-3 PINNACLE or NAVY BLUE series.

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2. Contents. The OPREP-3 NAVY BLUE report will contain the following, when applicable:

a. Identification of the type of event being reported, e.g., minor aircraft accidents, death of a ship commanding officer, etc.

b. Reference (in a REF set) to the initial voice report in the initial record message report of the event.

c. A brief account of the event being reported. Use concise statements designed to answer the questions of: What happened? Who is/was involved? Where did it happen? When did it happen? Why did it happen? What action is ongoing? What future action is contemplated? DO NOT DELAY AN INITIAL REPORT IN ORDER TO GAIN ADDITIONAL INFORMATION.

d. If all the information was not reported in the initial record message report, a follow-up report containing the missing information shall be submitted. Serialize all OPREP-3 series record messages using the message serial number field (Field 3) of the MSGID set. See Chapter 1, Section II, paragraph 3 for procedures concerning serialization.

e. If an error is discovered after submitting an OPREP-3 series message, the originator will submit a corrected report. The corrected report will include only those sections requiring correction. The corrected report will be classified according to content. A corrected report will be identified by "CORR" in field 3 of the TIMELOC set.

f. When reporting violent crime, submit in the format at Figure 2-44. Points of contact, during normal working hours, are: CINCLANTFLT, DSN 564-4541 or commercial (804) 445-4541; CINCPACFLT, DSN _____ or commercial (808) _____; and CINCUSNAVEUR, DSN 235-4378 or commercial 011-4471-409-4378.

CINCPACFLT DSN

3. Initial Report. The initial report will be an IMMEDIATE voice report. The report must be made not later than 5 minutes after knowledge of the incident. This voice report shall be followed within 20 minutes of the incident by an initial IMMEDIATE record message. An amplifying IMMEDIATE voice report is optional. Follow-up IMMEDIATE record message reports shall be submitted as circumstances require.

4. Voice Reports

a. Only those reports made to the Fleet Command Centers (FCC) and the Navy Command Center (NCC) serve as valid voice reports. Reports to any other command which are not relayed to one of the above are not acceptable. Ships at sea should report via the most rapid means available, including the appropriate Satellite High Command Network (SATHICOM). If the report is made by telephone, the caller will give his/her name and the phone number at which he/she can be reached. All OPREP-3 NAVY BLUE reports will be relayed to the NCC in one of the following ways:

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(1) Forces under the operational control of a FLTCINC. The command will report to the appropriate FCC. The FCC in receipt of the OPREP-3 NAVY BLUE report will immediately conference or relay all such calls to the NCC. The phone numbers of the FCCs are as follows:

CINCLANTFLT	DSN	723-3330/3880 or 564-6604
	Commercial	804-444-6602/6603/6604
CINCPACFLT	DSN	315-471-8745/3201
	Commercial	808-471-3201/8745
<i>AVAIL: 24 HRS / 7 DAYS</i>		
CINCUSNAVEUR	DSN	314-235-4527 or 314-235-4277
	Commercial	011-44-071-409-4527

(2) Forces not assigned to a FLTCINC. CNO will receive reports for these units and will conference or immediately relay the call to other commands as appropriate. The NCC is the recipient for CNO's OPREP-3 NAVY BLUE calls at the following phone numbers:

DSN	Primary	225-0231 (312 prefix only if overseas)
	Secondary	223-2006 (312 prefix only if overseas with STU-III)
Commercial		703-695-0231 or 703-693-2006

(3) Forces unable to reach the designated recipient. If Fleet units are unable to reach the appropriate FCC, the report will be made to the NCC which will assume responsibility for relaying the report to the FLTCINC. If the reporting unit is unable to reach the NCC, the call may be made directly to the NMCC at one of the following numbers (request that the NMCC relay or conference the call to the NCC).

DSN		227-6340 (312 prefix only if overseas)
Commercial		703-697-6340
NMCC Washington Switch Drop		703-697-1201 Extensions 1048/1049/1050/1051

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b. Initial Voice Report. The initial IMMEDIATE voice report will be made within 5 minutes after learning of the incident and will be identified by the phrase "OPREP-3 NAVY BLUE" indicating that the communication is of high significance and must be transmitted or relayed without delay as a matter of unquestioned priority. The OPREP-3 NAVY BLUE voice message template, Figure 2-41, will be used by the originator and addressees to transmit and receive this message. Originators of this voice message should complete only those lines required to pass the essential information in each voice message. The second and/or third lines provided for call-up may be omitted whenever the net procedures permit an abbreviated call-up. DO NOT DELAY AN INITIAL REPORT IN ORDER TO GAIN ADDITIONAL INFORMATION. Figure 2-42 shows an example of a voice message transmission. Figure 2-43 shows the time frame, precedence, and classification of voice messages.

5. Message Reports. The initial IMMEDIATE voice report will be followed within 20 minutes of the incident by an IMMEDIATE initial message report. Any IMMEDIATE amplifying voice report(s) may be followed by IMMEDIATE amplifying message report(s). All message reports will follow the guidance given below. Precedence for all OPREP-3 NAVY BLUE reports will be IMMEDIATE. Once the incident is no longer of high Navy interest, subsequent reports may be sent as UNIT SITREPs.

a. Required addressees:

Action: CNO WASHINGTON DC
 USSTRATCOM OFFUTT AFB NE//J3/J44// (when
 strategic nuclear forces are involved).
 (for matters related to non-strategic
 weapons incidents and non-strategic
 force structure issues, unless those
 forces were specifically assigned to USSTRATCOM)
 FLTCINC:
 CINCLANTFLT NORFOLK VA//CDO//, or
 CINCPACFLT PEARL HARBOR HI//FCC//, or
 CINCUSNAVEUR LONDON UK, as
 appropriate for forces assigned.
 (Immediate operational and administrative
 commanders)
 COMNAVAIRSYS COM WASHINGTON DC//09F//
 (For matters relating to aircraft incidents)

Information: (Chain of command)
 ONI WASHINGTON DC
 NAVY JAG ALEXANDRIA VA

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b. Additional addressees as appropriate:

Information: UNIFIED COMMANDER:
CINCUSACOM NORFOLK VA, or
USCINCPAC HONOLULU HI, or
USCINCEUR VAIHINGEN GE, as
appropriate for forces assigned.
BUPERS WASHINGTON DC PERS 66
sexual assault
CMC WASHINGTON DC - For incidents
involving U.S. Marine Corps personnel
or missions.
BUPERS WASHINGTON DC PERS//05/06/6/61//
sexual harassment matters
NAVINGEN WASHINGTON DC//JJJ//
sexual harassment matters
NAVY JAG ALEXANDRIA VA//01/06/13//
sexual harassment matters
OFFCPM ARLINGTON VA
OFFCPM//01B// - sexual harassment where
civilian employee is involved
DIRNAVCRIMINVSERV
WASHINGTON DC//22D/23/02/21/24// - for
actual, suspected or threatened major violations of
law or good order and discipline; for
counterintelligence matters; for incidents resulting in
the loss of life; and for those other situations in which
the Naval Criminal Investigative Service
(NAVCRIMINVSERV)
participation is required by SECNAVINST 5520.3B.
NAVSURFWARCEN INDIAN HEAD MD (for
ordnance related accidents)
COMSC WASHINGTON DC - for all
accidents, incidents involving MSC personnel
or equipment.
COMNAVSEASYS COM WASHINGTON DC
and NAVDIVESALVTRACEN PANAMA CITY FL -
for reporting incidents of diving
mishaps resulting in death or lost-time
personnel injury.
MAJOR SHORE COMMANDERS - (area
coordinators) for all shore activities of Fleet
units reporting incidents which occur in
port/vicinity.

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CHNAVPERS WASHINGTON DC
and CNO N ONE WASHINGTON DC -
when reporting incidents involving death or
serious injury, serious misconduct, attempts
to willfully destroy property of the U.S. Navy,
or racial incidents.

COMNAVSAFECEN NORFOLK
VA//00/02/10/11/12/13/14/20/30/43/50/60/70/80/90
/054// - when reporting fires, flooding, grounding,
explosions, collisions, or other accidents to U.S.
Navy units.

APPROPRIATE SYSCOM - for all incidents which
may require a SYSCOM action.

APPROPRIATE US COAST GUARD DISTRICT
(CCGD_) - for incidents involving
oil/HPS spills.

BUMED WASHINGTON DC - when reporting
incidents involving death, serious
injury, or serious illness in which the
adequacy of medical care is reasonably in
question, and when reporting incidents
involving a nuclear hazard or radiation
concern.

SOPA - for incidents which occur in port.

NAVINGEN WASHINGTON DC - for all
incidents of major fraud, waste, or abuse.

COMNAVSEASYSYSCOM WASHINGTON DC - for
all reports originated by or concerning
naval nuclear powered ships and all reports
involving a nuclear hazard or radiation
concern.

c. The message classification shall be in accordance with Chapter 1, Section II, paragraph 2.

6. Message Text. The initial IMMEDIATE message report will include all the information given in the initial IMMEDIATE voice report. The IMMEDIATE amplifying message report(s) will include all the information provided in the IMMEDIATE amplifying voice report(s) plus any additional information available. Figure 2-43 shows the allowable message content of the OPREP-3 NAVY BLUE report plus the time frame, precedence, and classification of record messages. Figure 2-44 shows an initial report example.

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7. Miscellaneous Information

a. Include the following information in the GENTEXT/INCIDENT IDENTIFICATION AND DETAILS set, as available:

(1) OPREP-3 NAVY BLUE reports of aircraft accidents will include the following:

(a) Aircraft model, BUNO, reporting custodian, and custodian location.

(b) Pilot's name, rank, injury code (if known), and the number of other persons on board and their injuries.

(c) Mission and phase of operations, e.g., taxi, takeoff, inflight, approach, landing, etc.

(2) Give an account of the personnel and/or unit losses or damages which were incurred as a result of the incident. Report unknowns. When reporting the death or serious injury of U.S. military personnel, names will be withheld pending notification of next of kin. In such cases, the names can be listed provided the following statement is included: "FOR OFFICIAL USE ONLY. NEXT OF KIN HAVE NOT BEEN NOTIFIED." Care must be taken to avoid reporting sensitive personal information which might cause unwarranted invasion of personal privacy of individuals involved in certain types of incidents. These incidents include reports of spouse/child abuse, assault, or rape of a service member or dependent. In sensitive cases where disclosure of the identity of individuals involved might cause embarrassment or inconvenience, the personal identity of those involved should be withheld. Generic identification such as "PO1" or "20 YR OLD FEMALE E-3" should suffice. If detailed personal identity information is required it should be provided separately in other than GENSER messages, such as amplifying voice reports, telephone, personal for, or SPECAT messages.

(3) Reporting discrimination and sexual harassment cases:

(a) Discrimination and sexual harassment policy applies to all Navy civilians and military personnel involved in alleged harassment. In cases that involve Navy civilians, NAVOP 028/94 does not supersede any requirements of OCPMINST 12713.2 or union contact negotiated grievance procedures. In such cases, NAVOP 028/94 simply stipulates a reporting requirement for the commanding officer. The commanding officer should consult with the servicing director, human resources office, for additional guidance when civilians are involved.

(b) Commands are required to submit a report on any unresolved incident which exceeds the time schedule regardless of the date the incident occurred.

(c) The investigation must begin within 3 days of the command being notified of the incident. For reservists not on active duty, the incident should be resolved within 60 days, with follow-up sitreps made every 30 days thereafter, until final report of resolution. If the personnel in question are on active duty for the 14 days following notification of the incident, active duty timelines apply.

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(d) If the case is resolved within 14 days, there is no need to send an OPREP-3 NAVY BLUE, unless the case is of such a nature as to require OPREP-3 reporting for reasons other than reporting time. If in doubt send the OPREP-3.

(e) For cases where the complaint is made directly to the Navy Inspector General, or to a subordinate inspector general, and the case is tasked down the chain of command to the appropriate level for investigation, the investigating command, once notified, must adhere to the timeline requirements of NAVOP 028/94.

1. Reports shall include:

a. The name of the command reporting the incident (for cases involving a commanding officer, ISIC will make the report.

b. Command point of contact, Commercial, DSN and FAX telephone numbers.

c. Report number (for the initial report, state "INITIAL REPORT", for a follow-up message to a previous report on the same incident, state "REPORT NUMBER TWO" and provide DTG of the initial report message.)

d. Date of incident(s).

e. Date incident was first reported to command and when applicable, reason for reporting delay.

f. Date investigation began and when applicable (state reason for the investigation delay. NAVOP 028/94 requires that either formal or informal investigations begin within 3 days of initial notification. 1 day is preferred, 3 day limit is to accommodate weekends when appropriate.)

g. Describe assistance needed or state "NO ASSISTANCE REQUIRED."

h. Explain why the resolution has taken longer than 14 days (60 days for reservists not on active duty.)

i. General comments: Describe the incident. Include rank, gender, and service (i.e., Navy, Marine Corps, Coast Guard, Army, Air Force, DON Civilian, Contractor, Family Member) of all members involved and any other amplifying information. Do not include names, social security numbers or any other direct identification of those involved due to the extremely sensitive nature of this message.

j. Report incident identification and details including any action taken and results of investigations.

k. Report existing nuclear hazard, radiation levels, and personnel contamination levels, if applicable.

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b. Include the following information in the RMKS data set:

(1) The commanding officer's estimate of the situation, the impact of the incident on the reporting unit, and the ability of the unit to operate.

(2) MISHAP Reports. Only the final record message report will include a mandatory REMARKS (RMKS) set which will include one of the following statements, as appropriate:

"MISHAP REPORT NOT REQUIRED" or
"MISHAP REPORT TO FOLLOW" or
"MISHAP REPORT SUBMITTED"

A synopsis of MISHAP reporting criteria is listed in Chapter 1, Section II, paragraph 5c. For specific, detailed guidance on MISHAP Reports, see OPNAVINST 5102.1C, MISHAP Investigation and Reporting.

(3) When the initial voice report or message report of an OPREP-3 NAVY BLUE incident is not made within the prescribed time frame, an explanation of the reason for delay is required.

(4) Any press interest in the incident or press releases generated from the incident.

(5) The status of NIS notification/participation, if any.

c. Restricted Data (RD) or Formerly Restricted Data (FRD). If this message contains Restricted Data (RD) or Formerly Restricted Data (FRD), it must be identified in the classification line. In this case, the Declassification (DECL) set will NOT be used in the message.

VOICE MESSAGE TEMPLATE

TITLE: OPREP-3 NAVY BLUE (OPREP-3)

THIS IS OPREP-3 NAVY BLUE OVER
addressee originator

THIS IS SEND OPREP-3 NAVY BLUE OVER
originator addressee

THIS IS
addressee originator/

IMMEDIATE

(Transmit the precedence of this message)

TOP SECRET SECRET CONFIDENTIAL
UNCLASSIFIED

(Circle and transmit the security classification of this message)

OPREP-3 NAVY BLUE

(NOTE: Transmit the line number and line identifier OR just the line number; e.g., "LINE 4 TIME 1450Z" or "LINE 4 1450Z". Transmit only the lines required to pass essential information.)

LINE 1 SERIAL _____ (Serial number assigned to this report-NOT USED FOR NAVY-ONLY VOICE REPORTS)

LINE 2 INCIDENT _____ (Information identification, location, and details)

LINE 3 NARRATIVE _____

LINE 4 TIME _____ (Hour-Minute-Zone of message transmission/ authentication time; e.g., 2220Z. Enter if line 5 is used)

LINE 5 AUTHENTICATION IS _____ (Message Authentication in accordance with applicable procedures)

OVER

Figure 2-41

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EXAMPLE VOICE MESSAGE TRANSMISSION

TITLE: OPREP-3 NAVY BLUE (OPREP-3)

STARBURST THIS IS MOONGLOW OPREP THREE NAVY BLUE OVER

MOONGLOW THIS IS STARBURST SEND OPREP THREE NAVY BLUE OVER

THIS IS MOONGLOW

IMMEDIATE

UNCLASSIFIED

OPREP THREE NAVY BLUE

LINE TWO

POSSIBLE HOMICIDE OLONGAPO CITY
REPUBLIC OF THE PHILIPPINES

LINE THREE

ECHO THREE APPREHENDED BY SHORE
PATROL WHILE ATTEMPTING TO DISPOSE
OF BLOOD-STAINED UNIFORM PERIOD MAY
HAVE KILLED FEMALE FOREIGN NATIONAL
PERIOD INCIDENT UNDER INVESTIGATION
BY NCIS AND LOCAL AUTHORITIES

OVER

Figure 2-42

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SECTION XII - UNIT SITUATION REPORT (UNIT SITREP)

1. **General Instructions.** The UNIT SITREP is used by any unit commanding officer, officer-in-charge, or other commander (as directed or appropriate) to provide appropriate operational commanders and higher authority with timely notification of any incident not meeting OPREP-3 special incident reporting criteria. A UNIT SITREP shall be submitted under the following circumstances:

- a. When directed.
- b. When considered appropriate by the reporting activity.
- c. When bomb threats have been evaluated as a hoax.
- d. When reporting violent crime, including aggravated assault, sexual assault, assault, robbery, armed robbery, spouse abuse, child abuse committed on, or by, active duty or dependent personnel, discrimination or sexual harassment of, or by active or reserve military personnel, DON or non-DON personnel, contractors or family members. Incidents of suicide and attempted suicide are also to be reported.

2. **Contents.** The UNIT SITREP report will contain the following, when applicable:

- a. The status of situations/events not requiring OPREP-3 level reports with the exception of sexual harassment.
- b. The status of the progress of special operations/events.
- c. Information, as directed, concerning specific events tailored to a unique operational requirement.
- d. The identification of the type of event being reported.
- e. A brief account of the event being reported. Use concise statements designed to say: What happened? Who was involved? Where did it happen? When did it happen? Why did it happen? What action is ongoing? What future action is planned?
- f. Care must be taken to avoid reporting sensitive personal information which might cause unwarranted invasion of personal privacy of individuals involved in certain types of incidents. These incidents include reports of spouse/child abuse, assault, rape, or sexual harassment of a service member or dependent. In sensitive cases where disclosure of the identity of individuals involved might cause embarrassment or inconvenience, the personal identity of those involved should be withheld. Generic identification such as "PO1" or "20 YR OLD FEMALE E-3" should suffice. If detailed personal identity information is required it should be provided separately in other than GENSER messages, such as amplifying voice reports, telephone, personal for, or SPECAT messages. **DO NOT DELAY AN INITIAL REPORT IN ORDER TO GAIN ADDITIONAL INFORMATION.**

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REF: ICOMPAC P 005/97

g. Serialize all UNIT SITREP record messages using the message serial number field (field 3) of the MSGID set. See Chapter 1, Section II, paragraph 3 for procedures concerning serialization.

h. When reporting violent crime, submit in the format at Figure 2-47. Points of contact, during normal working hours, are CINCLANTFLT, DSN 565-4541 or commercial (804) 445-4541; CINCPACFLT, DSN ~~471-2191~~ or commercial ~~(808) 471-2191~~; and CINCUSNAVEUR, DSN 235-4378 or commercial 011-4471-409-4378.
 DSN 315-474-6782 or Com (808) 474-6782.

i. If an error is discovered after submitting an OPREP-3 series message, the originator will submit a corrected report. The corrected report will include only those sections requiring correction. The corrected report will be classified according to content. A corrected report will be identified by "CORR" in field 3 of the TIMELOC set.

3. Initial Report. The initial UNIT SITREP shall be a record message report with the exception of sexual harassment where initial report will be in OPREP 3.

4. Voice Report. Voice reports are not required for UNIT SITREPs.

5. Message Reports. The initial message report shall be sent within 20 minutes of knowledge of an event or incident. Amplifying reports may be sent as required. In the first paragraph of the GENTEXT set, of all such amplifying reports, whether the report is a continuing follow-on or final report, include a brief summary of the incident which gave rise to the submission of the final report. Classification and precedence are determined by the originator based on the nature of the incident.

a. Required addressees:

Action: Immediate Superior in the chain of command
 (All Incidents)
 USSTRATCOM OFFUTT AFB NE//J3/J44//
 for matters related to strategic systems, force
 structure and/or weapon incidents.

Information: (Chain of Command)
 DIRNAVCRIMINSERV WASHINGTON DC//22D//
 (whenever incident is criminal in nature)

b. Additional addressees which may be required depending upon the situation reported:

DIRNAVCRIMINSERV WASHINGTON
 DC//22D/23/02/21/24//-

For actual, suspected or threatened major violations of law or good order and discipline; for counterintelligence matters; for incidents resulting in the loss of life; and for those other situations in which the Naval Criminal Investigative Service (NAVCRIMINSERV) participation is required
 SECNAVINST 5520.3B.

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BUPERS WASHINGTON DC PERS//05/06/6/61// - For sexual harassment matters
NAVINGEN WASHINGTON DC//JJJ// - For sexual harassment matters
NAVY JAG ALEXANDRIA VA//01/06/13// - For sexual harassment matters
OFFCPM ARLINGTON VA OFFCPM//01B// - For sexual harassment cases when a civilian employee is involved
BUPERS WASHINGTON DC PERS//66// - For sexual assault cases

6. Message Text. Figure 2-45 shows the allowable message content of the UNIT SITREP report plus the time frame, precedence, and classification of record messages. Figure 2-46 shows an initial report sample.

MESSAGE CONTENT

TITLE: UNIT SITUATION REPORT (UNIT SITREP)

<u>Report</u>	<u>Time Frame</u>	<u>Precedence</u>	<u>Classification</u>
Initial Voice	Not required		
Initial Message	Within 20 minutes of event	As appropriate	As appropriate
Follow-up Voice	Not required		
Follow-up Message	Periodically until further reports are no longer necessary	As appropriate	As appropriate

Figure 2-45 (Continued on next page)

Pierce, Michael LCDR(EOD N01)

From: Ruiz, Bridget LT(EOD N012)
Sent: Thursday, September 05, 2002 8:49 AM
To: Pierce, Michael LCDR(EOD N01)
Subject: FW: COMTHIRDFLT OPERATIONAL REPORTING GUIDANCE

N3
ENS
Schedule Training during the



Dis_Adde.txt



ProHit.txt

XO

I didn't forget your request for CDO training on this--it just got pushed to the back burner thanks to the budget run-around. We'll get the training together.

V/r
LT R

-----Original Message-----

From: Carrillo LT (N1 - Admin Officer) [mailto:N1@eodgrul.navy.mil]
Sent: Thursday, September 05, 2002 09:34 AM
To: Bell YN1; Bennett YN1; Dixon YNCS; Esch, Dave CWO4 (EODMU3 ADMIN); Flanagan, C.E. LCDR; Gaghan LCDR; Gilbert LCDR; Jmorris (E-mail); Nichols LCDR; Parslow LCDR; Pierce LCDR; Ruiz LT; Sanchez YNC; Sloan YN1; Williams LT
Subject: COMTHIRDFLT OPERATIONAL REPORTING GUIDANCE

All,
forwarding to ensure you received.
/R,
LT Carrillo

ATTENTION INVITED TO

PRIORITY

P R 042212Z SEP 02 PSN 629609Q32

FM COMTHIRDFLT

TO ALTHIRDFLT

INFO CINCPACFLT PEARL HARBOR HI//N3/N34/CPFBW//
CINCPACFLT PEARL HARBOR HI//N3/N34/CPFBW//
COMNAVAIRPAC SAN DIEGO CA//N3//
COMNAVSURFPAC SAN DIEGO CA//N3//
COMSUBPAC PEARL HARBOR HI//N3//
COMSCPAC SAN DIEGO CA//N3//
COMSCPAC SAN DIEGO CA//N3//
COMTHIRDFLT

BT
UNCLAS PERSONAL FOR COMMANDERS AND COMMANDING OFFICERS FROM VDM

THIS IS A 2 SECTION MESSAGE COLLATED BY DMDS

N03120//
CCHI //N03120//

MSGID/GENADMIN/COMTHIRDFLT/-/SEP//

SUBJ/OPERATIONAL REPORTING GUIDANCE//

REF/A/MSG/C3F/141931ZJUN2002//

REF/B/MSG/C3F/161624ZJUL2002//

REF/C/MSG/CPF/051956ZAUG2002//

REF/D/DOC/OPNAV/01JUN1995//

REF/E/MSG/CPF/230332ZAPR2002//

NARR/REF A CONTAINS GENERAL GUIDANCE FOR OPERATIONAL REPORTING IN C3F AOR. REFS B AND C WERE PERSONAL FORS WHICH PROVIDED ADDITIONAL GUIDANCE CONCERNING OPERATIONAL REPORTING. REF D IS OPNAV INSTRUCTION 3100.6G, SPECIAL INCIDENT REPORTING (OPREP-3, NAVY BLUE AND UNIT SITREP PROCEDURES). REF E IS CPF GUIDANCE FOR VIOLENT CRIME REPORTING.//

RMKS/1. THIS MESSAGE CONSOLIDATES RECENT CPF AND C3F GUIDANCE FOR OPREP/SITREP REPORTING REFS A THROUGH C. RECENT REPORTS INDICATE THAT NOT ALL COMMANDERS UNDERSTAND THE IMPORTANCE OF TIMELY, ACCURATE, AND COMPLETE REPORTS. WHEN IT COMES TO OPREP/SITREP REPORTING, THERE IS NO MARGIN FOR ERROR. IT HAS TO BE DONE CORRECTLY EACH AND EVERY TIME. COMPLETE, ACCURATE, AND TIMELY REPORTING OF INFORMATION IS ESSENTIAL TO MAINTAIN PROPER SITUATIONAL AWARENESS FOR ALL CONCERNED AND TO FACILITATE COORDINATION WITH OTHER GOVERNMENT AGENCIES AND THE MEDIA. REQUEST ALL COMMANDERS AND COMMANDING OFFICERS PERSONALLY REVIEW THEIR GUIDELINES AND PROCEDURES ONCE AGAIN TO ENSURE COMPLIANCE WITH REFS A-E.

A. GENERAL GUIDANCE. REF D IS THE BASIC INSTRUCTION FOR OPREP AND UNIT SITREP REPORTING. COMMANDERS/COMMANDING OFFICERS AND KEY PERSONNEL (COS/CSO/XO, OPERATIONS OFFICERS, CDO'S/SDO'S) MUST KNOW THE REQUIREMENTS DELINEATED REF D. IF IN DOUBT AS TO WHETHER A SITUATION MERITS UNIT SITREP VICE AN OPREP 3, YOU HAVE PROBABLY ALREADY ANSWERED YOUR QUESTION. MAKE THE APPROPRIATE OPREP 3 VOICE REPORT TO THE CPF COMMAND CENTER AND THE WATCH WILL PROVIDE GUIDANCE IF IT CAN BE DOWNGRADED.

(1). IT IS ESSENTIAL THAT THE APPROPRIATE ACTION AND INFO ADDEES BE INCLUDED ON EACH REPORT. AS THE OPERATIONAL COMMANDER, C3F WILL BE AN INFO ON ALL SITREPS AND OPREPS. TWO RECENT REPORTS (ONE FROM A CVN AND ANOTHER FROM A CG) INCLUDED CINCPACFLT AS AN ADDEE WHILE C3F WAS OMITTED. TEMPLATES FOR VARIOUS TYPES AND MOST COMMON TYPES OF REPORTS WILL GO A LONG WAY TO ENSURING APPROPRIATE ACTION AND INFO ADDEES ARE INCLUDED.

(2). VIOLENT CRIME UNIT SITREPS/OPREPS ARE VIEWED WITH EXTREME SENSITIVITY (ESPECIALLY THOSE THAT INVOLVE BLUE ON BLUE, OR DOMESTIC VIOLENCE, OR THAT RECEIVE PRESS INTEREST) AND MUST ANSWER ALL THE QUESTIONS THAT MAY ARISE. THE FORMAT FOR THESE REPORTS IS DELINEATED IN REF E.

(3). WHETHER YOU ARE SENDING AN OPREP OR UNIT SITREP, STRIVE TO GIVE CONCISE INFORMATION, BUT NOT SO SHORT THAT IT CREATES MORE QUESTIONS THAN ANSWERS. PRIOR TO RELEASING THE REPORT, READ IT AS THOUGH YOU DO NOT HAVE ANY KNOWLEDGE OF THE FACTS BEING REPORTED AND ASK YOURSELF IF IT MAKES SENSE. TAKING THE TIME TO CLOSELY REVIEW A REPORT BEFORE SENDING IT, AND INCLUDING A WELL-ARTICULATED "CDR'S ASSESSMENT" WHEN ALL THE FACTS ARE NOT AVAILABLE, IS ESSENTIAL.

B. INITIAL REPORTS. THE MOST IMPORTANT REQUIREMENT FOR THE INITIAL VOICE AND MESSAGE REPORTS ARE THAT THEY PROVIDE THE ESSENTIAL INFORMATION NECESSARY TO INFORM THE CHAIN AND OTHER PERTINENT ADDEES

NAVY Family Service Center:

Command's POC is MR Michael J. Loessel, 553-8288
Naval Submarine Base
Bldg 211, Code 7
140 Sylvester Road
San Diego, CA 92106-3521

If you have any issues regarding Family Services call MR Loessel and he will field your call and get the required information or put you in contact with the person with the knowledge if he doesn't have it.

Family Advocacy Program and Sexual Assault and Victim Intervention (SAVI)

Regions POC is MS Sharon Merkel, 32nd ST Naval Station, 556-8709

Command SAVI POC: BMC ~~Dietz~~ OLIVERA

SAVI Crisis Hotline during working hours: 297-9510
24 hrs a day: 553-7505

If perpetrator is the command member a Military Protective Order will be issued and the person is required to move into the Barracks on base during a mandatory 48 hour cooling off period. He will be restricted to the Base and not allowed to have any interaction with the abused.

For the abused:

During working hours there are family shelters at the Family Advocacy Program at 32nd Naval Station and on Subbase on Directors way.

24hrs a day there is one at Balboa Hospital.

Fenton, William LCDR (EOD N01)

From: Fenton, William LCDR (EOD N01)
Sent: Monday, July 12, 1999 11:17 PM
To: Lindstrom, Glen YNC (EOD N01B)
Subject: FW: RAPE AND SEXUAL ASSAULT (RASA) REPORT//

Importance: High

MDSClass: Unclassified
MSDSTG: 070021Z JUL99
MDSFrom: COMNAVSURFPAC SAN DIEGO CA//N1//
MDSPrec: Routine

RASA



AuditTr.TXT

Chief just wanted to make sure you saw this and use the correct code. Thanks. R/ XO

-----Original Message-----

From: EOD.MDS
Sent: Monday, July 12, 1999 6:09 PM
To: DLEODTEUONE - All Users
Subject: RAPE AND SEXUAL ASSAULT (RASA) REPORT//
Importance: High

ADMINISTRATIVE MESSAGE

ROUTINE

R 070021Z JUL 99 ZYB PSN 796678S43

FM COMNAVSURFPAC SAN DIEGO CA//N1//

TO NAVSURFPAC

UNCLAS //N01752//

MSGID/GENADMIN/COMNAVSURFPAC SAN DIEGO CA//

SUBJ/RAPE AND SEXUAL ASSAULT (RASA) REPORT//

REF/A/CINCPACFLT/MSG/072233Z/MAY 95//

AMPN/REF A OUTLINES REQUIREMENTS FOR RASA REPORTS.//
POC/YNCSW) M.J.LEONE/PERSOFF/N1312/TEL:DSN 577-2154
/TEL:COMM 619)437-2154//

RMKS/1. ALL RASA REPORTS SENT TO COMNAVSURFPAC SHOULD BE SENT TO
CODES N1312 AND N1312 AS A REMINDER AND IAW REF A, ALL OPEN RASA
CASES ARE REQUIRED TO BE UPDATED MONTHLY.

2. THANK YOU FOR YOUR ASSISTANCE.//

BT
NNNN
RTD:000-000/COPIES:

17 JUL 1996

GUIDANCE REGARDING RIGHTS UNDER ARTICLE 31b,
UNIFORM CODE OF MILITARY JUSTICE

1. The following is provided as guidance based on legal decisions that interpret when Article 31b, Uniform Code of Military Justice (UCMJ) warnings must be given. This information is not intended to create any additional rights or expand any existing rights.
2. Family Advocacy Program (FAP) counselors are not required to provide Article 31b, UCMJ warnings when interviewing a service member for the purpose of diagnosis or treatment. If on the other hand, a FAP counselor questions a service member for the sole purpose of gathering incriminating statements to advance a criminal investigation (i.e., when there is not medical/clinical reason to ask the question) then the counselor is not acting for the purposes of diagnosis or treatment and should therefore provide the suspect with the attached Article 31b, UCMJ warnings prior to questioning the service member. If the counselor advises the member of his/her Article 31b, UCMJ rights, then the completed statement shall be maintained in the member's FAP file.
3. In those instances in which a counselor either believes that an Article 31b, UCMJ rights warning should be given or is unsure, the counselor should obtain legal advice prior to conducting the interview.

Enclosure (3)

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SUSPECTED OFFENDER'S RIGHTS AND ACKNOWLEDGEMENT/STATEMENT

FULL NAME OF SUSPECTED OFFENDER

SSN

RATE/RANK AND BRANCH
OF SERVICE

DATE OF BIRTH

ACTIVITY/DUTY STATION/UNIT

FULL NAME OF INTERVIEWER

SSN

RATE/RANK AND BRANCH
OF SERVICE

DATE OF BIRTH

ORGANIZATION

BILLET

LOCATION OF INTERVIEW

DATE AND TIME

RIGHTS

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he/she warned me that:

(1) I am suspected of having committed the following offenses: _____

initials

(2) I have the right to remain silent; and

initials

(3) Any statement I do make may be used as evidence against me in a trial by court-martial.

initials

(4) I have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian retained

17 JUL 1996

INITIAL REPORTING REQUIREMENTS AND COMMAND NOTIFICATION

1. Spouse Abuse. Spouse abuse is the most frequently reported type of family violence in the Navy and frequently co-exists with child abuse (physical and sexual). Physical assaults occurring within the family merit the same concern and level of intervention as any physical assault between unrelated persons.

a. If a spouse abuse report involving physical injury or the use of a dangerous or deadly weapon is received by the installation law enforcement/security department, verbal notification will be made immediately to the Family Advocacy Representative (FAR) and to the service member's command. A written and/or verbal report shall be made to the member's command and the FAR within 24 hours.

b. If a victim of alleged spouse abuse comes to a military treatment facility (MTF) seeking treatment for injuries related to abuse, the case shall be referred to the FAR immediately. In the case of major physical injury or indication of a propensity or intent by the alleged offender to inflict major physical injury, the appropriate law enforcement/security department officials shall be notified. In such cases, the FAR will notify the member's command as soon as possible to ensure victim protection and safety and shall assist victims with risk assessment, safety planning, and access to shelter/safe housing as needed. The Family Advocacy Program (FAP) standards in reference (f) provide additional guidance.

c. If a victim of alleged spouse abuse comes voluntarily to a Family Service Center (FSC) or MTF seeking counseling and there are no current injuries requiring medical attention, and the spouse is responsive, is capable of responding to any renewed threat of abuse, and previous injuries are not "major" physical abuse, the provider is not required to report the incident if in the provider's professional opinion the victim's safety is not an immediate issue and he/she does not want the incident reported. The provider should, however, encourage the spouse to report the incident to the proper law enforcement officials.

(1) At a minimum, a risk assessment should be completed, a safety plan should be done, and the FAR should be consulted.

(2) If at any time while working with the victim the provider comes to believe that the life and/or health of the victim is in imminent danger, the provider is required to report the situation to the FAR and the appropriate command, and should take necessary actions to promote the safety of the victim. In

Enclosure (4)

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such cases, document with the victim the reports being made and actions taken for his/her protection.

(3) If a victim of spouse abuse comes voluntarily to the FSC seeking counseling and there are current injuries due to alleged spouse abuse, the victim shall be referred to the MTF. The FAR and the appropriate law enforcement personnel shall be notified immediately.

2. Child Abuse. All Department of the Navy personnel must report any incident or suspected incident of child abuse occurring on a military installation or involving persons eligible for FAP services to the local FAR. (Exceptions are described in paragraph 3.) Depending on the outcome of the initial assessment of the report, the FAR will notify the member's command and, consistent with applicable laws and Memoranda of Understanding, the appropriate state and civilian agency having child protective service functions. In cases of major physical injury or an indication of an offender's propensity or intent to inflict major physical injury, the FAR shall also notify appropriate law enforcement/security department personnel. For overseas installations, notification will be made in accordance with applicable treaties or Status of Forces Agreements (SOFA). In the absence of a FAR, incidents shall be reported directly to the civilian agency having child protective service functions and to military law enforcement/security department officials in the case of imminent danger to the child. The FAP standards in reference (f) provide additional guidance.

a. Child Sexual Abuse. In addition to the above, incidents or suspected incidents of child sexual abuse (incest or extra-familial) must be reported to Naval Criminal Investigative Service (NCIS). Appropriate reports to BUPERS (Pers-6 and 8) in accordance with reference (b), or higher authority, and in accordance with the OPREP-3 reporting system, should be made. The FAR must report, within 5 working days, all cases to BUPERS (Pers-661). The FAP standards in reference (f) provide additional guidance.

b. Out-of-home Child Sexual Abuse. In addition to the above, cases of child sexual abuse alleged to have occurred in DOD-sanctioned, out-of-home care settings, such as child care centers, schools, recreation programs, or family child care, must be reported immediately to the cognizant installation commanding officer, NCIS, the FAR, and FAO. Within 24 hours of the initial report, the command will report by message to BUPERS (Pers-65, 66, and 8). The message, with information copies to the chain of command, should include the following:

1.7 JUL 1996

- (1) Date of alleged incident (YY/MM/DD);
- (2) Date case reported (YY/MM/DD);
- (3) Date incident reported to Child Protective Services (CPS) (YY/MM/DD);
- (4) Installation location;
- (5) Activity where alleged abuse occurred;
- (6) Alleged offender's employment position within activity;
- (7) Alleged victim's age, DOB (YY/MM/DD), and sex;
- (8) Agencies, both military and civilian, involved in conducting the investigation;
- (9) Brief incident description;
- (10) Current status of the case;
 - (a) Family Advocacy status:
 - (b) Police/NCIS status:
 - (c) Legal Status:
- (11) Current status of alleged offender within the activity (e.g., removed from position pending investigation);
- (12) Military point of contact name and telephone number (DSN);
- (13) NCIS Case Control Number (CCN), and telephone number of the Special Agent in Charge.

c. A written closeout report is required by DOD, under reference (b), after all investigations have been completed (command initiated, law enforcement, grand jury). The submission of a closeout report should not be delayed by pending related judicial or administrative proceedings or appellate reviews. The closeout report should be forwarded to Pers-8, 65, and 66, and include the following information:

- (1) A summary of all investigative findings and recommendations;

17 JUL 1996

- (2) The determination and recommendation of the FAP CRC;
- (3) A summary of command, administrative, and discharge proceedings, and legal actions;
- (4) Lessons learned, including recommendations for policy changes;
- (5) A list of corrective actions (planned and completed).

3. A reporting exception for all types of abuse is made for privileged communications between a person and a clergyperson or clergyperson's assistant when such communication is made either as a formal act of religion or as a matter of conscience. A like exception is made for privileged communications to an attorney when the lawyer-client privilege applies. As part of victim protection and restitution, chaplains are strongly encouraged to recommend to offenders that they voluntarily self-refer to the FAP so that appropriate educational, counseling, and behavioral rehabilitation can commence immediately and planning for victim safety can be initiated. Likewise, when they believe it to be in the interests of their clients, attorneys are strongly encouraged to advise offenders that self-referral to the FAP is an option that can help prevent future assaults, end the cycle of escalating abuse and eliminate other criminal acts that destroy families and careers. Additionally, victims should be advised by chaplains and attorneys, as appropriate, regarding available support resources; legal options in military and civilian judicial and administrative proceedings; and transitional compensation and other benefits that may be available should the offending servicemember be separated from military service for reason of family violence.

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GUIDANCE FOR LAW ENFORCEMENT AND OTHER FIRST RESPONDERS
IN SPOUSE ABUSE CASES

1. When a Navy law enforcement official, other than a Naval Criminal Investigative Service (NCIS) agent (who will follow NCIS regulations), responds to a report of spouse abuse and has jurisdiction in the case, the following guidelines apply:

a. The alleged offender and victim should be immediately separated and a safety assessment done. Law enforcement personnel should then interview them separately. Sworn statements should be obtained from both the offender and the victim. Before law enforcement officers interview the alleged active duty offender, he or she should be apprised of his or her Article 31b, Uniform Code of Military Justice, rights, if applicable. (Enclosure (3) contains a sample rights advisement statement.) An initial safety assessment should be done to determine, as far as possible, the presence or absence of the risk factors in paragraph 2.

b. Any children should be interviewed separately, both as potential witnesses of domestic violence and to determine if they have been abused or are at risk for abuse. Any non-familial witnesses should also be interviewed separately. Again it is important to obtain sworn statements of all relevant witnesses.

c. Both the alleged victim and the children should be assessed regarding the need for medical attention.

d. Law enforcement officers need to specifically question the alleged victim, alleged offender, and witnesses as to the presence or absence of weapons (e.g., guns) in the home. When weapons are found in the home, the alleged offender shall be returned to his or her command with a recommendation that the command issue a Military Protective Order (MPO), or the command may request removal of the weapons from the home.

e. If the law enforcement officer on the scene feels the alleged victim is in imminent danger, immediate action should be taken to promote the safety of the alleged victim and reduce the potential for violence (factors listed in paragraph 2 may be used to assess imminent danger). These actions may include immediate notification of command/NCIS, apprehension and incarceration, recommendations concerning desired command actions, (i.e., removing from the home, issuance of a MPO), and provision of shelter information.

f. The incident shall be reported to the Family Advocacy Program (FAP) staff and command in accordance with enclosure (4).

Enclosure (5)

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2. The purpose of this initial safety assessment is to obtain the victim's perception of the situation and to address protection issues. The initial safety assessment is an estimate, based on an interview with the victim and a review of available information, of how dangerous the alleged offender is as determined by the presence or absence of the following high-risk factors:

- a. Dangerous acts committed, imminent danger, or offender is violent, aggressive or out of control;
- b. Alleged use of a weapon or object used as weapon;
- c. Threats of serious harm to self or others by the offender;
- d. Significant abuse-related harm;
- e. Isolation of victim so that basic needs (food, clothing, shelter, etc.) cannot be met;
- f. Victim particularly vulnerable (due to pregnancy, age, disability, etc.);
- g. Alleged offender has previously abused the victim and the severity of the abuse or the offender's response to the incident suggests that safety may be an immediate concern;
- h. Substantial impairment due to alcohol/drug abuse of either victim or alleged offender or both;
- i. Alleged offender's obsession with abused victim;
- j. Victim's own assessment of potential for serious injury or death;
- k. Prior FAP report;
- l. Victim's fear of offender.

3. In addition to taking sworn statements of the alleged victims, witnesses, and alleged offender, law enforcement officials shall undertake the collection of evidence which should include:

- a. Photographs of injuries;
- b. Photographs of the location where the incident occurred to include property damage;

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- c. Obtaining 911 tapes, if possible;
- d. Obtaining copies of medical records/reports, if possible;
- e. Liaison with state or local law enforcement agents to obtain copies of police reports, when possible.

4. Domestic violence incidents can involve a member who is not married but is cohabiting. In all cases of domestic violence, regardless of marital status, first responders will do a risk assessment and safety plan, and refer the case to FAP staff who will open a case. Only active duty personnel and family member beneficiaries are entitled to specific Navy services (i.e., medical treatment, counseling, offender treatment, etc.). Persons who are not beneficiaries will be referred to appropriate community services.

5. Law enforcement officials will ensure their reports are forwarded to the offender's command and the FAP staff. Additionally, they will make every effort to assist commands in obtaining copies of civilian convictions, if applicable, so that appropriate service record entries may be made.

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MILITARY PROTECTIVE ORDERS

1. A Military Protective Order (MPO) is similar to a Temporary Restraining Order issued by a civil court. It can be issued after hearing only one side of the story (ex parte). An MPO can be issued if the cognizant officer determines it necessary to ensure the safety and protection of persons for whom it is issued. If ex parte, MPO's should be of short duration, normally not more than 10 days. If a longer duration is required, victim(s) and the suspected offender should be given an opportunity to be heard and to respond to allegations. In cases not requiring ex parte determinations, both persons (victim and offender) should be given the opportunity to be heard and to respond before issuance of an MPO. Formal hearings, however, are not required.

2. MPO's are aimed at stabilizing the situation and providing additional time for investigation, while taking into account any hardship that may be imposed on both victims and offenders. The greater the need to protect potential victims, the more reason that an MPO should be issued. As a crisis abates, and as the actual facts surrounding a domestic crisis are determined, a final decision regarding the continuation of an MPO should be made by the commanding officer, with input from the Family Advocacy Representative, if available.

3. MPO's are administrative rather than punitive in nature, and their imposition does not preclude disciplinary action under the Uniform Code Military Justice. Care should be taken in preparing the terms of the MPO to tailor them to the specific facts surrounding the case. Avoid overly harsh provisions which could be construed as punitive or as a form of pre-trial restriction.

4. MPO's shall relate to matters involving the alleged abuse and may include but are not limited to:

a. Direction to stay away from designated person(s);

b. Direction to stay out of and away from designated areas or places, including military housing, the family home, schools, place of employment and day care centers. Direction to leave a public place if the victim and offender find themselves in the same location or facility (normally the military person is required to leave);

c. Direction to refrain from contacting, harassing, stalking or touching certain named persons. This can include restrictions

Enclosure (6)

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of phone conversations, third party communications, and orders to remain outside a geographical location;

d. Direction to do or refrain from doing certain activities pending further direction;

e. Direction to provide adequate financial support for family members per pertinent regulations; and

f. Explanation of the consequences of failure to follow the orders contained in the MPO.

5. Directives to civilians must necessarily be limited to orders commensurate with the commanding officer's authority to maintain security and to control the activities of employees, residents, and guests on naval installations. Options available include orders barring civilians from the installation, employer directives, and housing area directives. Correspondingly, orders may be given to civilians aimed at assuring their safety.

6. Orders to military persons are preferred. ~~An MPO is designed to control a situation in order to protect the safety of the victim, not to punish the member.~~ Commanding officers' orders to civilians are less manageable and are difficult to enforce.

7. MPO's shall:

a. State their military purpose (i.e., safety of victims, and ensuring good order and discipline);

b. Be specific in controlling certain behaviors; and

c. Be comprehensive to prevent misunderstandings (e.g., an order to not have telephone contact with the victim can be contravened by the use of electronic mail).

8. MPO's shall be in writing and their receipt recorded in order to ensure enforceability if violated. Verbal orders given to control an immediate situation shall be reduced to writing and acknowledged by the member. Prior to issuing an MPO commands should consult a judge advocate. The following is a sample format for drafting orders.

17 JUL 1996

SAMPLE MPO

From: _____
(Commanding Officer and Name of Command)

To: _____
(Name, Rank/Rate, and SSN of Alleged Offender)

Via: _____
(Use only if applicable)

Subj: MILITARY PROTECTIVE ORDER ISSUED TO Name of Alleged Offender CONCERNING ALLEGATIONS OF CHILD/SPOUSE ABUSE

Ref: (a) OPNAVINST 1752.2A

1. You are hereby ordered to abide by and obey the following Military Protective Order, issued per reference (a). Violation of this order may result in administrative or disciplinary action under the Uniform Code of Military Justice.

2. This is a lawful order taken to promote good order and discipline and ensure the safety and protection of the person(s) listed below. It is also intended to protect you from further allegations concerning child or spouse abuse while the order is in effect. The issuance of this order is not a form of disciplinary action against you, nor does it mean that you will or will not be punished for any actions taken before or after this order.

3. This order is issued concerning your association and contact with the following person(s):

(Name suspected victims of abuse)

4. You are directed to:

(State conditions of MPO)

5. This order shall remain in effect until _____ unless sooner canceled by me (by _____), or by higher authority.

6. You may submit to me written matters concerning this order.

Signature

Copy to:
Victim
Legal Officer/Navy Law Enforcement Officials

OPNAVINST 1752.2A

17 JUL 1996

FIRST ENDORSEMENT

From: _____
(Name, Rank/Rate, and SSN of Alleged Offender)

To: Commanding Officer, _____
(Name of Alleged Offender's Command)

Via: _____
(Use only if applicable)

1. I have read the above military protective order and understand its contents. I acknowledge that administrative or disciplinary action may be taken against me if I fail to follow this order.

Signature of Alleged Offender/Date

Signature of Witness/Date

APPENDIX H

**OIL SPILL REPORT
(MESSAGE REPORT)**

1. Precedence (for messages only). Oil spill messages will normally be by routine precedence provided prior telephone report has been made; if not, use priority precedence.

2. Classification or Special Handling Marking. Spill reports are unclassified and do not warrant special handling markings unless classified or sensitive unclassified information must be incorporated. Inclusion of such information should be avoided to the maximum extent possible to permit such reports to be handled on a solely unclassified basis.

3. Addressee and info blocks for oil spills to waters of the United States and its contiguous zone:

FM: Navy Activity/Ship (spiller)
 TO: NOSC (see Chapter 10 or 19)
 Operational Commander
 INFO: CNO WASHINGTON DC//N45//
 C O M N A V S E A S Y S C O M
 WASHINGTON DC//00C//
 NFESC PORT HUENEME CA//112//
 COGARD NATIONAL RESPONSE
 CENTER WASHINGTON DC//JJJ//
 MAJOR CLAIMANT//JJJ//
 NAVPETOFF ALEXANDRIA VA//JJJ//

[and other organizations, as appropriate]

4. Addressee and info blocks for oil spills to waters of foreign countries and international waters:

FM: Navy Activity/Ship (spiller)
 TO: NOSC (see Chapter 10 or 19)
 Operational Commander
 INFO: CNO WASHINGTON DC//45//
 NFESC PORT HUENEME CA//112//
 C O M N A V S E A S Y S C O M
 WASHINGTON DC//00C//
 MAJOR CLAIMANT//JJJ//
 NAVPETOFF ALEXANDRIA VA//JJJ//

[and other organizations, as appropriate]

5. Body of Report for all oil spills. The body of the message will be in the following format:

UNCLAS//NO5090//
 SUBJ: OIL SPILL REPORT (REPORT
 SYMBOL OPNAV 5090-2) (MIN:
 CONSIDERED)
 MSGID/GENADMIN/ORIGINATOR//
 RMKS/

1. GMT DTG RELEASE OCCURRED/
 DISCOVERED.

2. ACTIVITY/SHIP ORIGINATING
 RELEASE: (for ships: list name, hull no., and

unit identification code (UIC); for shore activities: list name, UIC; for non-Navy spills discovered by Navy activity: list name of responsible party (if from commercial firm under contract to Navy: list names of firm and contracting activity); for spills from unknown source: indicate whether spill is thought to have originated from Navy operations).

3. **SPILL LOCATION:** (for spills at sea: list latitude, longitude, and distance to nearest land; for spills in port: list port name and specific location (pier or mooring designation, etc.); for spills ashore: list specific location within activity (building or area designation, etc.)).

4. **AMOUNT SPILLED IN GALLONS:** (best estimate; if oil/water mixture, indicate percentage oil).

5. **TYPE OF OIL SPILLED:** (choose one: diesel fuel marine (DFM); naval distillate; Navy special fuel oil (NSFO); jet fuels (JP-4, JP-5); aviation/automotive gasoline; automotive diesel; heating fuels (grades 1 and 2, kerosine); residual burner fuel (grades 4, 5, and 6/bunker C); lube/hydraulic oils; oil/oil mixture (including slop and waste oils); oil/water mixture (including bilge waste); Other (specify); unknown (provide best estimate, if possible)).

6. **OPERATION UNDER WAY WHEN SPILL OCCURRED:** (choose one: fueling/defueling; internal transfer of fuel (includes transport of fuel from one storage area to another); bilge dewatering (including donut operations); salvage; other (specify); unknown).

7. **SPILL CAUSE:** (provide narrative description of specific spill cause; indicate if one of the following was principal cause: structural failure (specify); hose failure or leak; other type equipment failure (specify); collision/grounding/sinking; valve misalignment; monitoring error; other procedural/communications error (specify); other (specify); unknown).

8. **SLICK DESCRIPTION AND MOVEMENT:** (size: length and width; color (choose one): barely visible, silvery, faint color, bright color bands, dull brown, or dark brown; on-scene wind: direction, speed; sea state; slick movement: direction, speed).

9. **AREAS DAMAGED OR THREATENED:** (name of body of water affected; nature and extent of damage to property, wildlife, or other resources (if any); areas or resources threatened).

10. **TELEPHONIC REPORT TO Nuclear Regulatory Commission (NRC) WAS/WAS NOT MADE.** (If made, report number and person receiving report.)

11. **SAMPLES WERE/WERE NOT TAKEN.**

12. **CONTAINMENT METHOD PLANNED/USED:** (if none, state reason; indicate which of the following equipment utilized: boom; ship's hull; camel; water spray; chemical agent (specify); other (specify)).

13. **SPILL REMOVAL METHOD PLANNED/USED:** (if none, state reason; indicate which of the following equipment utilized: DIP 1002 skimmer; DIP 3002 skimmer; SLURP skimmer; nyc (oil-absorbing pads, chips, or other materials); dispersants; vacuum trucks/pumps; other (specify)).

14. **PARTIES PERFORMING SPILL REMOVAL:** (indicate one or more of following: Navy (specify lead organization in charge); commercial firm under contract to Navy; USCG; EPA; State or local agency; other (specify)).

15. **ASSISTANCE REQUIRED/ADDITIONAL COMMENTS.**

16. **STATE AND LOCAL CORRECTIVE ACTION TAKEN (IF APPLICABLE)**

17. **ACTIVITY CONTACT FOR ADDITIONAL INFORMATION:** (name, code, Autovon and/or commercial).//

RASA

OPNAVINST 1752.1A
23 MAR 1990

COMMANDER'S GUIDELINES FOR RESPONSE TO SEXUAL ASSAULT INCIDENTS

The following are guidelines for commands when addressing all incidents of sexual assault within the command. (**Remember: Sexual assault is a crime and is incompatible with the DON's core values, high standards of professionalism, and personal discipline. DON personnel will treat all victims of sexual assault with fairness and respect.**)

Commanding officers are responsible for ensuring a command climate that condemns sexual assault, provides victims with sensitive care and support, reports incidents of sexual assault, and holds offenders accountable for their actions.

Sexual assault includes rape (Art. 120 UCMJ), forcible sodomy (Art. 125 UCMJ), assault with intent to commit rape or sodomy (Art. 134 UCMJ), and indecent assault (Art. 134 UCMJ).

Guidelines

Upon receipt of a report of sexual assault involving a servicemember from their command, commanding officers must take the following actions:

1. Reassure the victim that reporting was the right thing to do. Make sure that the victim understands it is his/her choice as to how to proceed (e.g., whether to make a statement to law enforcement, etc.) and that the command will support his/her decision. Consider all information received regarding sexual assault incidents in a non-judgmental manner. Do not blame the victim for his/her behavior at the time of the sexual assault.
2. Ensure that the victim is informed of his/her rights, options, and available resources throughout the investigative, and legal processes.
3. Guard the victim's right to confidentiality and privacy by limiting "need to know" personnel.
 - a. Be sensitive to the needs of the victim's family.
 - b. Be aware that if a victim is legally an adult, he/she must consent in writing to the release of information to anyone (including parents, friends, etc.) regarding the incident or the status of the victim.

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c. Only in cases where the victim has suffered life threatening injuries will next of kin be notified without prior approval of the victim.

4. Ensure that the victim receives emergency medical treatment if there are major physical injuries.

5. Ensure that the victim is safe and receives reasonable protection from the alleged offender. If the alleged offender is from the same command and is not incarcerated, offer temporary reassignment to the victim. If the victim declines reassignment, the alleged offender should be temporarily reassigned to a different command, or placed on administrative leave pending the resolution of the sexual assault allegation. If the alleged offender is from another command, the alleged offender's commanding officer can issue a Military Protective Order forbidding contact with the victim and restricting how close the alleged offender can get to the victim to lessen the intimidation factor and increase the victim's feeling of safety. If the victim won't identify the offender, let him/her know that it's important to know in order to protect him/her.

6. Explain the availability of victim advocacy services and notify the on-call victim advocate (either a SAVI Program volunteer victim advocate or a victim advocate from an appropriate community resource, like a rape crisis center, where available). Some commands may have victim advocates on board who have formal victim advocate training through the SAVI Program or a civilian rape crisis center. It is a victim's choice whether or not to have a victim advocate assigned, but he/she should be encouraged to have one. The role of the victim advocate is to provide emotional support to and help guide a victim through the various medical, legal, and investigative processes with a goal of minimizing the re-victimization of sexual assault victims. Victim advocates must have formal training (20-40 hours) through the SAVI Program or a civilian rape crisis center.

7. Designate a command representative to act as the single command point of contact for the victim. All other direct contacts with the victim within the command (including the commanding officer) should be kept to a minimum. This person should:

a. Be senior (E7 and above), have, at a minimum, 20 hours of sexual assault awareness training, and be sensitive to victim needs and issues.

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- b. Be automatically assigned by the command. If the victim is not comfortable with the assigned command representative, he/she can request that another be assigned.
- c. Have direct access to the commanding officer.
- d. Promote responsive command management of sexual assault cases.
- e. Keep the victim informed of command actions in his/her case.
- f. Ensure a victim-sensitive command climate to avoid re-victimization of the victim within the command.

NOTE: This person is different from the volunteer victim advocate defined in paragraph 6. This person's role is to advocate for the victim within the command structure to eliminate re-victimization and to ensure a supportive command climate.

8. Find out when and where the incident occurred. If the incident occurred on property under DON jurisdiction within the past 5 years, NCIS must be notified.

- a. Encourage the victim to make a statement to NCIS; however, do not force the victim if he/she is unwilling to do so.

- b. It should be explained to the victim that should he/she decline to be interviewed personally by law enforcement officials (e.g., NCIS special agents or civilian police, depending on jurisdiction), it is unlikely that a criminal investigation will be initiated or conducted and valuable evidence may be lost, negatively impacting the possibility of holding the offender(s) accountable.

- c. If the victim chooses not to cooperate with the investigation/prosecution, NCIS may request the victim sign a Victim Preference Statement.

- d. A victim can change his/her mind about following through with the investigation/prosecution at any time, even if the victim has signed the statement.

9. If the incident occurred on property not under DON jurisdiction and the offender(s) is not affiliated with the Navy, the victim may choose whether or not to report to civilian law

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enforcement officials. Encourage the victim to report to civilian law enforcement officials; however, do not force the victim if he/she is unwilling to do so.

10. ~~If the incident occurred within the past 72 hours~~, encourage the victim to go to a medical treatment facility for an evidentiary exam.

a. Advise the victim not to destroy possible evidence by bathing, douching, changing clothes, eating, drinking, or cleaning up in any way.

b. Do not force the victim if he/she is unwilling to do so.

11. Even if the incident occurred prior to the past 72 hours, it is important for the victim to seek medical attention. Encourage the victim to get a medical examination to assess possible injury, sexually transmitted diseases, etc. The victim's command representative should run interference with the medical treatment facility to smooth the way for the victim to receive services without re-victimization.

12. Ensure that the victim has received an Initial Information for Victims and Witnesses of Crime, DD 2701, and is aware of all civilian and military resources and services available to her/him under the Victim and Witness Assistance Program (VWAP).

13. Offer to notify the duty chaplain if the victim desires pastoral counseling/assistance.

14. Ensure that the victim receives appropriate crisis intervention and counseling services from a qualified counselor to address post trauma symptoms. Referrals can be made to the family service center or medical treatment facility for active duty victims. Family member victims can also be referred to civilian resources.

15. As defined in paragraph 13 of this instruction, ~~Submit a SITREP to CNO(N1), info Pers-61, Pers-83, and all intermediate commands, within 24 hours of commencement of an investigation of~~ a sexual assault allegation, regardless of where the incident occurred. SITREPs will follow the format found in reference (1).

16. In accordance with the Rape and Sexual Assault System (RASAS) reporting requirements defined in paragraph 13 of the basic instruction, the command must take the following actions:

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a. Appoint a DCC to effect appropriate liaison with governmental agencies to obtain the information required for RASAS reporting. This information should NOT be obtained from the victim or alleged perpetrator.

b. Within 10 days of submission of the SITREP, provide amplifying information in the initial OPNAV 1752-1 to the appropriate Echelon 2 command, and info all intermediate commands. Provide monthly continuation reports to the appropriate Echelon 2 command until final resolution. Required information for NAVPERS 1752/1 and specific guidelines regarding submission of OPNAV 1752-1 are found in enclosure (7).

17. Commands may also become involved in sexual assaults involving family members. If the command is aware of these incidents, they should also be reported through OPNAV 1752-1. Additionally, it is important to:

a. Be empathetic by accepting and appreciating the pain and emotional trauma of sexual assault on victims, families, and friends.

b. Provide information and referral to appropriate base/civilian programs with services for sexual assault victims and their family members.

18. Provide legal consultation for the victim to ensure he/she is aware of options regarding prosecution and the implications of his/her decisions.

19. Arrange for long-term counseling of the victim and her/his family if necessary and desired. Counseling services are available at the medical treatment facility, family service center, or through civilian resources (for family members).

20. Designate a command SAVI Program POC. This person is responsible for implementing and coordinating awareness and prevention training programs for the command; maintaining and providing current information and referral to base/community programs for victims (e.g., victim advocate services, counseling, medical care, etc.); and ensuring collection and maintenance of sexual assault data. This person should maintain resource information (programs, telephone numbers, referral procedures, etc.). This information can be obtained from family service centers (if one is available) or from appropriate civilian agencies.

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NOTE: This person is different from those defined in paragraphs 5 and 7. This person may act as the command representative for the victim if the criteria defined in paragraph 7 of this enclosure are met.

21. Victims of sexual assault often feel victimized by the criminal justice system when questioned about their conduct or inaction during a sexual assault. In cases in which the victim's behavior may be considered an offense under the Uniform Code of Military Justice (e.g., fraternization, underage drinking, drunk and disorderly conduct), the decision to take appropriate administrative or disciplinary action should be considered and weighed in the context of the circumstances surrounding the assault. At a minimum, any administrative or punitive action to be taken against a victim should be delayed until after disposition of the sexual assault allegation.

22. Determine and comply with victim's preference concerning gender of all involved (e.g., victim advocate, command representative, lawyer, physician, etc.) insofar as feasible.

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