

[REDACTED]

Sent by electronic mail to: [REDACTED]

Dear [REDACTED],

[REDACTED]

The Department of Defense (DoD) Sexual Assault Prevention and Response Office (SAPRO) is responsible for oversight of the DoD's sexual assault policy. SAPRO works hand-in-hand with the Military Services and the civilian community to develop and implement innovative sexual assault prevention and response programs. All the available information and data that is provided to SAPRO is compiled in Annual Reports to Congress. Per your request, please note that the Military Services do report some aggregate data on prior service cases by service member victims. The amount of data is largely dependent on the information available and/or provided by the victim. This data is also reported in the annual reports to Congress.

SAPRO was established in 2004 and does not hold the requested information for years 2002 and 2003; the documents you have requested for 2002 and 2003 are most likely to be found at the Military Services. SAPRO does not request or receive disaggregated data. For disaggregated data, you may choose to request this information directly from the Services.

The following SAPR website URL contains all the Annual Sexual Assault Reports (Military Service Reports, including Military Service Academy Reports) from Calendar Years 2004 through Fiscal Year 2013: <http://www.sapr.mil/index.php/annual-reports>. The 2014 Annual Sexual Assault Report and subsequent Military Service Report, are not yet available for public information, but will be available in January 2015. Fiscal Year 2014 reporting will not be available for public information until approximately April 30, 2015. SAPRO has made all reported data available at the above website. If the data you are looking for is not available in these reports, SAPRO does not have that data.

Per DoD 5400.7-R, "Department of Defense Freedom of Information Act Program" guidelines, Chapter 1, Section 5.7.1., provides guidance for creating records. It states: "A record must exist and be in the possession and control of the Department of Defense at the time of the search to be considered subject to this Regulation and the FOIA." As such, please note that an agency, including SAPRO, has no obligation to create, compile, or obtain a record to satisfy a FOIA request.

As you may or may not be aware, this FOIA office only processes requests for the Office of the Secretary of Defense (OSD) and the Joint Staff (JS). There is no central FOIA processing point for the entire Department of Defense (DoD) records management; instead, processing is delegated to those officials of the military services and various DoD components who generate and/or maintain the records being sought or reviewed.

Since the U.S. Air Force, U.S. Army, U.S. Navy, and U.S. Marine Corps each operate their own FOIA programs we suggest you submit a request to them. For your convenience, their mailing and email addresses are provided for you below.

Department of the Air Force
ATTN: SAF/AAII (FOIA)
1000 Air Force Pentagon
Washington, D.C. 20330-1000
usaf.pentagon.saf-cio-a6.mbx.af-foia@mail.mil

Department of the Army
ATTN: AHRC-PDD-FP
Freedom of Information and Privacy Acts Division
7701 Telegraph Road
Alexandria, VA 22315-3860
usarmy.belvoir.hqda-oaa-ahs.mbx.rmda-foia@mail.mil

SECNAV/CNO FOIA Office
Chief of Naval Operations (DNS-36)
2000 Navy Pentagon
Washington, D.C. 20350-2000
DONFOIA-PA@navy.mil

Headquarters U.S. Marine Corps
ATTN: FOIA/PA Section (ARSF) Rm 2B289
3000 Marine Corps Pentagon
Washington D.C. 20350-3000
<https://foiaonline.regulations.gov/foia/action/registered/home>

Please note that U.S. Coast Guard operates under the Department of Homeland Security, and only cases that fall under the purview of the Service Secretaries are reported in the annual SAPRO reports. To make a FOIA request to the U.S. Coast Guard, you may write to:

Commandant (CG-611)
ATTN: FOIA Officer
U.S. Coast Guard, Stop 7710
2703 Martin Luther King Jr. Ave. SE
Washington, D.C. 20593-7710
EFOIA@uscg.mil

Inasmuch as this constitutes a full grant of your request, I am closing your file in this office. There are no assessable fees associated with this response. If you are not satisfied with this action, you may petition the Appellate Authority, the Director of Administration, Office of the Secretary of Defense, by writing directly to the OSD/Joint Staff Freedom of Information, ATTN: Appeals Office, 1155 Defense Pentagon, Washington, D.C. 20301-1155; you may also submit your appeal electronically at the following link: <http://pal.whs.mil/palMain.aspx>. Your appeal should be postmarked within 60 calendar days of the date of this mail, should cite case number [REDACTED] and should be clearly marked "Freedom of Information Act Appeal."

Respectfully,

Adrienne Blake
Government Information Specialist
For Suzanne Council on behalf of
Paul Jacobsmeyer, Chief, Freedom of Information Act Division
OSD/JS FOIA Office
adrienne.c.blake.civ@mail.mil