REPORT TO CONGRESS

DEPARTMENT OF DEFENSE YEAR 2000 DATA ON

REPORTED INCIDENTS OF DOMESTIC VIOLENCE

EXECUTIVE SUMMARY

Section 594 of P.L. 106-65, the National Defense Authorization Act for FY 2000, required DoD to establish a central database of domestic violence incidents involving members of the armed forces, to include the number and the nature of the allegations, and for those incidents with sufficient evidence to substantiate the allegation, the actions that command took in response (TAB 1). Section 591(e) (TAB 2) contemplates that the Secretary will transmit annual data from the database with the Secretary's evaluation of the annual report of the Defense Task Force on Domestic Violence (Task Force). The Secretary's evaluation of the first annual report of the Task Force has already been transmitted.

By memorandum of June 8, 2000, (TAB 3) DoD established the domestic violence database as a sub-database of the Defense Incident-Based Reporting System (DIBRS), matching the DIBRS data to data from the Family Advocacy Program (FAP) central registry of child and spouse abuse reports. The relevant data elements in DIBRS and in the FAP central registry of child and spouse abuse reports are at TABs 4 and 5, respectively. The definition of domestic violence for the domestic violence database is derived from combining the DIBRS and FAP data elements. The DoD database on domestic violence thus contains the following data: (1) information on incidents reported to military law enforcement units, but not FAP, (2) where such incidents were also reported to FAP, additional information from FAP data on these incidents, and (3) information on incidents reported to FAP, but not to military law enforcement units.

Due to difficulties in the development of DIBRS, not all military law enforcement units were able to report data for 2000. In addition, the actions taken by military commanders in 2000 in response to these reports were largely unreported. Finally, the law enforcement data submitted for 2000 did not have personal identifiers that would permit a match to the FAP data. Thus, the data could not be matched to eliminate duplicate reports. DIBRS data and FAP data will not match perfectly because the scope of the data they collect differs.

Total alleged incidents of domestic violence reported to military law enforcement units.

A total of 1,492 alleged incidents of domestic violence were reported to those Services' law enforcement units that provided data with respect to incidents occurring in 2000. Of these, active duty service members allegedly committed 98 percent. Of the 1,459 victims whose relationship to the alleged offender was known, 86 percent of the victims were spouses, 1 percent were former spouses, and 13 percent were other intimate partners.

There was a total of 11 homicides involving domestic violence. Of these, 4 occurred on a military installation. The alleged offenders in 8 were active duty personnel. None of the victims in these 8 homicides were active duty personnel: 7 were female; 6 were current spouses; 1 was a former spouse; and one was a civilian intimate partner.

There were 1,481 reports of alleged domestic violence incidents that were not homicides. The active duty status of the victim was reported in 72 percent of these incidents, and 21 percent

of such victims were active duty personnel. The location was provided in 20 percent of the incidents, and of these, 68 percent occurred on a military installation.

Of the 1,448 reports of domestic violence allegedly committed by active duty personnel that were not homicides, 65 percent of the most serious allegations were physical assault, 9 percent were sexual assault, 3 percent were property damage, and 2 percent were emotional abuse. The most serious allegation was unspecified in 21 percent of the incidents.

Of the victims, 66 percent were females, and the sex was not recorded and is therefore unknown in 23 percent. A spouse was the victim in 87 percent of the incidents. The three most frequent domestic violence incidents were physical assault of a wife (47 percent), physical assault of a husband (9 percent), and physical assault of a female intimate partner (6 percent).

Of the 1,456 incidents of domestic violence allegedly committed by an active duty service member that had been reported to military law enforcement units, 83 percent had sufficient evidence to support disciplinary action against the service member.

Actions taken by military commanders in alleged incidents of domestic violence reported to DoD with sufficient evidence to support disciplinary action.

Of the 8 domestic violence homicides allegedly committed by active duty personnel, in 3 the command action was pending, in 2 the alleged offender was deceased, and in 3 the actions taken by the military commanders were unreported.

Of the remaining 1,205 alleged incidents of domestic violence reported to military law enforcement units with sufficient evidence to support disciplinary action against an active duty service member, the actions taken were not reported in 81.8 percent. Actions were pending in 3.6 percent; 3.3 percent resulted in no action being taken; 6.8 percent resulted in administrative action against the service member; 0.2 percent resulted in an administrative separation of the service member from the service; 2.3 percent resulted in nonjudicial punishment under Article 15 of the Uniformed Code of Military Justice; 2.2 percent resulted in a court martial; and 0.2 percent resulted in a referral to a civilian court for criminal prosecution.

Total alleged incidents of spouse abuse reported to military FAPs.

The total number of alleged incidents of spouse abuse reported to FAP in 2000 was 12,068. Of the total alleged spouse abusers, 63 percent were active duty personnel. The 5,996 active duty service members allegedly committed the following most serious incidents: 0.9 percent sexual abuse; 86 percent physical abuse; and 13 percent emotional abuse.

Each of the Services is taking actions to improve the extent and quality of data for the domestic violence database in future years. Steps being taken include conversion of all installation level military law enforcement unit data, all military criminal investigative organization data, and all data on actions taken by military commanders in response to reports to formats that meet DIBRS requirements, including the use of personal identifiers.

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Section 594 of P.L. 106-65, the National Defense Authorization Act for FY 2000, required DoD to establish a central database of domestic violence incidents involving members of the armed forces, to include the number and the nature of the allegations, and for those incidents with sufficient evidence to substantiate the allegation, the actions that command took in response (TAB 1). Section 591(e) (TAB 2) required the Secretary to transmit annual data from the database with the Secretary's evaluation of the annual report of the Defense Task Force on Domestic Violence (Task Force). This report of data is submitted to meet this legislative requirement; the Secretary's evaluation of the first annual report of the Task Force has been previously transmitted.

I. ESTABLISHMENT OF THE DATABASE OF DOMESTIC VIOLENCE INCIDENTS.

By memorandum of June 8, 2000, (TAB 3) DoD established the database of domestic violence incidents as a sub-database of the Defense Incident-Based Reporting System (DIBRS).[1] DIBRS collects data, including the actions taken by command, on all criminal offenses for which a military law enforcement unit has primary responsibility, thus excluding incidents that occur off the installation. The list of data elements in DIBRS directly relevant to reports of alleged domestic violence is at TAB 4.

DoD also collects data about incidents of alleged spouse abuse, both of a criminal nature and non-criminal nature, reported to the DoD Family Advocacy Program (FAP).[2] However, this data is primarily administrative and clinical in nature, and does not include the actions taken by command. Moreover, it does not include data pertaining to domestic violence in unmarried couples. The list of data elements in the FAP central registry of child and spouse abuse reports that are directly relevant to reports of alleged domestic violence is at TAB 5.

DoD has not issued a definition of "domestic violence." Certain violations of the Uniform Code of Military Justice (UCMJ) could be considered to be domestic violence, depending on the relationship between the alleged offender and the victim. DoD has issued a definition of "spouse abuse" for the DoD FAP:

> *Includes assault, battery, threat to injure or kill, other act of force or violence, or emotional maltreatment inflicted on a partner in a lawful marriage when one of the partners is a military member or is employed by the Department of Defense and is eligible for treatment in a medical treatment facility.*[2]

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[1] DoD Directive 7730.47, "Defense Incident-Based Reporting System (DIBRS)," October 15, 1996.
[2] DoD Directive 6400.1, "Family Advocacy Program (FAP)," June 23, 1989.

This definition does not include such acts of violence and abuse committed against a former spouse or against a current or former intimate partner. The following table contrasts the types of domestic violence addressed by the UCMJ and by the FAP:

Type of Maltreatment	**Punitive Article in UCMJ**	**FAP Definition**
Homicide of spouse current spouse	118, 119, 134	Physical abuse
Homicide of *former spouse*	118, 119, 134	*Not included*
Homicide of *current and former intimate partner*	118, 119, 134	*Not included*
Physical assault, threatened assault, and stalking against current spouse	118, 119, 122, 124, 128, 134	Physical abuse
Physical assault, threatened assault, and stalking *against former spouse*	118, 119, 122, 124, 128, 134	*Not included*
Physical assault, threatened assault, and stalking *against current and former intimate partner*	118, 119, 122, 124, 128, 134	*Not included*
Sexual assault against current spouse	120, 125, 134	Sexual abuse
Sexual assault *against former spouse*	120, 125, 134	*Not included*
Sexual assault *against current and former intimate partner*	120, 125, 134	*Not included*
Damage to property of current spouse	109, 121, 122, 126, 130, 134	Emotional abuse
Damage to property *of former spouse*	109, 121, 122, 126, 129, 130, 134	*Not included*
Damage to property *of current and former intimate partner*	109, 121, 122, 126, 129, 130, 134	*Not included*
Extortion from current spouse	127, 134	Emotional abuse
Extortion from *former spouse*	127, 134	*Not included*
Extortion from *current and former intimate partner*	127, 134	*Not included*
Emotional abuse of current spouse	*Not included*	Emotional abuse
Emotional abuse of former spouse	*Not included*	*Not included*
Emotional abuse of current and former intimate partner	*Not included*	*Not included*

For purposes of the domestic violence database, DoD combined the types of offenses that are violations of the UCMJ with the FAP definition. The definition of domestic violence used for the domestic violence database is:

> *The use or attempted use of physical force, or the threatened use of a deadly weapon, against a current or former spouse, a person with whom the victim shares a child in common, a person who is cohabiting with or has cohabited with the victim as a spouse, a person similarly situated to a spouse, or against an adult who is unable to provide care for himself or herself and receives care from the abuser. The commission of three or more such acts against the same person shall be considered aggravated domestic violence.*

In its first report, the Task Force developed a working definition for its internal use. DoD will study the feasibility of using this definition for DoD policy, including the domestic violence database.

If law enforcement data that were submitted to the domestic violence database and FAP data were simply combined, such a combination could result in counting a reported incident of domestic violence committed against a spouse twice. DoD has decided to match the law enforcement data in the domestic violence database to selected data from the FAP central registry of child and spouse abuse reports to eliminate duplication. Similarly, to ensure that all reports to FAP of alleged domestic violence that were crimes committed against spouses were not duplicated by reports of these same incidents made to military law enforcement agencies, DoD decided to match the FAP central registry data to the law enforcement data in the domestic violence database.

The DoD database on domestic violence thus contains the following data:

(1) information on incidents reported to military law enforcement units, but not FAP,

(2) where such incidents were also reported to FAP, additional information from FAP data on these incidents, and

(3) information on incidents reported to FAP, but not to military law enforcement units.

DIBRS data and FAP data will not match perfectly. DIBRS collects information on criminal offenses for which military law enforcement units have primary responsibility, thus excluding incidents that occur off the installation, but including incidents committed against former spouses and those with whom the alleged offender has a relationship. The FAP data includes non-criminal forms of abuse and incidents that occur off the installation, but includes these for spouses only.

II. STATUS OF THE DOD DATABASE ON DOMESTIC VIOLENCE FOR 2000 DATA

Due to difficulties in the development of DIBRS, not all military law enforcement units were able to report data for 2000. The 2000 military law enforcement data pertaining to (1) reported incidents of domestic violence and (2) reported incidents of domestic violence for which there was sufficient evidence to support disciplinary action, both reported in section III, below, should therefore be viewed as partial data. The actual number of domestic violence incidents reported to military law enforcement units in 2000 exceeds the number submitted in this report.

In addition, the actions taken by military commanders in 2000 in response to these reports, also reported in section III, below, were largely unreported. However, this may be

due in some part to military commanders' long-standing practice of attempting to resolve disciplinary incidents first through informal methods that are not recorded.

Finally, the law enforcement data submitted for 2000 did not have personal identifiers that would permit a match to the FAP data. Thus, the data could not be matched to eliminate duplicate reports of incidents and to add FAP reports not known to military law enforcement units. As a result, the 2000 FAP data should not be considered the total number of domestic violence incidents reported to the military.

III. DATA ON DOMESTIC VIOLENCE INCIDENTS REPORTED IN 2000

Total alleged incidents of domestic violence reported to military law enforcement units.

A total of 1,492 alleged incidents of domestic violence were reported to those Services' law enforcement units that provided data with respect to incidents occurring in 2000. Of these:

- Active duty service members allegedly committed 1,456 incidents (98 percent).
- Of the 1,459 victims whose relationship to the alleged offender was known, 1,262 (86 percent) of the victims were spouses, 14 (1 percent) of the victims were former spouses, and 183 (13 percent) of the victims were other intimate partners.

There was a total of 11 homicides involving domestic violence reported to Services' law enforcement units that reported data with respect to domestic violence incidents occurring in 2000. Of these:

- 4 occurred on a military installation.
- The alleged offenders in 8 (73 percent) of the homicides were active duty personnel. None of the victims in these 8 homicides were active duty personnel: 7 were female, 6 were current spouses, 1 was a former spouse, and one was a civilian intimate partner.

There was a total of 1,481 reports of alleged domestic violence that were not homicides. Of these:

- Of the 1,066 incidents in which the active duty status of the victim was reported, 224 (21 percent) of the victims were active duty personnel, and 842 (79 percent) were not active duty personnel. The active duty status of the victim was not reported in 28 percent of the incidents.
- Of the 300 incidents in which the location of the incident was reported, 204 (68 percent) of the incidents occurred on a military installation, and 96 (32 percent)

occurred off a military installation. The location was not reported in 80 percent of the incidents.

- Of the 1,481 reports of alleged domestic violence that were not homicides, 1,448 (98 percent) of the alleged offenders were active duty personnel. In these 1,448 non-homicide domestic violence incidents allegedly committed by active duty personnel:

  - 936 (65 percent) of the most serious allegations[3] were physical assault, 133 (9 percent) were sexual assault, 50 (3 percent) were property damage, and 30 (2 percent) were emotional abuse. The most serious allegation was unspecified in 299 (21 percent) of the incidents.

  - 963 (66 percent) of the victims were females, and 157 (11 percent) were males. The sex of the victim was not reported in 23 percent of the incidents.

  - A spouse was the victim in 87 percent of the incidents. Of the 1,253 incidents with a spouse victim, a wife was the victim in 63 percent of the incidents, a husband was the victim in 11 percent of the incidents, and the sex of the spouse victim was not reported in 26 percent of the incidents.

  - The three most frequent domestic violence incidents were physical assault of a wife (684 incidents; 47 percent of all non-homicide incidents), physical assault of a husband (130 incidents; 9 percent), and physical assault of a female intimate partner (89 incidents; 6 percent). These accounted for 62 percent of all non-homicide domestic violence incidents allegedly committed by active duty service members.

The following chart shows the nature of the 1,492 alleged incidents of domestic violence reported to military law enforcement units that submitted data:

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[3] The following classification scheme was used when more than one type of domestic violence was reported in the same incident:

a. When sexual assault and any other type of domestic violence were reported in one incident, the data were classified as sexual assault.

b. When physical assault and any other type of domestic violence except sexual assault were reported in one incident, the data were classified as physical assault.

c. When property damage and emotional abuse were reported in one incident, the data were classified as property damage.

DOMESTIC VIOLENCE INCIDENTS REPORTED TO MILITARY LAW ENFORCEMENT UNITS REPORTING DATA

Most serious allegegation of reported domestic violence incidents	*Against spouse*				*Against former spouse*				*Against other intimate partner*				TOTAL ALLEGED OFFENDERS			
	M	F	UNK	TOTAL	M	F	UNK	TOTAL	M	F	UNK	TOTAL	M	F	UNK	TOTAL
Homicide	5	1	0	*6*	1	0	0	*1*	1	0	0	*1*	7	1	0	***8***
Sexual assault	65	1	0	*66*	2	0	0	*2*	62	3	0	*65*	129	4	0	*133*
Physical assault	684	130	12	*826*	4	0	1	*5*	89	16	0	*105*	777	146	13	*936*
Property damage	24	1	15	*40*	3	0	0	*3*	4	2	1	*7*	31	3	16	*50*
Emotional abuse	20	4	0	*24*	3	0	0	*3*	3	0	0	*3*	26	4	0	*30*
Unspecified domestic violence incident	0	0	297	*297*	0	0	0	*0*	0	0	2	*2*	0	0	299	*299*
Total other domestic violence incidents allegedly committed by AD personnel	*793*	*136*	*324*	*1,253*	*12*	*0*	*1*	*13*	*158*	*21*	*3*	*182*	*963*	*157*	*328*	***1,448***
Total domestic violence incidents allegedly committed by AD personnel	***798***	***137***	***324***	***1,259***	***13***	***0***	***1***	***14***	***159***	***21***	***3***	***183***	***970***	***158***	***328***	***1,456***
Homicides allegedly committed by non-AD personnel	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	***3***
Total other domestic violence incidents allegedly committed by non-AD personnel	0	0	0	0	0	0	0	0	0	0	0	0	0	0	33	***33****
Total domestic violence incidents allegedly committed by non-AD personnel	*3*	*0*	*0*	*3*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*3*	*0*	*33*	***36***
TOTAL DOMESTIC VIOLENCE INCIDENTS	**801**	**137**	**324**	***1,262***	**13**	**0**	**1**	***14***	**159**	**21**	**3**	***183***	**973**	**158**	**361**	***1,492***

** Victim and offender information for domestic violence incidents committed by non-AD personnel is unknown.*

Total of alleged incidents of domestic violence reported to DoD with sufficient evidence to support disciplinary action.

Of the 1,456 incidents of domestic violence allegedly committed by an active duty service member that had been reported to military law enforcement units, 1,213 (83 percent) had sufficient evidence to support disciplinary action against the service member.

There were a total of 8 homicides involving domestic violence with sufficient evidence to support disciplinary action against the service member. These were 100 percent of the total homicides allegedly committed by active duty service members. Of these, 2 of the alleged offenders died after it was determined that probable cause to refer the incidents for disciplinary action existed.

Of the remaining 1,205 domestic violence incidents allegedly committed by an active duty service member that was reported to military law enforcement units with sufficient evidence to support disciplinary action:

- 125 involved incidents where the most serious allegation[3] was sexual assault. This represents 94 percent of the total domestic violence incidents of sexual assault allegedly committed by active duty service members;

- 796 involved incidents where the most serious allegation was physical assault, which represents 85 percent of the total domestic violence incidents of physical assault allegedly committed by active duty service members;

- 49 involved incidents where the most serious allegation was property damage, which represents 98 percent of the total domestic violence incidents of property damage allegedly committed by active duty service members; and

- 26 involved incidents where the most serious allegation was emotional abuse, which represents 87 percent of the total domestic violence incidents of emotional abuse allegedly committed by active duty service members.

- An additional 209 domestic violence incidents in which the most serious allegation was unspecified had sufficient evidence to support disciplinary action, which represents 70 percent of such incidents.

The data is set forth in the following table:

SUFFICIENCY OF EVIDENCE IN DOMESTIC VIOLENCE INCIDENTS REPORTED TO MILITARY LAW ENFORCEMENT UNITS REPORTING DATA

Most serious allegation of domestic violence against a service member	Total incidents	Incidents with sufficient evidence to support disciplinary action	Percentage of total incidents	Incidents with insufficient evidence to support disciplinary action	Percentage of total incidents
Homicide	8	8	*100%*	0	*0%*
Sexual assault	133	125	*94%*	8	*6%*
Physical assault	936	796	*85%*	140	*15%*
Property damage	50	49	*98%*	1	*2%*
Emotional abuse	30	26	*87%*	4	*13%*
Unspecified domestic violence incident	299	209	*70%*	90	*30%*
TOTAL DOMESTIC VIOLENCE INCIDENTS	**1,456**	**1,213**	***83%***	**243**	***17%***

Actions taken by military commanders in alleged incidents of domestic violence reported to DoD with sufficient evidence to support disciplinary action.

Of the 1,213 alleged incidents of domestic violence reported to military law enforcement units with sufficient evidence to support disciplinary action against a service member, military commanders took the following actions:

Of the 8 domestic violence homicides allegedly committed by active duty personnel:

- in 3, the command action was pending,
- in 2, the alleged offender was deceased, and
- in 3, the actions taken by the military commanders were not reported.

Of the remaining 1,205 alleged incidents of domestic violence reported to military law enforcement units with sufficient evidence to support disciplinary action against an active duty service member:

- 40 (3.3 percent) resulted in no action being taken,
- 82 (6.8 percent) resulted in administrative action against the service member,
- 3 (0.2 percent) resulted in an administrative separation of the service member from the service,
- 28 (2.3 percent) resulted in nonjudicial punishment under Article 15 of the UCMJ,

- 26 (2.2 percent) resulted in a court martial, and
- 3 (0.2 percent) resulted in a referral to a civilian court for criminal prosecution.
- Actions were pending in 40 incidents (3.3 percent).
- The actions in 983 (81.5 percent) of the incidents were not reported.

The table on the following page sets forth the action taken by commanders in response to the most serious allegation of domestic violence reported to a military law enforcement unit:

ACTIONS TAKEN BY COMMAND IN RESPONSE TO DOMESTIC VIOLENCE INCIDENTS REPORTED TO MILITARY LAW ENFORCEMENT UNITS REPORTING DATA

Most serious allegation with sufficient evidence for disciplinary action against a service member	ACTION TAKEN BY COMMANDERS											
	Action pending (incl. fugitive)	No action	Ordered to counseling	Admin. action	Admin. separation	Nonjudicial punishment	Summary court martial	Special court martial	General court martial	Referred to civilian court	Action unknown	TOTAL
*Homicide**	3	0	0	0	0	0	0	0	0	0	3	**6**
Sexual assault	27	13	0	4	3	16	3	0	6	1	52	**125**
Physical assault	10	4	0	0	0	6	1	2	6	2	765	**796**
Property damage	3	2	0	0	0	2	0	0	0	0	42	**49**
Emotional abuse	0	1	0	0	0	1	0	0	1	0	23	**26**
Unspecified domestic violence incident	0	20	0	78	0	3	0	0	7	0	101	**209**
TOTAL DOMESTIC VIOLENCE INCIDENTS WITH SUFFICIENT EVIDENCE TO SUPPORT DISCIPLINARY ACTION	**43**	**40**	**0**	**82**	**3**	**28**	**4**	**2**	**20**	**3**	**986**	**1,211**

*In 2 additional homicide incidents the alleged offender became deceased prior to referral for command action.

Total alleged incidents of spouse abuse reported to military FAPs.

The total number of alleged incidents of spouse abuse reported to FAP in 2000 was 12,068, as shown in the following table:

MILITARY FAMILY ADVOCACY PROGRAM

Most serious allegation of reported domestic violence incidents	TOTAL
Sexual abuse	82
Physical abuse	10,433
Emotional abuse	1,526
Neglect	13
Unspecified domestic violence incident	14
Total domestic violence incidents	**12,068**

Of the 9,548 total alleged spouse abusers who committed these 12,068 incidents, 5,996 (63 percent) were active duty personnel.

The 5,996 active duty service members allegedly committed the following most serious incidents of spouse abuse reported to FAP in 2000:

- 53 (0.9 percent) incidents of sexual abuse;
- 5,165 (86 percent) incidents of physical abuse;
- 774 (13 percent) incidents of emotional abuse; and
- 4 incidents of an unspecified type of abuse.

This data is shown in the following table:

Most serious allegation of reported domestic violence incidents	Alleged spouse abuser			
	Male	Female	Unknown	TOTAL
Sexual abuse	53	0	0	**53**
Physical abuse	4,693	470	2	**5,165**
Neglect	0	0	0	**0**
Emotional abuse	708	66	0	**774**
Unspecified domestic violence incident	3	1	0	**4**
Total active duty personnel who allegedly committed domestic violence incidents	**5,457**	**537**	**2**	**5,996**

As previously noted, the FAP database does not collect information on the command outcome of the incidents of spouse abuse reported to the program.

IV. PLANS TO IMPROVE THE DOMESTIC VIOLENCE DATABASE

Each of the Services is taking actions to improve the extent and quality of data for the domestic violence database in future years. Steps being taken include:

1. Conversion of all installation level military law enforcement unit data to formats that meet DIBRS requirements, including personal identifiers,

2. Conversion of all military criminal investigative organization data to formats that meet DIBRS requirements, including the use of personal identifiers, and

3. Conversion of all data on actions taken by military commanders in response to reports of domestic violence to formats that meet DIBRS requirements.