



FY2013 Army Crime Report

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Abbreviations

AC	Active Component
ACI2	Army Criminal Investigation/Criminal Intelligence
AD	Active Duty
AD	Army Directive
ADCO	Alcohol and Drug Control Officer
ALARACT	All Army Activities
ALCID Memorandum	All CID Memorandum
AR	Army Regulation
ARNG	Army National Guard
ASAP	Army Substance Abuse Program
AWOL	Absent Without Leave
BAC	Blood Alcohol Concentration
CHPC	Community Health Promotion Council
CHU	Containerized Housing Unit
CID	US Army Criminal Investigation Command
CIF	Central Issue Facility
COMPO	Component
COPS	Centralized Operations Police Suite
CQ	Charge of Quarters
CSA	Controlled Substances Act
CY	Calendar Year
DA	Department of the Army
DD Form	Department of Defense Form
DEA	Drug Enforcement Agency
DES	Directorate of Emergency Services
DFR	Dropped From the Rolls
DMDC	Defense Manpower Data Center
DNA	Deoxyribonucleic Acid
DoD	Department of Defense
DoDI	Department of Defense Instruction
DUI	Driving Under the Influence
ETS	Expiration of Term of Service
EXORD	Executive Order
FAP	Family Advocacy Program
FORSCOM	US Army Forces Command
FRG	Family Readiness Group
FTX	Field Training Exercise
FY	Fiscal Year
GO	General Order
GOMOR	General Officer Memorandum of Reprimand
HIPAA	Health Insurance Portability and Accountability Act

HQ	Headquarters
HQDA	Headquarters, Department of the Army
IAW	In Accordance With
IMCOM	Installation Management Command
LE	Law Enforcement
M	Million
MEDDAC	Medical Department Activity
MOS	Military Occupational Specialty
MP	Military Police
MRO	Medical Review Officer
NCO	Non-Commissioned Officer
NDA	National Defense Authorization Act
OCONUS	Outside the Continental United States
OMPF	Official Military Personnel File
OPMG	Office of the Provost Marshal General
OPORD	Operations Order
OSD	Office of the Secretary of Defense
OTH	Other Than Honorable
OTJAG	Office of the Judge Advocate General
PME	Professional Military Education
PMO	Provost Marshal Office
POW	Privately Owned Weapon
PTSD	Post-Traumatic Stress Disorder
RC	Reserve Component
SECARMY	Secretary of the Army
SHARP	Sexual Harassment/Assault Response and Prevention
SJA	Staff Judge Advocate
TDY	Temporary Duty Yonder
THC	Tetrahydrocannabinol
TRADOC	US Army Training and Doctrine Command
TTP	Tactics, Techniques and Procedures
UA	Urinalysis
UCMJ	Uniform Code of Military Justice
USACIL	US Army Criminal Investigation Laboratory
USAR	US Army Reserve

I – Introduction



“This report is intended to enable commanders, leaders and program managers with critical insight into disciplinary issues impacting our Army. While we’ve closed many gaps that masked Soldier health and discipline issues, work remains to further improve the readiness of the Force.”

– MG David Quantock
Provost Marshal General

Crime in the Army negatively impacts readiness on many levels. Violent crimes such as homicide and rape kill or injure Soldiers, Civilians and Family members and tear at the fibers of our communities. Non-violent felony crimes such as larceny and fraud result in the loss of critical Army materiel that is needed to equip and protect Soldiers. Drug and alcohol crimes dramatically reduce readiness at the individual and unit levels.

The purpose of this report is to examine the occurrence of crime across the Army in fiscal year (FY) 2013 (that is, 1 October 2012 to 30 September 2013), with trend analysis from FY2006-13.¹ The data in this report is intended to complement other previous and current Army reports related to discipline issues impacting the readiness of the Force. By employing the same data methodology and data sources as the *Army Gold Book*, it builds off previous findings to provide a consistent, updated look at crime and high-risk behavior across the Force.^{2,3} The scope of crime reported is based upon founded offenses and offenses under investigation as of October 2013 committed by active duty (AD) Soldiers.^{4,5} Furthermore, it is based on law enforcement (LE) reporting and recording in the authoritative US Army Criminal Investigation Command (CID) and Provost Marshal Office (PMO) law enforcement databases. Because of this law enforcement nexus, crime numbers within this report will differ from those reported by the Sexual Harassment/Assault Response and Prevention (SHARP) Program, Family Advocacy Program (FAP), Army Substance Abuse Program (ASAP), and other Army programs.

This report focuses on key elements of discipline, including crime, adverse administrative actions and punishment. It is presented in six chapters:

- Chapter I introduces this report and provides an executive summary of findings.
- Chapter II presents descriptive crime information regarding FY2013 crime.
- Chapter III discusses FY2006-13 crime trends.
- Chapter IV provides a detailed analysis of multiple felony offenders and a subset, multiple drug offenders.

¹ In accordance with (IAW) Headquarters, Department of the Army (HQDA) Executive Order (EXORD) 037-13, *Ready and Resilient Quick Wins*, 29 November 2012, the Office of the Provost Marshal General (OPMG) is charged with publishing an annual crime / high-risk behavior report to provide commanders, leaders and program managers with critical insight into disciplinary issues impacting the Force.

² See Appendix A for data methodology.

³ Formally known as *Army 2020: Generating Health & Discipline in the Force Ahead of the Strategic Reset, Report 2012*. Published in January 2012.

⁴ The determination that a founded offense exists is made by law enforcement personnel (supported by legal opine) based on probable cause on review of the totality of the circumstances. It is not dependent upon judicial decision / commander adjudication.

⁵ Offenses under investigation are subject to change as open investigations are completed and provided to the Staff Judge Advocate (SJA) for legal opine. The data in this report contains 1.3% offenses under investigation for FY2013; 0.3% for FY2012; and <0.1% for FY2006-11.

- Chapter V details the Army's administrative accountability with regards to Department of the Army (DA) Form 4833, *Commander's Report of Disciplinary or Administrative Action*; accession waivers; reenlistments; and separations.
- Chapter VI informs of Army initiatives to improve Soldier discipline and readiness and provides actionable recommendations to command teams.

Two key crime metrics used throughout this report are the counts and rates of: (1) offenders, and (2) offenses. As mentioned previously, offenders (subjects) are limited to active duty Soldiers only. This includes all Army National Guard (ARNG) and US Army Reserve (USAR) Soldiers on active duty. Based on the reporting period and crime category/subcategory defined, individual subjects are counted only once (or uniquely). Offenses are limited to those that are founded or currently under investigation, which excludes investigations that resulted in either insufficient evidence or unfounded offenses. It is unknown how commanders or civilian courts adjudicated founded offenses. All rates for offenders and offenses are expressed as a per capita ratio of offenses or offenders per 100,000 active duty Soldiers. The rate accounts for the changing Army populations over time, thus normalizing data when analyzing crime trends.

1. Executive Summary

FY2013 Army Crime Report findings:

- **Offense Composition:** *Compared to FY2006-12, FY2013 has the same violent felony proportion to overall crime (3%) but is slightly higher in non-violent felonies (41% vs. 37%) and lower in misdemeanors (56% vs. 60%) (p.5)*
- **Overall Crime:** *Significant decreases in the offender and offense rates, declining 9% and 11%, respectively, over the last fiscal year (p.11)*
- **Crime Demographics:** *E1-E4 represent 40% of the Army but compose 64% of all criminal offenders (p.8)*
- **Crime Types:**
 - **Violent Felony Crime:** *FY2013 marked a reversal in the upward trend of violent felonies; offender and offense rates decreased by 5% and 11%, respectively, over the last fiscal year. This crime category is largely driven by violent sex crimes (60% of all violent felony crime) (pp.5-6, 12)*
 - **Non-Violent Felony Crime:** *Offender and offense rates have decreased by 12% and 8%, respectively, from FY2006-13; Drug Crimes and Failure to Obey a General Order compose approximately two-thirds of this crime category (pp.7, 13)*
 - **Misdemeanor Crime:** *FY2013 offender and offense rates both decreased by 16% over the last year; Traffic Violations compose 50% of all misdemeanors and ~30% of all crime (pp.7-8, 14)*
- **Crime Categories:**
 - **Drug Crime and Failure to Obey a General Order:** *Synthetic cannabinoids (e.g., Spice) and stimulants (e.g., bath salts) are an emerging threat to the health and discipline of the Force, increasing 14-fold since FY2010 despite a decreasing AD population; recent increases in Drug Crime and Failure to Obey a General Order are largely attributable to synthetics; recent policy changes should help to mitigate (pp.15-17)*
 - **Sex Crime:** *Trends by reporting date vs. incident provide different perspectives; Violent Sex Crimes are trending upwards based on reporting dates but are trending flat based on incident date; Other Sex Crimes are trending upwards based on reporting date but are*

trending flat based on incident date (with the exception of an uptick in FY2012); specific sex crime subsets follow (pp.23-24)

- **Soldier-on-Soldier Sex Crime:** Represents 43% of all Violent Sex Crimes in FY2013; 93% of the victims were female, of which 83% were among E1-E4 ranks; Violent Sex Crime and Other Sex Crime trending upward based on reporting date, but recent trend is flat-to-decreasing for Violent Sex Crimes and flat-to-increasing for Other Sex Crimes; 32% of FY2013 Violent Sex Crimes were reported to CID from incidents in past years (p.25-28)
- **Same Gender Sex Crime⁶:** Offender percentage of same gender Violent Sex Crimes have remained fairly constant over time at 4% while Other Sex Crimes have doubled from 8% in FY2006 to 16% in FY2013; there are no conclusive impacts at this time from the repeal of the Don't Ask, Don't Tell policy (pp.28-29)
- **Soldier-on-Juvenile Sex Crime:** Represents 16% of FY2013 of all Soldier sex crime offenders (p.30)
- **Partner-Related Sex Crime (marital or intimate partner):** Represents 13% of all FY2013 of all Soldier sex crime offenders (p.30)
- **Family Abuse:** FY2013 is a reversal of upwardly trending offender and offense rates since FY2006 (pp.31-32)
- **AWOL / Desertion:** Both Absent Without Leave (AWOL) and Desertion offender rates hit a seven year low in FY2013, decreasing 64% (0.86% to 0.31%) and 71% (0.56% to 0.16%), respectively, from FY2007 (pp.33-34)
- **Multiple Felony Offenders:** Approximately 4,200 remain in formations; 17% of these are Soldiers with two or more separate drug crimes (pp.35-39)
- **Administrative Accountability:** Commanders, leaders and program managers are placing more emphasis improving readiness and retaining the most qualified Soldiers as evidenced by the following:
 - **DA Form 4833:** Commander performance is improving across the Force; 23% decrease in delinquent (beyond 45 days suspense) DA Forms 4833 from December 2012 to November 2013 (p.40)
 - **Accession Conduct Waivers:** Conduct / Drug & Alcohol waivers decreased 87% from FY2007 to FY2013; only 2% of recruits were granted a criminal misconduct waiver in FY2013 (p.41)
 - **Reenlistments:** Percent of reenlisted Active Component (AC) Soldiers with prior criminal histories have steadily decreased since FY2010 as commanders focus on retaining the most qualified Soldiers (pp.42-43)
- **Suicide:** 155 active duty Soldier deaths in FY2013 with 111 reviewed by the Armed Forces Medical Examiner System as of December 2013; privately owned weapon was the most prevalent method (pp.9-10)

This report not only discusses crime trends impacting the readiness of the Force but also provides leaders with actionable recommendations to enhance good order and discipline. Additionally, vignettes are included throughout the report; these provide real-life stories that substantiate the findings and enhance topical discussions of this report.

⁶ Sex crime perpetrated upon a member of the same sex.

II – Crime in FY2013

Our crime taxonomy starts with crime type (violent felonies, non-violent felonies, or misdemeanor), followed by crime category/subcategory (e.g., aggravated assault). Violent and non-violent felonies are offenses punishable by death or confinement for more than one year as defined by the Uniform Code of Military Justice, while misdemeanors are crimes with a maximum punishment of one year. The crime categories/subcategories follow the offense codes described in Army Regulation (AR) 190-45, *Law Enforcement Reporting*.

The majority of crime committed in the Army consists of non-violent felonies (41%) and misdemeanors (56%). Violent felonies compose only 3% of all offenses committed. The crime composition in FY2013 mirrors that of the FY2006-12 average for violent felonies (both compose 3% of total offenses), but is slightly higher in non-violent felonies (41% vs. 37%) and lower in misdemeanors (56% vs. 60%). The composition of crimes within each of these three crime types is described in the following sections.

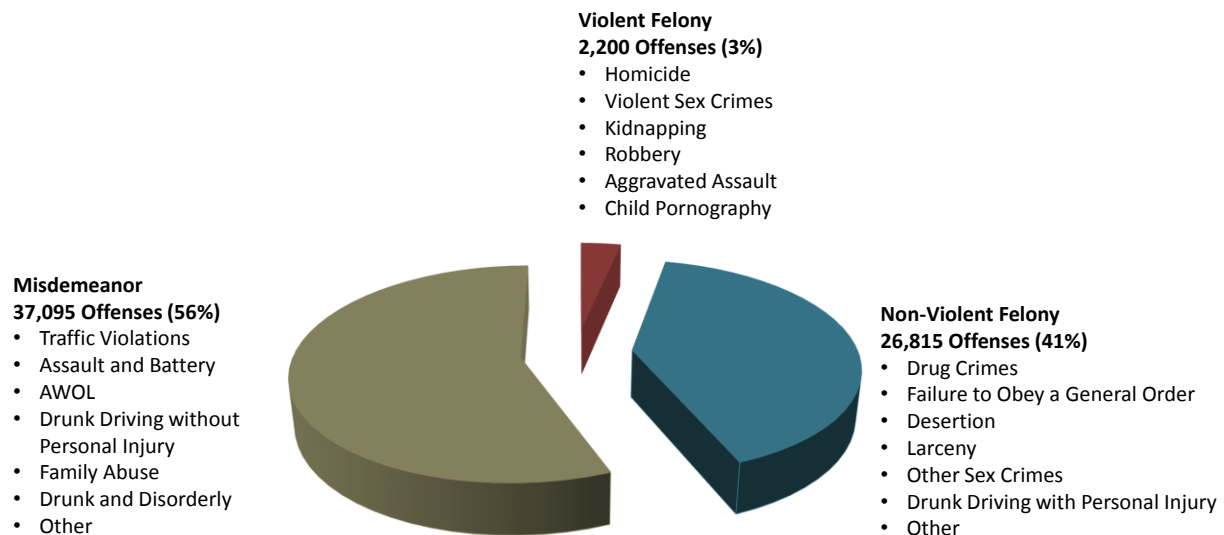


Figure II-1: FY2013 Offense Composition

Active Duty Soldier crime in FY2013 was comprised of 3% violent felony offenses, 41% non-violent felony offenses, and 56% misdemeanor offenses.

1. Violent Felony

Violent felonies are defined as egregious crimes against other persons. Violent felonies are comprised of the following crime categories, which are listed in descending order of severity based on authorized punishments:

- *Homicide*. Subcategories include murder, voluntary manslaughter, involuntary manslaughter, negligent homicide and attempted murder. For purposes of this report, attempted murders were included and incorporated into the category of homicide.
- *Violent Sex Crimes*. Subcategories are rape, sexual assault (formerly aggravated sexual assault), and forcible sodomy, and associated attempts. Violent Sex Crimes constitute more than 50% of all violent felonies.

- *Kidnapping*
- *Robbery*
- *Aggravated Assault*
- *Child Pornography*. Child pornography is categorized as a violent felony (as opposed to a non-violent felony) because it actively and directly supports the demand for continued violent exploitation of children. At its core, it is the act of child exploitation that is violent.

Crime Category	Offenders		Offenses	
	Number	% of All Violent Felony Offenders	Number	% of All Violent Felony Offenses
Homicide	71	4%	81	4%
Murder	52	3%	55	3%
Voluntary Manslaughter	1	0%	1	0%
Involuntary Manslaughter	12	1%	15	1%
Negligent Homicide	5	0%	5	0%
Attempted Murder	5	0%	5	0%
Violent Sex Crimes	989	62%	1,321	60%
Rape and Attempts	459	29%	573	26%
Sexual Assault and Attempts	509	32%	572	26%
Forcible Sodomy	147	9%	176	8%
Kidnapping	27	2%	42	2%
Robbery	16	1%	28	1%
Aggravated Assault	486	30%	588	27%
Child Pornography	88	5%	140	6%
Total - Violent Felony	1,602	100%	2,200	100%

Figure II-2: FY2013 Violent Felony Crime

This figure provides both raw numbers and percent distributions for each of the six violent felony categories by unique offenders (number of unique Soldiers committing these offenses) and offenses (number of times specific felonies were committed). Major categories (not indented) show the total number and percent distribution for that specific category with subcategories providing individual offender and offense counts or percentages.⁷ Violent Sex Crimes and Aggravated Assault, the two largest categories, compose 87% of all violent felony crimes.

LEARNING POINTS

- Although violent felonies are only a small portion of overall crime, they cause grave and often irreparable damages to the community, units, Soldiers and Families. Violent felonies negatively impact readiness on many levels. For these reasons, they warrant a deliberate and coordinated plan of prevention, surveillance, detection, and response by leaders.

2. Non-Violent Felony

In descending order of prevalence, non-violent felonies are comprised of the following crime categories:

- *Drug Crimes*. This includes use, possession, distribution, introduction (e.g., transporting illegal drugs onto an installation), growing/manufacturing, and smuggling of drugs.

⁷ For offender counts and percentages, a single individual may commit more than one crime type or crime category; however, that individual would be counted only once toward the number of total offenders. Thus, the sum of all offenders by crime category does not equal the total number of offenders.

- *Failure to Obey a General Order.* General Order violations cover Synthetic Drugs, Paraphernalia, Traffic, Weapons, Standards of Conduct, Fraternization, Security, and Wrongful Use of Inhalants. As will be discussed later, some drug-related crimes are captured here rather than exclusively under the Drug Crimes category.
- *Desertion*
- *Larceny.* Subcategories include Larceny of Government Property/Funds and Larceny of Private Property/Funds.
- *Other Sex Crimes.* This includes lesser Article 120, non-penetrating sex crime offenses, such as Abusive Sexual Contact and Indecent Exposure.
- *Drunk Driving with Personal Injury.* Drunk driving that involves personal injury to others is considered a felony; otherwise, the crime is a misdemeanor.
- *Other Non-Violent Felonies.* This includes crimes such as False Statements, Damaging Private or Government Property (More than \$100), Fleeing the Scene of an Accident, Burglary, Housebreaking, and Pay Fraud.

Crime Category	Offenders		Offenses	
	Number	% of All Non-Violent Felony Offenders	Number	% of All Non-Violent Felony Offenses
Drug Crimes	5,509	36%	10,421	39%
Failure to Obey General Order	4,531	30%	6,100	23%
Desertion	855	6%	1,098	4%
Larceny	1,279	8%	1,602	6%
Government Property/Funds	893	6%	1,061	4%
Private Property/Funds	432	3%	541	2%
Other Sex Crimes	944	6%	1,315	5%
Drunk Driving with Personal Injury	112	1%	113	0%
Other Non-Violent Felonies	4,556	30%	6,166	23%
Total - Non-Violent Felony	15,132	100%	26,815	100%

Figure II-3: FY2013 Non-Violent Felony Crime

Non-violent felonies represent the second most prevalent crime type committed in FY2013 representing 41% of all Army crime. The top two crime categories are Drug Crimes and Failure to Obey a General Order.

3. Misdemeanor

In descending order of prevalence, misdemeanors are comprised of the following crime categories:

- *Traffic Violations.* Examples include reckless driving, traffic accidents, and speeding. Some traffic violations do not constitute a misdemeanor. However, they are included in this report as they may be indicative of high-risk behavior and follow the format of previous Army analyses (i.e., *Army Red Book*⁸ and *Army Gold Book*).
- *Assault and Battery*
- *AWOL*
- *Drunk Driving without Personal Injury*
- *Family Abuse*
- *Drunk and Disorderly*

⁸ Formally known as the *Health Promotion / Risk Reduction / Suicide Prevention Report*. Published in July 2010.

- *Other Misdemeanors*. This includes crimes such as Conduct Unbecoming, Resisting Apprehension or Arrest, and Larceny (\$100 or Less).

Crime Category	Offenders		Offenses	
	Number	% of All Misdemeanor Offenders	Number	% of All Misdemeanor Offenses
Traffic Violations	13,282	55%	18,508	50%
Assault and Battery	3,380	14%	3,709	10%
AWOL	1,632	7%	2,595	7%
Drunk Driving without Personal Injury	3,093	13%	3,211	9%
Family Abuse	2,114	9%	2,428	7%
Drunk and Disorderly	1,530	6%	1,657	4%
Other Misdemeanors	4,135	17%	4,987	13%
Total - Misdemeanor	24,006	100%	37,095	100%

Figure II-4: FY2013 Misdemeanor Crime

Misdemeanors remain the largest crime type committed in the Army with 56% of all crimes reported falling into the misdemeanor category. More than half of all misdemeanor offenses are traffic-related (Traffic Violations – 50%; Drunk Driving without Personal Injury – 9%) and may be indicative of high risk behavior, representing an opportunity for targeted risk reduction programs.

4. Crime Demographics in FY2013

Figure II-5 shows the pay grade composition of Soldier offenders. In FY2013, there were 35,141 unique Soldier offenders, representing 5% of the 647,347 Soldiers on active duty. Of note is the E1-E4 cohort which, relative to its representation of the total AD population, committed significantly more crime than the others. E1-E4 Soldiers composed 40% of the Army but constituted 61% of all violent felony offenders; 69% of all non-violent felony offenders; 62% of all misdemeanor offenders; and 64% of offenders across all crime categories.

Pay Grade	Violent Felony		Non-Violent Felony		Misdemeanor		Total Offenders		FY2013 AD Population	
	Number	%	Number	%	Number	%	Number	%	Number	%
E1-E4	970	61%	10,494	69%	14,864	62%	22,449	64%	261,736	40%
E5-E6	438	27%	3,248	21%	6,295	26%	8,717	25%	179,935	28%
E7-E9	97	6%	663	4%	1,253	5%	1,790	5%	82,884	13%
W01-CW5	26	2%	130	1%	239	1%	353	1%	20,060	3%
O1-O3	41	3%	373	2%	952	4%	1,236	4%	59,868	9%
O4-O6	23	1%	199	1%	374	2%	540	2%	42,478	7%
Unknown/Other*	7		25		29		56		386	
Total	1,602	~100%	15,132	~100%	24,006	~100%	35,141	~100%	647,347	~100%

*Omitted for comparison purposes to the AD population

Figure II-5: FY2013 Offender Composition by Pay Grade and Crime Type

Army crime demographics reveal that junior Soldiers (E1-E4) were titled with a disproportionate amount of crime relative to its AD population size. Although they composed 40% of the Army in FY2013, junior Soldiers constituted 61% of all violent felony offenders; 69% of all non-violent felony offenders; and 62% of all misdemeanor offenders.

LOSS OF LEADER SURVEILLANCE

A 21-year-old (b) was found deceased in his barracks room in October 2012 after missing an appointment to clear Central Issue Facility (CIF). He was found holding a can of compressed air to his mouth. A search of his room revealed numerous empty cans of compressed air. Nine other empty cans were found in his vehicle.

A review of the Soldier's past misconduct may have provided an opportunity for leaders to intervene before his death. In April 2010, the (b) drove off the road and impacted a tree head on. A can of compressed air was located under his seat. He was found guilty of driving under the influence (DUI) by a civilian court and spent 30 days in an inpatient facility for alcohol dependence. He was readmitted to inpatient treatment from 30 January to 1 March 2012.

The (b) was apprehended again for DUI during the same assignment in September 2012 and had a blood alcohol concentration (BAC) of 0.204. A can of compressed air was also found in his possession. He was evaluated by ASAP that month and recommended for continued treatment.

The death investigation revealed that unit leaders were not aware the (b) was living in the barracks at the time of his death as he previously resided off post. Despite initiating separation action on the (b) based on his substance abuse issues, the unit was allowing him to separate via Expiration of Term of Service (ETS) as the ETS was scheduled to occur first.

5. Suicide

A complete study of crime and high-risk behavior in the Army would be incomplete without examining the linkage to Soldier suicides.⁹ It has been well documented that legal problems, misconduct, drug abuse, and other risky activities can directly and indirectly increase the likelihood of a Soldier taking his or her own life. 155 active duty Soldiers died of suicide in FY2013; of these, 111 have been reviewed by the Armed Forces Medical Examiner System as of December 2013. As demonstrated in the *Army Gold Book*, Soldier health and discipline are often inextricably linked and require a multi-disciplinary approach to reduce a Soldier's risk for a potentially deadly outcome. Simply stated, commanders must ensure that the chain of command first responds to health and welfare of the Soldier and Family, then conducts due process to assess accountability.

According to the Behavioral and Social Health Outcomes Program of the Army Institute of Public Health, the primary method for Army suicide was the use of a firearm. Furthermore, the use of a privately owned weapon (POW) in Calendar Year (CY) 2012 and CY2013 suicides equaled 53% (60/114) and 37% (35/94), respectively, for cases with available data. However, commanders face limitations in regulating the POWs of Soldiers who reside off-post.¹⁰ All Army Activities (ALARACT) 333/2011, *Control and Reporting of Privately Owned Weapons*, was recently reissued as ALARACT 063/2013 to incorporate revised guidance to commanders and healthcare providers based on the FY2013 National Defense Authorization Act (NDAA). A commander or healthcare professional may inquire as to whether or not a Soldier owns or has plans to acquire a POW if they have reasonable grounds to believe the Soldier is at risk for suicide or causing harm to others. If the off-post Soldier has a POW, the commander may request that the Soldier store it in the unit arms room. If the Soldier is unwilling to voluntarily surrender his/her off-post POW, the Soldier cannot be ordered to comply with this request. In this instance

⁹ According to the Uniform Code of Military Justice (UCMJ), suicide is not considered a crime. However, all unattended deaths are investigated thoroughly regardless of the circumstances.

¹⁰ These limitations do not pertain to Soldiers who reside on-post. Senior commanders at each installation have the authority to regulate POWs within the confines of the installation. ALARACT 063/2013 further discusses this authority.

however, the commander can order the unwilling Soldier to temporarily reside on, and be restricted to, the installation.

Separating a person from a weapon, otherwise known as “means restriction”, has proven to be effective in preventing suicide. Outside the Continental United States (OCONUS) suicide statistics further support this. Of the ~19,000 Soldiers stationed in South Korea in FY2013, only two died by suicide (hanging). While this relatively lower rate may be the result of engaged peers and leaders, the prohibition of POWs in Korea was likely a major contributing factor.

The convergence between Soldier health and discipline, as illustrated by the *Army Gold Book’s* Health and Disciplinary Maze Model, cannot be overstated. While no causality among crime committed and suicide has been established, the *Army Red Book*, *Army Gold Book*, and this report are replete with many examples of Soldiers who engaged in high-risk behavior, committed crimes and subsequently died from suicide – most often with the use of a POW.

MULTIPLE ALCOHOL-RELATED CRIMES & SUICIDE

A (b) was apprehended in June 2005 for being drunk and disorderly, received a Company Grade Article 15 and was reduced in rank. He deployed to Iraq from October 2005 to October 2006. In September 2007, he was apprehended for DUI (0.175 BAC) and fleeing the scene of an accident. He was apprehended in December 2007 for being drunk and disorderly. A review of the DA Form 4883 (addressed both incidents) revealed that he was reduced in rank from (b) to (b) and referred to ASAP. He deployed to Iraq from April 2008 through June 2009 and then to Afghanistan from October 2010 to October 2011. His wife, a fellow Soldier, stated her husband became a different person whenever he drank and that he was quick to anger following his third deployment. Now a (b), he was apprehended in December 2012 for DUI (0.14 BAC) – his second DUI and fourth alcohol-related incident.

Four days later, the (b) died by suicide after shooting himself in the chest with his POW.

LEARNING POINTS

- ★ Set conditions to reduce stigma and promote help-seeking behavior.
- ★ When Soldier health and discipline issues are linked, respond first to the health and welfare of the Soldier and then conduct due process to assess accountability.
- ★ Initiate appropriate measures to assess and monitor Soldiers under investigation to reduce the potential of self-harm or harm to others. CID policy requires commander notification of all serious investigations at the earliest opportunity without jeopardizing the integrity or successful resolution of the investigation.
- ★ Reduce the risk of suicide and other high-risk behavior by separating at-risk Soldiers from their privately owned weapons (IAW ALARACT 063/2013).

III – Crime Trends, FY2006-13

1. Overall, Violent Felony, Non-Violent Felony, and Misdemeanor

This section provides an overview of crime trends by crime type (violent felony, non-violent felony, and misdemeanor) and overall crime from FY2006-13. For each of these, crime is depicted by the number of unique offenders (upper chart) and by the number of offenses (lower chart). The blue bars represent the counts of offenders or offenses, whereas the red lines represent the respective rates in offenders or offenses per 100,000 Soldiers. As mentioned previously, rates are a more accurate measure for trend analysis since they account for the changing Army population over time.

a. Overall Crime

The offender rate has trended downward since FY2007, decreasing by 15% (6,374 to 5,428 offenders per 100,000) from FY2007-13 and by 9% (5,964 to 5,428) over the last year. Although the offense rate has not trended downward in tandem, it has decreased by 12% (11,568 to 10,212 offenses per 100,000) from FY2007-13 and by 11% (11,510 to 10,212) over the last fiscal year.



Figure III-1: Overall Crime Trends, FY2006-13

The number of unique offenders per 100,000 has followed a declining trajectory since FY2007 with a significant decrease in FY2013. The number of offenses per 100,000 also decreased significantly in FY2013, although it was preceded by an increasing trend from FY2010-12. This differential trend indicates that a lower number of offenders were committing multiple crimes and again points to the importance of identifying individuals who are likely to repeat criminal behavior.

The offender chart is a good example of how counts and rates can yield different conclusions. Although the number of offenders in FY2012 is greater than FY2006 (40,548 vs. 38,302 offenders), for example, the offender rate is virtually the same (5,964 vs. 5,975 offenders/100,000). This outcome is due to the larger active duty population in FY2012 (679,835 Soldiers in FY2012 vs. 640,999 Soldiers in FY2006).

b. Violent Felony

FY2013 marked a reduction in violent felony crime from recent years, with offender and offense rates decreasing by 5% and 11%, respectively, over the last fiscal year. Prior to this, the offender and offense rates increased by 20% and 26%, respectively, from FY2006-12 (see Figure III-2). That upward trend in violent felony crime was driven by an upward trend in violent sex crimes, which compose ~50-60% of both violent felony offenders and offenses. Sex crime trends are later discussed in Section III.3., *Sex Crime Trends*.

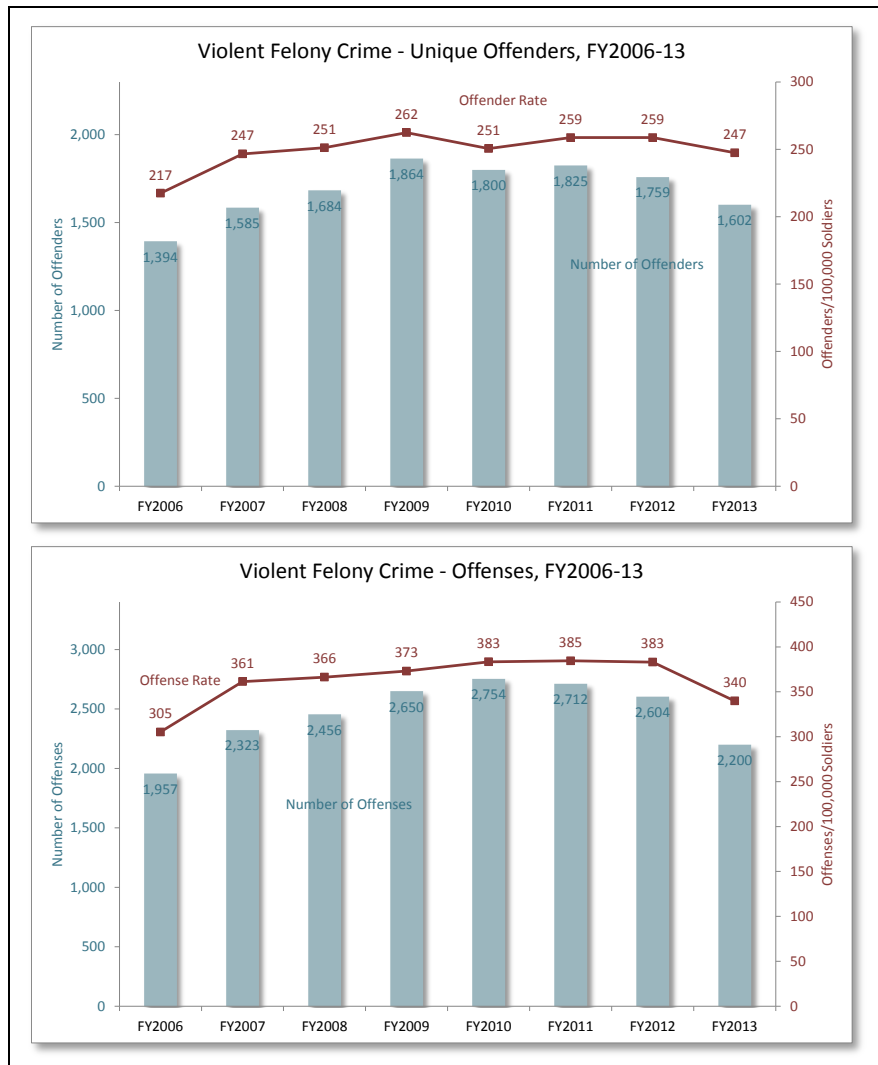


Figure III-2: Violent Felony Crime Trends, FY2006-13

FY2013 marked a reduction in violent felony crime from recent years. Offender and offense rates decreased by 5% and 11%, respectively, over the last fiscal year.

c. Non-Violent Felony

Non-violent felony crime remains one of the two major components of overall crime trends. From FY2006-13, the offender and offense rates have decreased by 12% and 8%, respectively, with the majority of that decline coming between FY2006 and FY2010. Since FY2010, the offender rate has remained flat. The offense rate, however, has markedly increased by 17% since 2010. When the number of offenders is compared to the number of offenses over the last four years, there is a consistent increase in the number of crimes being committed by unique offenders (up 9%, from 1.62 to 1.77 offenses/offender). This suggests that Soldiers are either committing more non-violent offenses per crime event or more crime events during the year.

Drug Crimes and Failure to Obey a General Order crimes compose approximately two-thirds of non-violent felonies. Their trends, later discussed in Section III.2., *Drug and Alcohol Trends*, drive recent increases in non-violent felony crime.

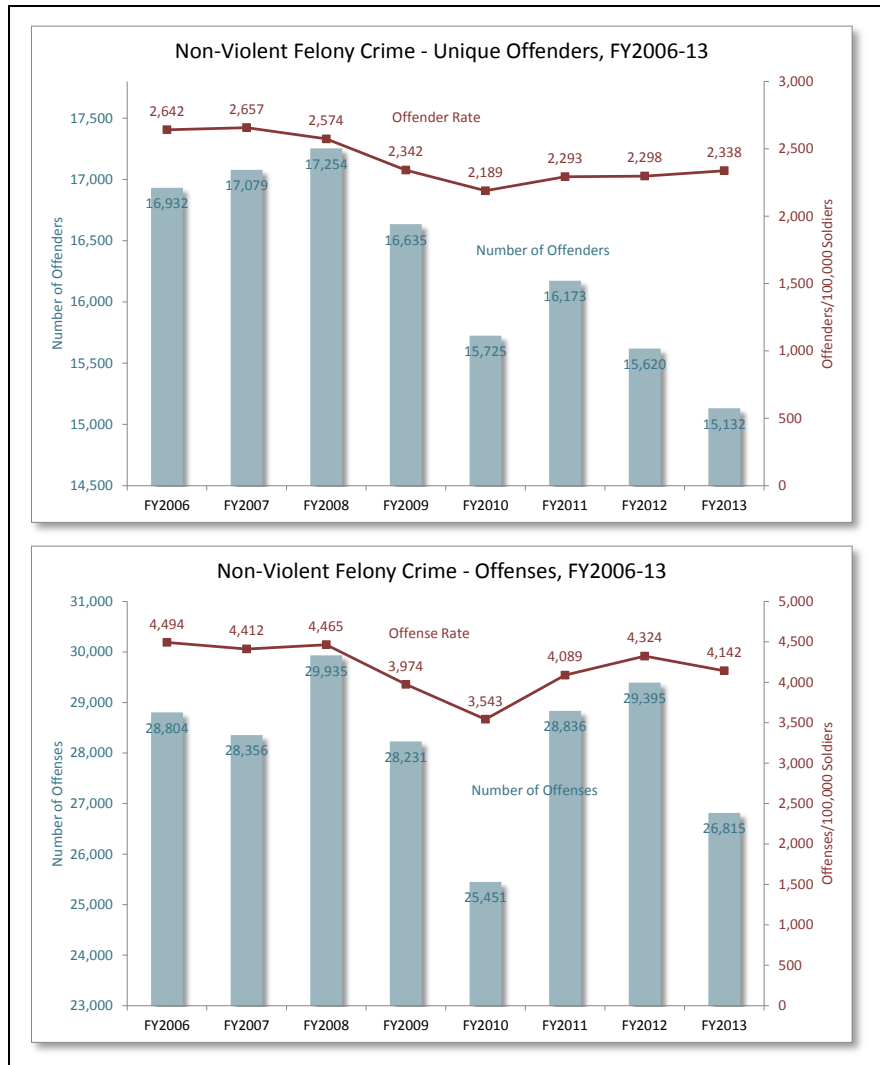


Figure III-3: Non-Violent Felony Crime Trends, FY2006-13

Non-violent felony crime trends consistently represent the second largest crime type in the Army, accounting for 41% of all Army crime in 2013. Since 2006, both offender and offense rates have decreased by 1-2% per year (on average).

d. Misdemeanor

Absent the low misdemeanor crime in FY2006, the misdemeanor offender and offense rates decreased by 21% and 16%, respectively, from FY2007-13. In the last year, these rates both decreased by 16%. With regards to the number of offenses per offender, the misdemeanor ratio has increased every year from FY2006, resulting in an 8% increase from FY2006-13 (1.43 to 1.55 offenses/offender).

Traffic Violations¹¹, which range from reckless driving to less egregious moving violations (e.g., speeding), compose ~50% of all misdemeanor crime and ~30% of all crime.

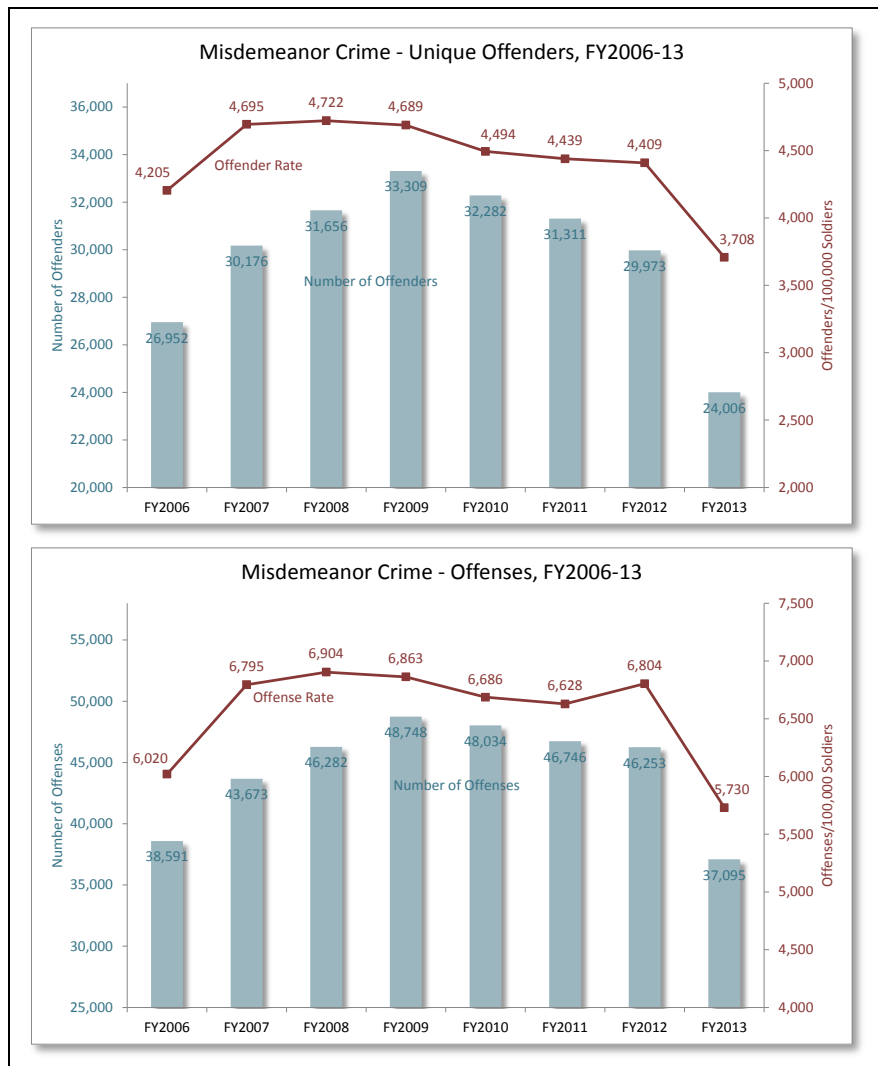


Figure III-4: Misdemeanor Crime Trends, FY2006-13

Misdemeanors consistently represent the largest crime type across the Army, with 56% of Army crime belonging to the misdemeanor category. Misdemeanor offender and offense rates have decreased by 21% and 16%, respectively, from FY2007-13.

¹¹ Excludes traffic violations involving the issuance of Department of Defense Form (DD Form) 1408, *Armed Forces Traffic Ticket*.

POTENTIAL GATEWAY TO HIGH-RISK BEHAVIOR

A 25-year-old (b) was shot and killed while sitting in his parked vehicle. Two other occupants were also shot. Both were former Soldiers who were separated in 2005 for a personality disorder and 2009 for drug abuse. The three victims were in the vehicle to affect a drug deal. When the buyer arrived however, he shot them instead in attempt to steal the drugs.

The (b) was the subject of five crimes while assigned to the same brigade. He was cited for speeding and titled for public intoxication in April and November 2009. Following an August 2010 to August 2011 deployment, he was titled for driving with a suspended license in September 2011 and July 2012, and for theft in December 2011.

While relatively minor, a pattern of misconduct including crimes such as these may provide a good indicator of high-risk behavior, which threatens community safety.

LEARNING POINTS

- Multiple lower-level misdemeanors and traffic violations may be indicative of Soldiers' high-risk behavior and the need for enhanced leader surveillance, detection and response.

2. Drug and Alcohol Trends

Drug and alcohol abuse remains a concern to leaders at all levels. Army Substance Abuse Program (ASAP) data suggest Soldiers are using less traditional street drugs, such as cocaine and marijuana, in favor of prescription and synthetic drugs due to their availability and limited urinalysis (UA) testing. The Army continues to develop policy and implement measures to enhance the surveillance, detection and response to these threats and to improve the readiness of the Force.

a. Drug Crime and Failure to Obey a General Order Trends

The Drug Crime offender rate decreased by 15% from FY2006-13, as illustrated in Figure III-5. However, these improvements would be smaller if the drug-related Failure to Obey a General Order crimes (e.g., synthetic drugs and paraphernalia) were included in its rate. As a crime category, the Failure to Obey a General Order offender rate increased by 28% during this same timeframe.

The number of drug-related Failure to Obey a General Order crimes has increased significantly since FY2010. While composing only 18% of all Failure to Obey a General Order crimes in FY2010, the number of drug-related crimes increased to 45% in FY2011, 53% in FY2012, and 43% in FY2013. The steep increase in drug-related Failure to Obey a General Order crimes can be attributed to the increase in synthetic drugs, discussed below.

b. Synthetic Cannabinoids and Stimulants

Synthetic cannabinoids (e.g., Spice) and stimulants (e.g., bath salts) have emerged as a threat in combating drug crime in the Army. These synthetic drugs composed 21% (2,757 of 13,017 drug-related offenses) of all drug crimes in FY2013, down from 30% (4,419 of 14,643) in FY2012 and 27% (3,855 of 14,086) in FY2011 but up from 3% (324 of 10,220) in FY2010. Of the two synthetic drug classes, Spice is a dominant 98% of all offenses.

Soldier use of synthetic drugs has been prohibited since 2009 and Army Directives (AD) in subsequent years have further clarified and codified this prohibition. AD 2012-14, *Prohibited Substances (Controlled Substance Analogues)*, is the most recent and prohibits Soldier use, possession, manufacture, etc. of any synthetic drug. As an enhanced surveillance initiative, the Army began testing for Spice on about 20% of UA specimens submitted to the drug testing labs in December 2013.

As illustrated in Figure III-6, law enforcement titled synthetic drug crime as both Wrongful Use and Possession of Controlled Substances (Article 112a) and as Failure to Obey a General Order (Article 92) violations. The latter crime category was used because the majority of synthetic drugs were not classified as controlled substances. The *Synthetic Drug Abuse Act of 2012*, however, permanently added 26 synthetic substances, to include Spice and bath salts, to Schedule 1 of the

Controlled Substances Act (CSA). As a result, CID is now titling Soldiers for Article 112a violations when forensic analysis confirms the presence of one or more of the substances identified in the CSA¹². This change should impact the readiness of the Force by: (1) Deterring Soldier use through more severe penalties (maximum sentence of five years instead of two); (2) Providing a more realistic picture of Army drug abuse; (3) Ensuring CID investigative responsibility as there is anecdotal evidence that some units wrongly handled Spice violation in-house; and (4) Providing a greater ability to prosecute civilians who possess or distribute synthetic drugs.

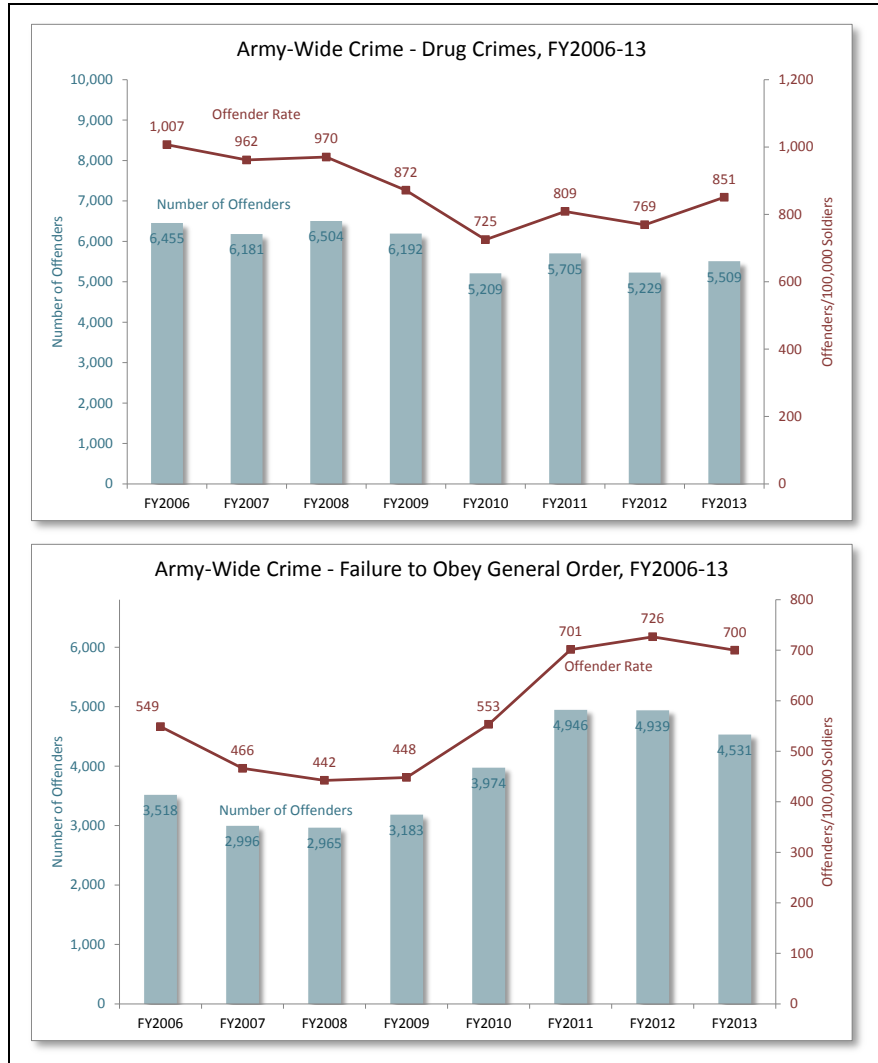


Figure III-5: Drug-Related Crime Categories: Drug Crimes and Failure to Obey a General Order

Offender rates for both Drug Crimes and Failure to Obey a General Order display complementary opposing trends. Drug Crimes have decreased 15% from FY2006-13, while Failure to Obey a General Order crimes increased by 28%. This shift is thought to be related to an increase in drug-related crimes that fall under Failure to Obey a General Order (including possession and use of synthetic drugs).

¹² All CID Memorandum (ALCID Memorandum) 004-13, *Investigation of Synthetic Substances*, 11 January 2013

Figure III-6 also illustrates that the Drug Crimes and Failure to Obey a General Order offense trends become relatively flat when synthetic drug offenses are removed. In other words, the upward trend in both these crime categories since FY2010 is driven solely by the emergence of synthetic drugs.

The 2012 Army Synthetic Cannabinoid Prevalence Study revealed the magnitude of Spice use within our formations. Random testing of 10,073 urine samples in FY2012 from US Army Forces Command (FORSCOM), US Army Training and Doctrine Command (TRADOC) and Afghanistan revealed a positive rate of 2.5% for Spice, which is nearly 350% higher than the 0.56% specimen positive rate for all drugs routinely tested as part of the standard urinalysis drug panel in FY2012.

Until recently, Soldiers suspected of using synthetic cannabinoids would only undergo drug testing if it was in support of a criminal investigation. However, an 11 April 2013 policy change enhanced commanders' surveillance and detection efforts by increasing the testing of synthetic cannabinoids and stimulants (i.e., bath salts) when legal justification exists. Active duty Soldiers will be subject to Probable Cause, Competence for Duty, and Limited Inspection testing when a commander, in consultation with their supporting Staff Judge Advocate, determines a violation of AD 2012-14 has occurred or evidence exists to warrant a test¹³. This policy change, combined with the recurring testing of Spice effective December 2013, gives commanders the tools they need to effectively mitigate the synthetic drug threat.

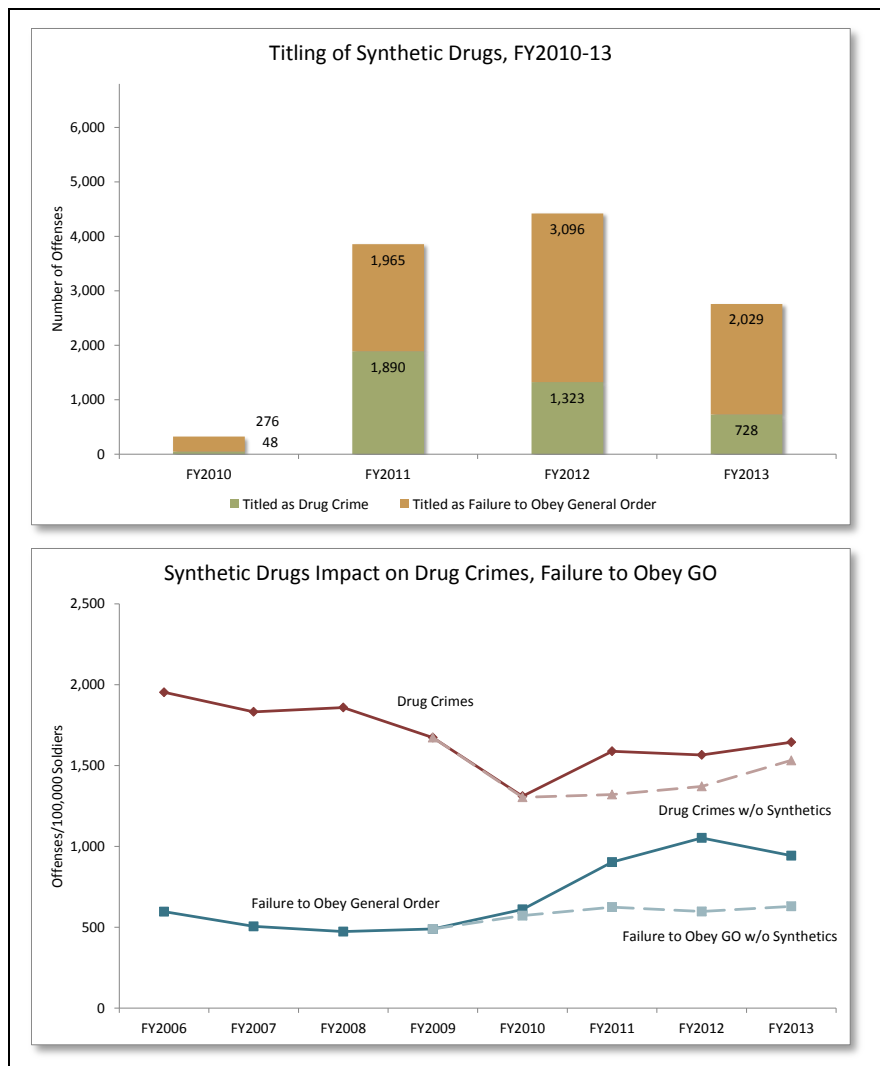


Figure III-6: The Emergence of Synthetic Drug Abuse

The emergence of synthetic drug abuse can be seen in the above charts. From FY2010 to FY2012, the number of synthetic drug offenses (titled as either a Drug Crime or Failure to Obey a General Order) increased 14-fold (from 324 to 4,419 offenses) despite a decreasing AD population. The increases in Failure to Obey a General Order and in Drug Crimes are largely attributable to the increase in synthetic drug use.

¹³ AD 2013-10, (Synthetic Cannabinoids ("Spice") and "Bath Salts" Probable Cause and Competence for Duty Testing), 11 April 2013.

SPICE ABUSE AND SUICIDE

The wife of a 21-year-old (b) returned home from errands and found that her husband shot himself with his privately owned weapon. An examination of the death scene revealed several packets of Spice. The wife told law enforcement that her husband was smoking Spice earlier in the day. She also indicated that he recently began using Spice, had experienced “bad trips” wherein he would hear voices, and would write messages on a dry erase board during his Spice trips. The message he inscribed on the day of his suicide was “Don’t try to save me”.

LEARNING POINTS

- ★ Refer all drug crime to Army law enforcement. While the possession of synthetic drugs and drug paraphernalia (e.g., suspected smoking devices) may be a Failure to Obey a General Order violation, the investigation remains within law enforcement purview.
- ★ Enhance drug surveillance and detection with recurring Health & Welfare inspections; incorporate military working dogs as well.
- ★ Increase Soldier awareness of synthetic drugs by leveraging law enforcement and ASAP expertise during unit and installation drug awareness briefings.
- ★ Implement Armed Forces Disciplinary Control Boards to provide broader situational awareness of off-post establishments that may be conducive to criminal and high-risk behavior.

The amount of prescription drugs circulating within the Army remains a potential threat. Of the 27,142¹⁴ positive drug results reported in FY2013, 76% (20,730) were for prescription drugs and required screening by Medical Review Officers (MRO). Of the 20,730 MRO reviews, 26% (5,394) were classified as illicit use. It should be noted that in the third quarter of FY2012 the drug testing laboratories began testing for hydrocodone and hydromorphone and began testing for 5 types of benzodiazepines in the first quarter of FY2013. In addition the laboratories increased the rate of testing for all pharmaceutical drugs except amphetamines which was already tested at 100%. Oxycodone/oxymorphone testing increased from 29.1% of specimens to 98.3% of specimens; codeine, morphine, hydrocodone, and hydromorphone testing rate increased from 30.1% to 95.5% and Benzodiazepines increased from 0% to 18.2% of specimens across all components. The increase in testing within the active duty population resulted in more than double the number of drugs tested between FY2012 and FY2013 (2,950,581 drug classes tested in FY2012 versus 6,359,063 drug classes tested in FY2013).

The impact of illicit prescription drug abuse continues to threaten the readiness of the Force. Of those unique Soldiers who failed urinalyses in FY2013, 41% (2,493 of 6,147) tested positive for a pharmaceutical drug they had not been prescribed. This represents a 14% point increase from FY2012 (21%, or 1,563 of 7,585). However, the illicit positive drug rates in Figure III-7 indicated only slight increases in pharmaceutical positive rates from FY2012 to FY2013.

¹⁴ The 27,142 positive results reflect the number of drugs or drug metabolites detected in each sample. If a Soldier tested positive for tetrahydrocannabinol (THC), oxycodone and oxymorphone in a single specimen, each drug is represented individually in the overall figure of 27,142.

Recent initiatives such as the reconstitution of Drug Suppression Teams (DST) at the 13 major installations, providing prescriptions in a 30-day supply with a maximum of five refills, and automatic medical prescription review when 4+ controlled substances are prescribed should help mitigate prescription drug abuse and misuse. Additionally, installations' participation in the Drug Enforcement Agency's (DEA) bi-annual National Prescription Drug Take-Back Day has been exceptionally successful in reducing the amount of prescription drugs that are available for diversion and abuse. Since April 2011, over 13,000 pounds of unused and unwanted prescription medications have been collected. For that reason, the Department of Defense (DoD) is coordinating with the DEA to examine the feasibility of enabling Military Treatment Facilities to execute this function 365 days a year.

Drug Type	Positive Illicit Rate	
	FY2012	FY2013
*Amphetamines	0.13%	0.13%
*Benzodiazepines	0.00%	0.06%
Cocaine	0.21%	0.14%
*Codeine	0.03%	0.03%
Ecstasy (MDA, MDMA)	0.02%	0.02%
*Methamphetamines	0.06%	0.06%
Heroin	0.02%	0.01%
*Hydrocodone	0.05%	0.08%
*Hydromorphone	0.07%	0.09%
*Morphine	0.05%	0.04%
*Oxycodone	0.11%	0.11%
*Oxymorphone	0.18%	0.19%
THC	0.62%	0.58%
Total Soldier Rate	1.03%	1.09%

Figure III-7: Positive Illicit Drug Rates for FY2012-13
The illicit positive rates per drugs table indicated only a slight increase in pharmaceutical positive rates from FY2012-13. Potential pharmaceuticals are marked with an asterisk.

A DEADLY COMBINATION

A (b) was found deceased in his off-post residence in July 2012. The post-mortem toxicology screening determined the (b) died from a combination of alcohol and Oxycotin. Although his death was classified as an accident, the (b) had been treated for alcohol problems and depression. His wife had recently filed for divorce due to his alcohol dependency.

LEARNING POINTS

- ★ Ensure Soldiers understand that the authorized period of prescribed medication is limited to six months. Testing positive for use of these medications after the six month period may constitute unauthorized use which would be punishable by the UCMJ. Leaders should examine expiration dates during Health & Welfare inspections and ensure disposal IAW local command guidance.
- ★ Legally prescribed but abused drugs can be just as dangerous as illegal drugs.

c. Unit Drug Testing

The size of the untested population represents a significant gap in surveillance, detection and response. 85,956 Soldiers (13% of the active duty population) did not undergo urinalysis testing in FY2013, compared to 81,139 Soldiers (12%) in FY2012 and an average of 106,630 Soldiers per year from FY2006-11.

Despite a smaller active duty population in FY2013 by ~32,500 Soldiers, approximately 100,000 fewer urine samples were tested than the previous fiscal year (1.67M vs. 1.57M). This suggests a more efficient approach is required to ensure testing is conducted in a comprehensive manner, especially in an era of known budgetary cuts. Commanders' application of tactics, techniques and procedures (TTP) provided in the *Unit Prevention Leader Handbook*¹⁵ may facilitate this.

The active duty illicit positive rate, or the percent of Soldiers who tested positive from among the tested population, continues to trend downward from a high of 1.75% in FY2006 to 1.09% in FY2013. This further illustrates the apparent transition from traditional street drugs to prescription and synthetic drugs. The number of Soldiers who tested

positive for cocaine decreased from 0.7% in FY2006 to 0.14% in FY2013. Soldier positives for marijuana totaled 0.9% in FY2006, peaked to 1.0% in FY2009, and decreased to 0.58% in FY2013.

Smart Testing Principles

- *Mandatory:* 100% testing of assigned unit strength
- *Mandatory:* 100% testing of every Soldier within specified military occupational specialties (MOS)¹ (e.g., 31B, 68Q)
- *Recommended:* combination of random testing and 100% unit sweeps
- *Recommended:* Surprise testing *during* a weekend
- *Recommended:* Back-to-Back testing (test Friday and Monday); apply to long weekends as well
- *Recommended:* Test newly assigned Soldiers within 30 days
- *Recommended:* Test unavailable Soldiers upon return from leave or temporary duty yonder (TDY)
- *Recommended:* Test AWOL Soldiers immediately upon return to unit
- *Recommended:* Test during field training exercise (FTX)
- *Recommended:* Conduct alcohol testing in conjunction with urinalyses

d. Alcohol-Related Crime

Alcohol-related crime, specifically Drunk Driving with Personal Injury (felony), Drunk Driving without Personal Injury (misdemeanor), and Drunk and Disorderly, has decreased since FY2006. From FY2006-13, the offender and offense rates decreased by 21% and 22%, respectively. In FY2013, these rates significantly decreased by 15% and 16% from the previous year.

Excluding these three crime categories, alcohol involvement in all other crimes averaged 15% (9,165 of 61,129 offenses) in FY2013. Alcohol involvement in Violent Sex Crimes (46% of all FY2013 offenses), Assault and Battery (37%), Aggravated Assault (39%), and Other Sex Crimes (24%) exceeded this average. As will be discussed later, alcohol involvement is a significant risk factor in sex crimes.

HISTORY OF ALCOHOL PROBLEMS LEADS TO LOSS OF LIFE

A (b) was charged with Involuntary Manslaughter in a late 2011 alcohol-related accident. He was driving in the wrong direction on an interstate when he impacted another vehicle, killing two and maiming 3 others. His BAC was 0.25, or three times the legal limit.

The Soldier had been referred to ASAP based on prior alcohol-related crimes such as a 2004 DUI (0.22 BAC), a 2004 Drunk & Disorderly (0.16 BAC), a 2006 DUI, and a 2011 DUI that occurred three months prior to the fatal DUI accident.

¹⁵ Accessible at <http://acsap.army.mil/prevention/UPLHandbook.pdf>

e. Recent Changes to AR 600-85, *The Army Substance Abuse Program (ASAP)*

The 28 December 2012 revision to AR 600-85 closed a number of known gaps identified in the *Army Red Book* and *Army Gold Book*. Most notably, installation ASAP offices are now required to notify CID of all illicit positive drug test results. Previously, ASAP was only required to notify the offending Soldier's commander who was required to notify law enforcement. Unfortunately, referrals to law enforcement did not always occur; Soldiers not referred after a positive UA ranged between 37% - 50% from FY2006-11. The closure of this gap will ensure CID has full visibility of illicit use, enabling a full investigation, and the subsequent identification of local drug networks. Other AR 600-85 changes include:

- *Soldiers who have alcohol or drug-related incidents of misconduct within a year after completion or removal from a rehabilitation program will be processed for separation as an alcohol or drug abuse rehabilitation failure. The term "process for separation" means that the separation action will be initiated and processed through the chain of command to the separation authority for decision/action.*
- *Any Soldier identified as an illegal drug abuser; involved in two serious incidents of alcohol-related misconduct within 12 months; involved in illegal trafficking, distribution, possession, use, or sale of illegal drugs; or convicted of driving while intoxicated or driving under the influence a second time during their career will be processed for separation.*
- *Battalion commanders will ensure that the initiation and final disposition for all Soldiers with an illicit positive drug test and Soldiers involved in two serious incidents of alcohol-related misconduct within 12 months are reported to the Alcohol and Drug Control Officer (ADCO). In addition, battalion commanders will ensure that a DA Form 4833 (Commander's Report of Disciplinary or Administrative Action) is completed and submitted in accordance with AR 190-45, Law Enforcement Reporting. ADCOs will monitor and evaluate the commander referral rate,*

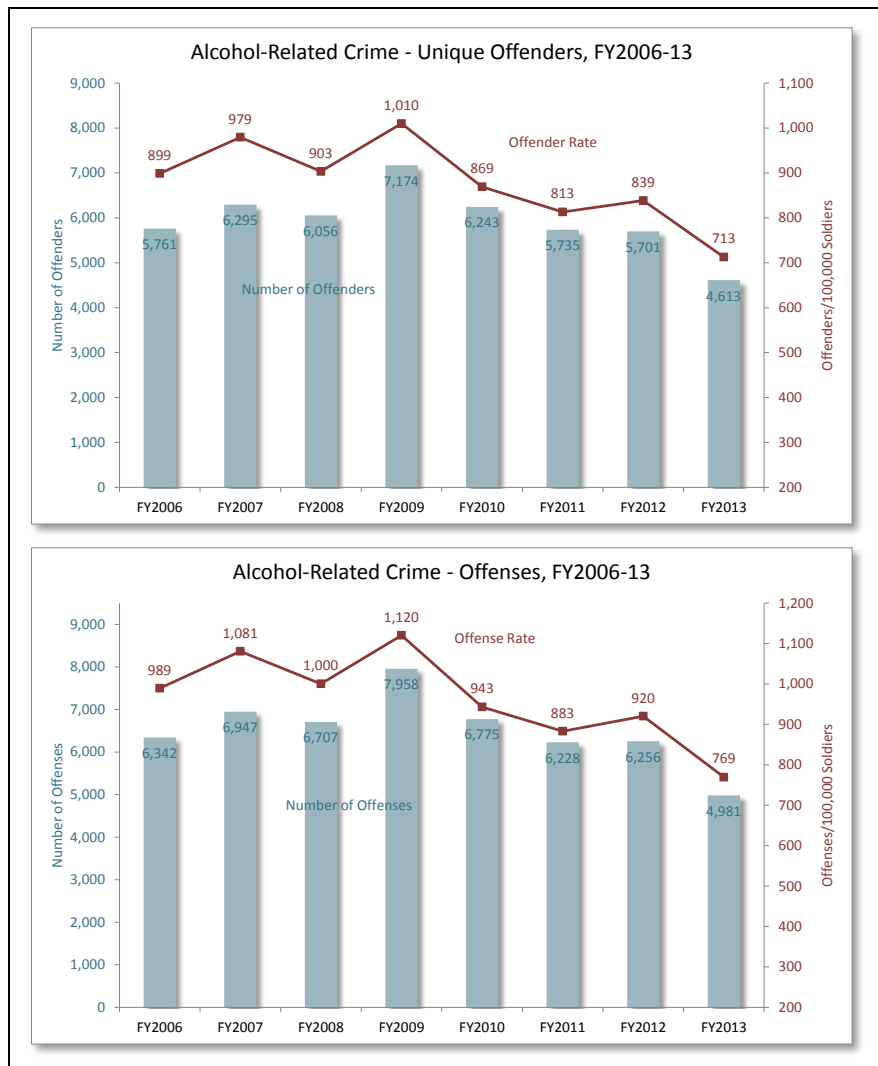


Figure III-8: Alcohol-Related Crime

The offender and offense rates for alcohol-related crime decreased 15% and 16%, respectively, in the last fiscal year.

separation actions, and the evaluation completion rate, and provide quarterly reports to the installation and battalion commanders.

LEARNING POINTS

- ★ Process any illegal drug abuser (first offense) or 2 time DUI offender for separation.

f. Accidental and Undetermined Deaths

CID investigated a total of 106 Accidental and Undetermined¹⁶ Soldier deaths in FY2013 that were caused by numerous factors such as drugs, alcohol and traffic accidents. The majority of these deaths (85 total) were directly attributed to inherently high-risk or criminal behavior. Drugs played a significant role with 56 of the 106 deaths attributable to a drug overdose. Of these 56 deaths, 30 (54%) involved only illegal drugs, 22 (39%) involved only prescription drugs, and 4 (7%) involved a combination of the two. The 56 drug overdoses in FY2013 are comparable to the 58 drug overdoses in FY2012 and to the 49 drug overdoses / year average from FY2006-11.

POSSIBLE PRESCRIPTION DRUG OVERDOSE

CID is investigating the undetermined death of a (b) who was found unresponsive in his barracks room. He was being treated for post-traumatic stress disorder (PTSD) and had self-referred to ASAP. The (b) had 12 active prescriptions for numerous medical issues including depression, anxiety and insomnia.

While toxicology results are still pending, the medical examiner speculated the (b) death may be attributable to multiple drug toxicity. It is unknown whether multiple physicians were involved, if the Soldier was being treated by off-post providers, or if ASAP was working with the Soldier's command and medical department activity (MEDDAC). The answers may reveal whether or not the integration and synchronization of services were appropriate.

Abuse of prescription medication remains a concern. Of the 26 deaths involving prescription drugs, 17 victims were prescribed the medication; 6 were not; and 3 were unknown/pending at the time of this report. Regardless of the results of the pending three, this means that at least 65% of the victims misused prescription drugs for which they had a prescription. This is a significant change from last year, where at least 53% of those who died as a direct result of prescription drug overdose did not have a prescription for the drug that killed them. Victims had between one and six different drugs in their systems at the time of their death, of which opioids (e.g., oxycodone) was the most commonly detected prescription drug.

Regarding the 34 deaths associated with traditional street drugs, heroin (12) and cocaine (5) were the most prevalent.

¹⁶ A death when the information pointing to one manner of death is no more compelling than one or more other competing manners of death in thorough consideration of all available information. Manner of death categorization includes: Natural, Suicide, Homicide, Accidental and Undetermined.

3. Sex Crime Trends



“Every day around the world, the overwhelming majority of Soldiers and Army Civilians honorably and capably meet the standards embodied in our Army Values. Offenses by a few, however, are abhorrent to the values for which we all stand, and erode the trust that has been the hallmark of our success. Sexual assault is a crime, and cannot be tolerated at any level.”

– The Honorable John McHugh
Secretary of the Army

Sex crimes are a particularly egregious form of crimes against persons. The Army has taken aggressive steps to reduce the amount of sex crimes and increase the confidence required in individual Soldiers to report the crimes. The data presented in this section represent crimes reported to Army law enforcement and will differ from statistics reported by the Army’s Sexual Harassment/Assault Response and Prevention (SHARP) program.

a. Army-Wide Trends: Reporting Date vs. Incident Date

FY2013 represents a sizeable increase in both reported Violent Sex Crimes and Other Sex Crimes which may be the result of increased awareness, leader emphasis, and an environment of trust resulting in victims being more likely to report these crimes. Due to the impact of delayed reporting, this section analyzes crime trends by reporting date to law enforcement and incident

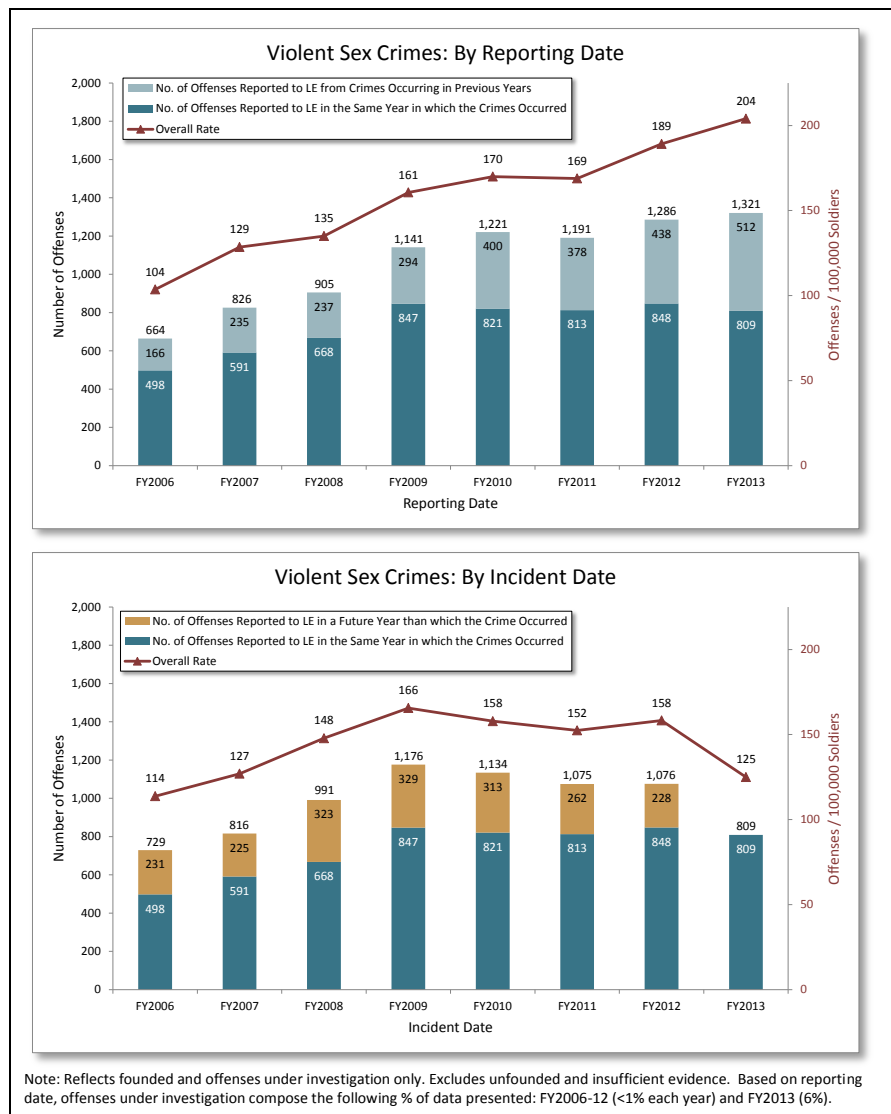


Figure III-9: Violent Sex Crime Trends

Violent Sex Crime reporting to Army law enforcement continues to trend upward (top chart). When examining the date of the crime, however, the trend is much improved (bottom chart). Given the high volume of delayed reporting in recent years, the offense rate (by incident date) observed for FY2013 is likely to increase as that year’s crimes are reported in future years. See Section III.3.d. for differences to SHARP Program reporting methodologies.

date of the crime.

As indicated in Figure III-9 on the previous page, the reporting of Violent Sex Crimes (top chart) has significantly trended upward since FY2011.¹⁷ The number of offenses increased from 169 to 204 offenses/100,000 – a 21% increase in the last three years. However, a significant portion of these offenses are attributed to crimes committed in previous years and subsequently reported to law enforcement. In FY2013, 39% (512 of 1,312) of the Violent Sex Crimes were due to this delayed reporting.

When examining the date of the crime, the Violent Sex Crime trend is much improved and flatter (Figure III-9 bottom chart). From FY2009 to FY2012, the offense rate ranged between 152 and 166 offenses/100,000. The “current” offense rate for FY2013 (125 offenses/100,000) is likely to increase as that year’s crimes continue to be reported in FY2014 and beyond.¹⁸ In other words, the “final” rate for FY2013 cannot be ascertained at this time.

Figure III-10 depicts the offense rate by reporting date vs. incident date for Other Sex Crimes. The number of offenses reported to law enforcement has trended upward since FY2010, increasing from 129 to 203 offenses/100,000 – a 57% increase in the last four years. Based on the date of the crime, however, the trend from FY2006 to

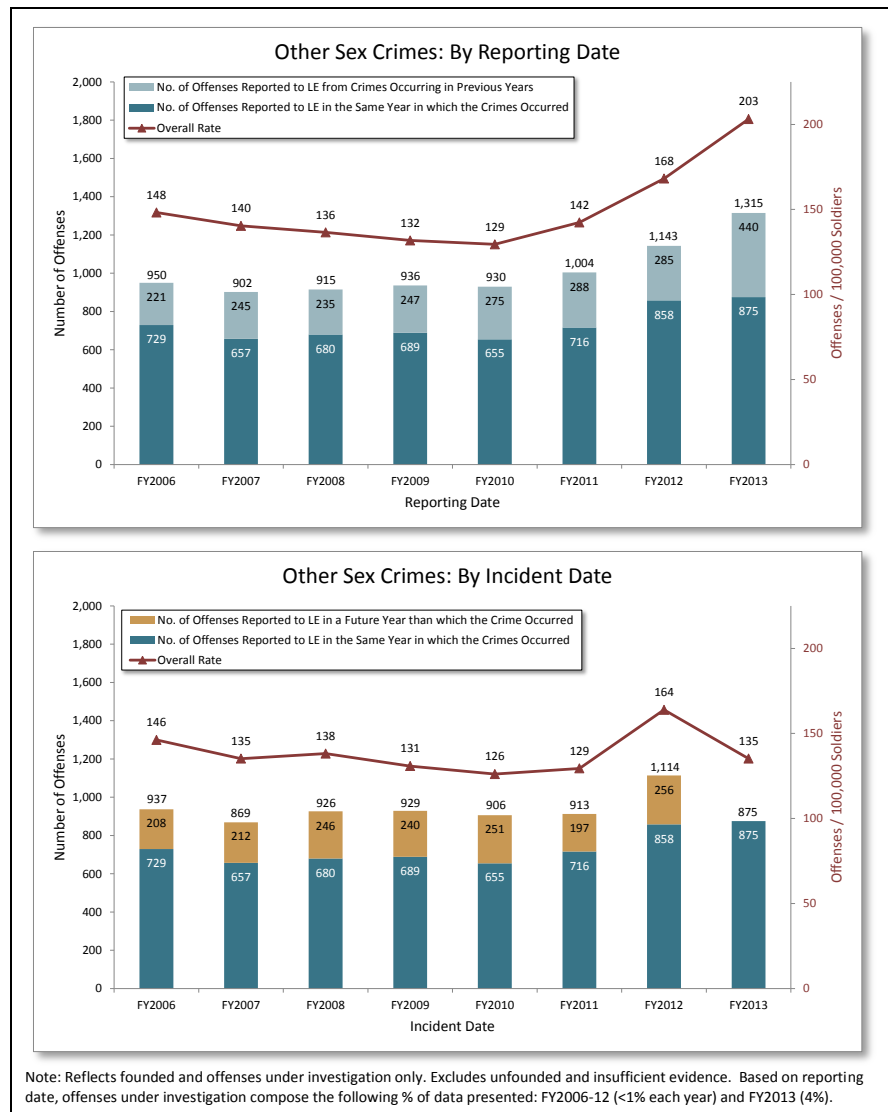


Figure III-10: Other Sex Crime Trends

Similar to Violent Sex Crimes, Other Sex Crime reporting to Army law enforcement continues to trend upward (top chart). The trend line by incident date (bottom chart) is less conclusive; there was an uptick in the crime rate from FY2011 to FY2012, and it is unknown how much the FY2013 rate will rise as that year’s crimes continue to be reported due to delayed reporting. See Section III.3.d. for differences to SHARP Program reporting methodologies.

¹⁷ Reported offenses in FY2013 will become slightly less pronounced as some offenses within open investigations become unfounded. 5% of all FY2013 sex crime offenses remain open as of October 2013; thus, reported trends will not change.

¹⁸ A disproportionate number of the delayed reported offenses in a fiscal year are likely composed of crimes directly committed in the previous year.

FY2011 has been flat-to-decreasing, ranging from 126 to 146 offenses/100,000. There was an uptick in the crime rate from FY2011 to FY2012, and it is unknown how much the FY2013 rate will rise as that year's crimes continue to be reported in FY2014 and beyond.

Leaders should anticipate that the number of reports of sexual assault may continue to rise in the coming years as a result of Army policy changes and sustained awareness. The professionalization of full-time Sexual Assault Response Coordinators and Victim Advocates supporting brigade-level units; sustained use of effective training (i.e., "Sex Signals"); revised professional military education (PME) SHARP training; further development of CID's Special Victim Unit capability; and an increase in the Office of the Judge Advocate General's (OTJAG) Special Victim Prosecutors are among the many initiatives the Army is implementing to prevent and respond to sexual assaults and hold offenders accountable. Establishing climates where fellow Soldiers step in to prevent an assault and where victims have greater trust in their chain of command to appropriately adjudicate these crimes will likely result in increased reporting – a positive development since sexual assault is widely understood to be one of the most underreported crimes.

COMMON ELEMENTS OF SEX CRIME

Three young Soldiers were out partying and drinking excessively. At the end of the night, the two male Soldiers escorted the intoxicated female Soldier back to her barracks room. One Soldier remained behind and continued to drink with her, ultimately causing her to pass out. She woke up the next morning in a semi-dressed state and recalled waking up during the night to the other Soldier engaging in sexual activity with her.

This vignette represents common elements from the majority of CID's sexual assault investigations – young Soldiers, alcohol, barracks, and the failure to take care of a fellow Soldier. Leaders should mentor their Soldiers that engaging in a sexual act with another who is too intoxicated to give consent violates law and will likely result in lifelong consequences for the victim and assailant.

b. Soldier-on-Soldier Sex Crime

Of the Violent Sex Crimes reported in FY2013, 43% (562 of 1,321 offenses) were perpetrated against other Soldiers. These involved 460 unique Soldier offenders and 430 unique Soldier victims.

Young female Soldiers remain the targets of these crimes. Of the 430 Soldier victims, 93% (400) were female, and 83% (331) of these female victims were junior Soldiers (E1 - E4). However, only 55% (251 of 460) of the Soldier offenders were junior Soldiers, meaning that 45% of Soldier-on-Soldier Violent Sex Crime offenders were E5 or above (including officers).

Soldier-on-Soldier Risk Factors

The predominant risk factors in FY2013 Soldier-on-Soldier Violent Sex Crimes were consistent with previous findings identified in the *Army Gold Book*:

- *Location.* 78% of crimes were committed in high-density housing (e.g., barracks, containerized housing units (CHU))
- *Alcohol involvement.* 61% of the crimes involved alcohol use by the subject, victim, or both.
- *Victim demographics.* While female Soldiers compose 14% of the Force, they represent 93% (400 of 430) of the Violent Sex Crime victims. 83% (331 of 400) of the female Soldier victims were E1-E4.
- *Day of week.* 61% of crimes were committed during the weekend (Friday through Sunday)
- *Time of day.* 4am-6am was the riskiest time block, with 25% of all crime occurring between these

Alcohol in Soldier-on-Soldier Violent Sex Crimes was particularly prevalent (61% of all cases). It is possible that the actual alcohol involvement may be higher due to underreporting. Underreporting may be driven by potential General Order (GO) #1 violations (no alcohol consumption downrange) and underage drinking.

Figure III-11 depicts the offense rates by reporting date (blue trend lines) vs. incident date (orange trend lines) for Soldier-on-Soldier Violent Sex Crimes (top chart) and Other Sex Crimes (bottom chart). Based on reporting dates, Violent Sex Crimes have trended upwards since FY2011, increasing by 32% (66 to 87 offenses/100,000). More significantly, Other Sex Crimes have trended upwards since FY2010, increasing by 94% (62 to 120 offenses/100,000).

Examining these crimes by incident date minimizes the impact of delayed reporting on crime trends.

Figure III-12 illustrates that 32% (179 of 562) of Soldier-on-Soldier Violent Sex Crimes were reported to law enforcement in FY2013 from incidents in past years. Given this magnitude, examining sex crime by incident date is relevant and provides a balanced perspective when reviewing sex crime trends. Based on the incident date, Soldier-on-Soldier Violent Sex Crimes have improved in more recent years, showing a flat-to-decreasing trend. Other Sex Crimes indicate a flat-to-increasing trend. FY2013 offense rates are likely to increase as these crimes continue to be reported in FY2014 and beyond.

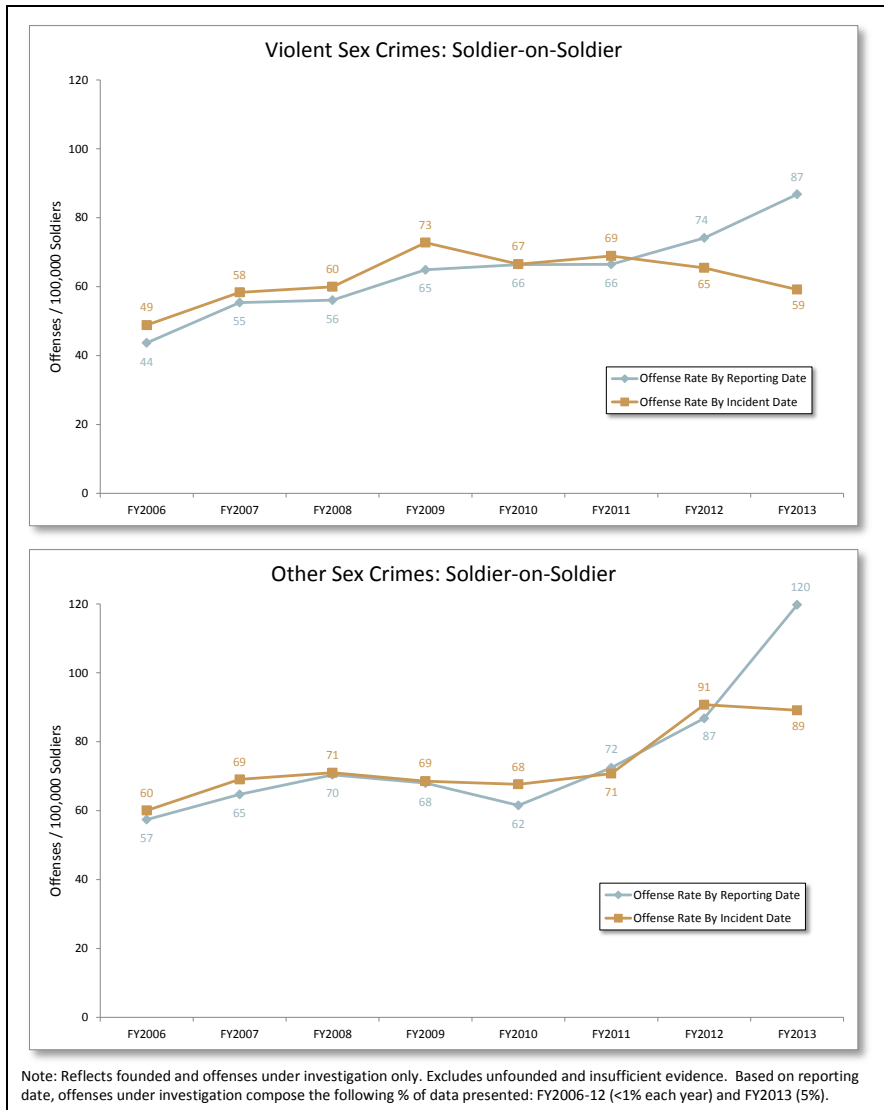


Figure III-11: Soldier-on-Soldier Sex Crime Trends
Soldier-on-Soldier sex crime, for both Violent Sex Crimes and Other Sex Crimes, has trended upwards based on reporting date (blue lines). When examining the incident date (orange lines), the recent trend is flat-to-decreasing for Violent Sex Crimes and flat-to-increasing for Other Sex Crimes. See Section III.3.d. for differences to SHARP Program reporting methodologies.

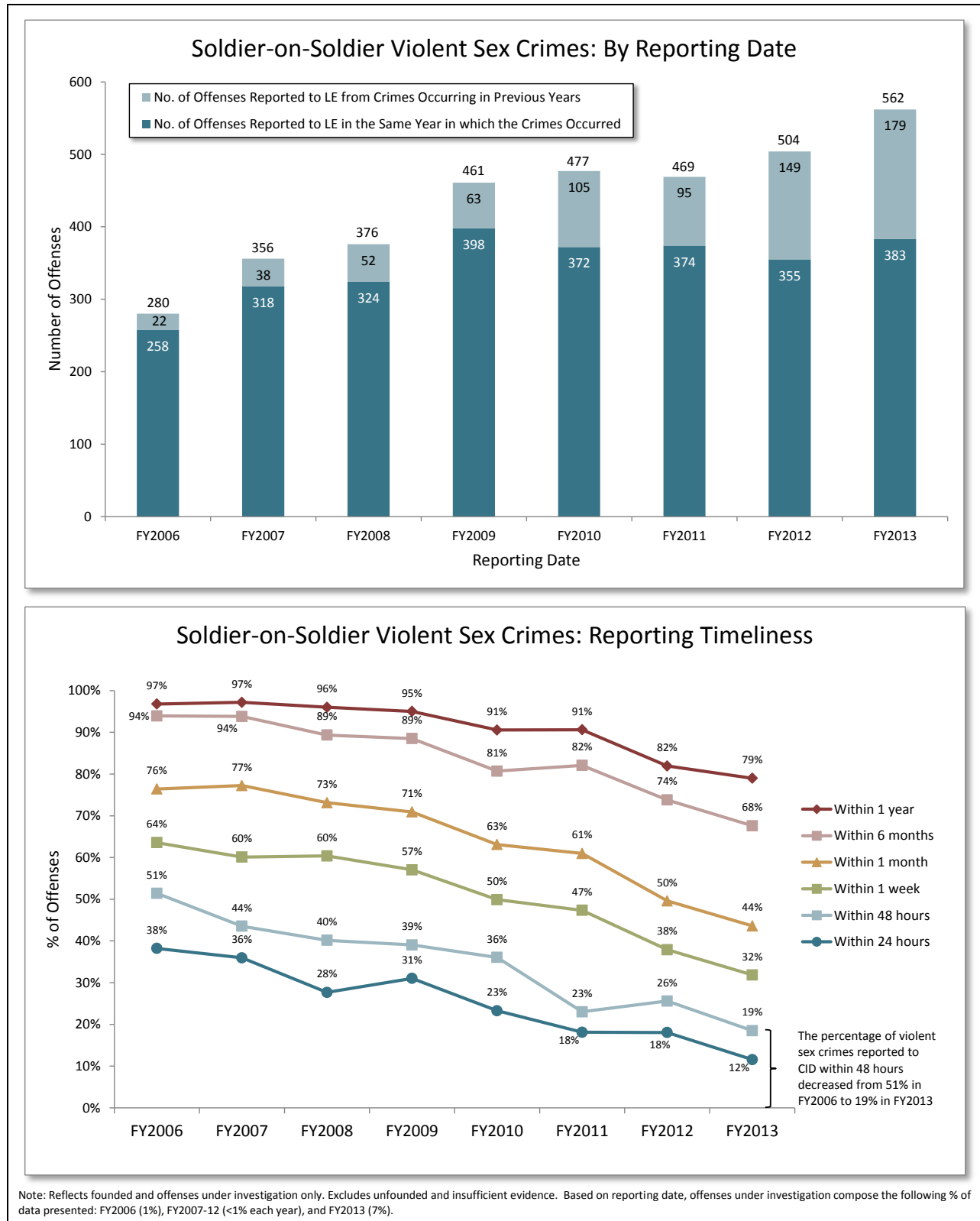


Figure III-12: Delayed Reporting of Soldier-on-Soldier Violent Sex Crimes
 32% (179 of 562) of Soldier-on-Soldier violent sex crimes were reported to LE in FY2013 from incidents in past fiscal years. Only 19% of FY2013 Soldier-on-Soldier violent sex crimes were reported to CID within 48 hours, down from 51% in FY2006. See Section III.3.d. for differences to SHARP Program reporting methodologies.

Figure III-12 illustrates the increase in delayed reporting over time. Whereas 51% of Soldier-on-Soldier Violent Sex Crimes were reported within 48 hours in FY2006, this percentage dropped to 19% in FY2013. Delayed reporting such as this equates to a significantly reduced opportunity to collect physical evidence and degraded testimony. Late reporting, combined with the density of investigations that involve subjects and victims engaged in a personal relationship, provides a challenging environment for investigation and prosecution.

PREYING UPON INTOXICATED SOLDIERS

A (b) was investigated by CID for sexually assaulting four female Soldiers in separate events between December 2009 and October 2011. In each crime, the (b) sexually assaulted his victims while they were substantially incapacitated. Digital analysis of the (b) cell phone revealed photos of him sexually assaulting his victims while they were passed out. Additionally, child pornography was found on his phone.

A December 2012 court-martial found the (b) guilty of 21 charges, to include two counts of aggravated sexual assault, three counts of forcible sodomy, two counts of possessing child pornography, and one count of kidnapping. He was sentenced to 35 years confinement and will receive a dishonorable discharge¹⁹.

LEARNING POINTS

- ★ Encourage Soldiers to not only report sex crimes, but to report them as quickly as possible. Late reporting delays medical treatment and negatively impacts the investigation of the crime.
- ★ Reconstitute Charge of Quarters (CQ) non-commissioned officers (NCO) and runners in all barracks to prevent sex crimes.
- ★ Ensure barracks policies provide appropriate good order and discipline (e.g., visitation hours and ages of visitors, acceptable quantities of alcohol per room, leader presence on weekends).
- ★ Ensure all Soldiers, especially young female Soldiers, are formally sponsored and quickly integrated to reduce the potential for sex crime victimization and mitigate risks during transition periods.
- ★ Mentor Soldiers that engaging in a sexual act with another who is too intoxicated to give consent violates law and will likely result in lifelong consequences for the victim and assailant. Mentor Soldiers that if they see a fellow Soldier at risk of making poor decisions because of alcohol use, they should intervene in the situation and take action to protect their battle buddy.
- ★ Leverage Directorate of Emergency Services (DES) and CID expertise; get left of incidents via law enforcement briefs on preventing sexual assaults and drug and alcohol abuse at unit-level training events, Garrison Newcomer's Briefs and local commander / 1SG Courses.
- ★ Enhance situational awareness with climate surveys and sensing sessions. Targeted sensing sessions (e.g., with women only, men only, junior Soldiers) may prove more informing.

c. Same Gender Sex Crime

Same gender sex crime²⁰, as measured by the percentage of unique Soldier offenders, has trended differently for Violent Sex Crimes vs. Other Sex Crimes. As illustrated in Figure III-13, a steady ~4% of all

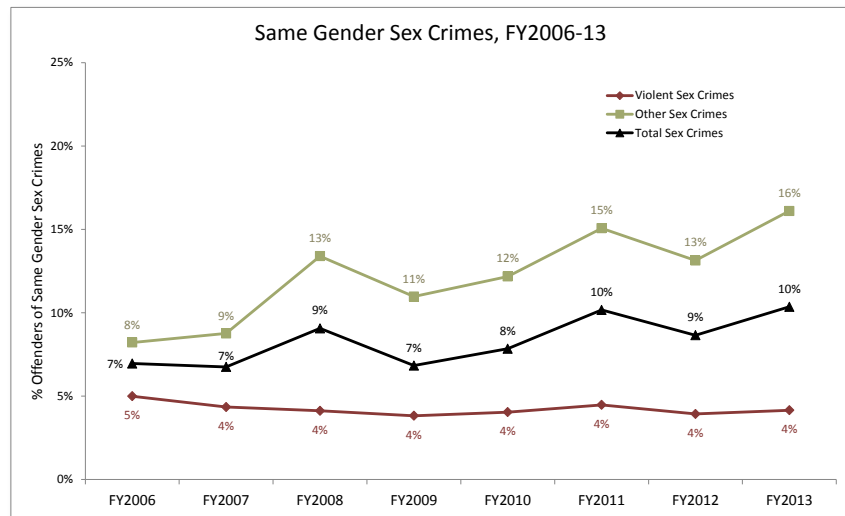
¹⁹ Stephens, Bob. 2012. Carson Sergeant Gets 35 Years in Sex Assaults. *The Gazette*. <http://www.gazette.com/articles/carson-148836-fort-years.html> (accessed December 26, 2012).

²⁰ Sex crime perpetrated upon a member of the same sex.

Violent Sex Crimes from FY2006-13 were perpetrated by Soldier offenders upon a member of the same sex. However, the percentage of Soldier offenders of Other Sex Crimes doubled during this period, increasing from 8% in FY2006 to 16% in FY2013.

For same gender sex crimes from FY2006-13, the ratio between male-on-male and female-on-female crimes was 88% / 12%. This ratio is true for both Violent Sex Crimes and Other Sex Crimes, and is in line with Army demographics where 14% of AD Soldiers are female.

Finally, this analysis was conducted to identify any impactful results of the September 2011 repeal of the *Don't Ask, Don't Tell* policy, specifically to determine if victims are more likely to report their assault. There are no conclusive indicators of this based on trend data: Violent Sex Crimes have remained constant, and Other Sex Crimes have decreased by 2 percentage points in FY2012 (13%) and increased by 1 percentage point in FY2013 (16%) compared to FY2011 (15%).



Note: Reflects founded and offenses under investigation only. Excludes unfounded and insufficient evidence. Based on reporting date, offenses under investigation compose the following % of data presented: FY2006-12 (<1% each year) and FY2013 (6%).

Figure III-13: Same Gender Sex Crime Trends

While the offender percentage of same gender Violent Sex Crimes have remained fairly constant over time at 4%, Other Sex Crimes have doubled from 8% in FY2006 to 16% in FY2013. See Section III.3.d. for differences to SHARP Program reporting methodologies.

d. FY2013 Army Crime Report vs. SHARP Program Reporting



“Combating sexual assault and sexual harassment within the ranks is our number one priority... These crimes cut to the heart of the Army's readiness for war. They destroy the fabric of our Force, Soldier and unit morale.”

– GEN Raymond Odierno
Chief of Staff of the Army

The sex crime trends described previously in Section III.3.a., *Army-Wide Trends: Reporting Date vs. Incident Date*, vary with those reported by the SHARP Program due to different analyses and conclusions based on unique reporting requirements. The Army SHARP Program reports sexual assault data in a manner directed by the NDAA and Office of the Secretary of Defense (OSD) policy. The *FY2013 Army Crime Report* reflects standard law enforcement reporting methodologies. In line with the purpose of this report, these trends provide commanders a review of sex crimes committed by active duty Soldiers, the population of offenders that commanders can most influence and hold accountable. However, taken together, both reports provide commanders with greater insight into the issue of sexual assault

and how to best mitigate them. Information and data on the SHARP program and trends is contained in the Department of Defense Annual Report on Sexual Assault in the Military, available at <http://www.sapr.mil/index.php/annual-reports>.

	FY2013 Army Crime Report	DoD / SHARP Annual Report
Key Reporting Metric	Offenses and Unique Offenders (no double counting) depicted by rates per 100,000 Soldiers	Cases depicted by rate per 1,000 Soldiers Note: One case may include multiple offenses, offenders or victims
Offender Criteria	Limited to active duty Soldiers (includes mobilized ARNG/USAR)	All offenders (i.e., Soldiers, Family members, civilians, other Servicemembers) of crimes committed by and/or against active duty Servicemembers
Victim Criteria	All victims; no exclusions	Excludes sex assault cases involving victims who are: juveniles; and marital, domestic or intimate partners
Included Crimes	Founded offenses and offenses under investigation	Founded offenses of open and closed investigations, as well as unfounded and insufficient evidence cases
Restricted / Unrestricted	Unrestricted only (reported to law enforcement)	Restricted and Unrestricted reports

Figure III-14: Differences in Reporting Requirements

Differences include metrics, offender criteria, victim criteria, included crimes, and restricted / unrestricted reporting.

Figure III-14 outlines the key differences in the reportable metrics used to inform each report. For example, SHARP excludes sex crimes perpetrated against juveniles (i.e., victims under 18 years of age) and those victims who are in marital, domestic or intimate partner relationships. These victim categories represented 16% and 13% of all FY2012 Soldier sex crime offenders according to the *FY2013 Army Crime Report* methodology. Additionally, SHARP Program reporting includes restricted reports which have ranged from 174 to 314 from FY2006-12. Despite the different metrics, both reports are indicative of the Army’s enduring commitment to introspective, candid and transparent evaluation of its efforts to reduce sex crimes.

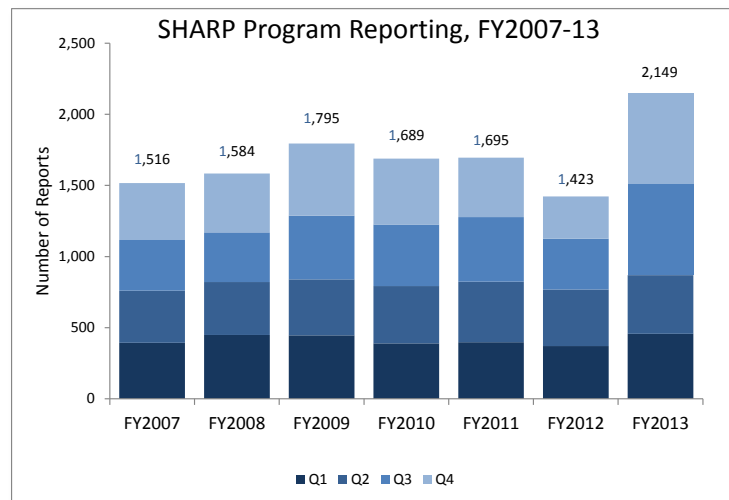


Figure III-15: SHARP Program Reporting, FY2007-13

Based on reporting date (as opposed to incident date), SHARP reports sexual assaults in which a Service Member is involved, whether restricted or unrestricted, even if later determined to be unfounded, and excludes incidents reported under the Family Advocacy Program (e.g., sexual assault between domestic partners, child sexual abuse, etc.).

The number of Army SHARP reports from FY2007-13 are depicted in Figure III-15. These counts by fiscal year are based on the reporting date. The corresponding rates to these counts (i.e., reports per 1,000

Soldiers) have a flat-to-decreasing trend from FY2007 through FY2011. The rate was 2.6 from FY2007-09 and 2.5 from FY2010-11. The rate further decreased to 2.2 in FY2012 before jumping to 3.5 in FY2013. The 2,149 reports of sexual assault in FY2013 (1,831 unrestricted and 318 restricted) represent a 51% increase over the last fiscal year and was the highest annual total since the Army began tracking this data in 2004. Additionally, the last two quarters of FY2013 were the two highest quarters on record.

4. Family Abuse

As reflected in Figure III-16, FY2013 reflects a reversal in the upward trend of Family Abuse²¹ crimes since FY2006. Offender and offense rates decreased by 18% and 19%, respectively, over the previous year.

These rates do not likely reflect all Family Abuse crimes for two reasons: (1) off-post offenses are not always reported to the PMO; and (2) some Army law enforcement officers title domestic violence offenders with assault but fail to include the appropriate secondary offense (e.g., spouse abuse) as required by AR 109-45, *Law Enforcement Reporting*²². The latter reason is quantified in Figure III-17. From FY2006 to FY2013, approximately one out of three Family Abuse incidents was not properly recorded as such.

Of the FY2013 Family Abuse crimes, 72% were perpetrated against his/her spouse, 17% against his/her child (4% child abuse and 13% child neglect / maltreatment / mistreatment), and 11% against other family members (e.g., grandparent). Family abuse can take many forms including aggravated assault, simple assault, and sex crimes. In fact, a concerning 36% of FY2013 violent sex crime offenses were perpetrated against Soldiers' own Family members.

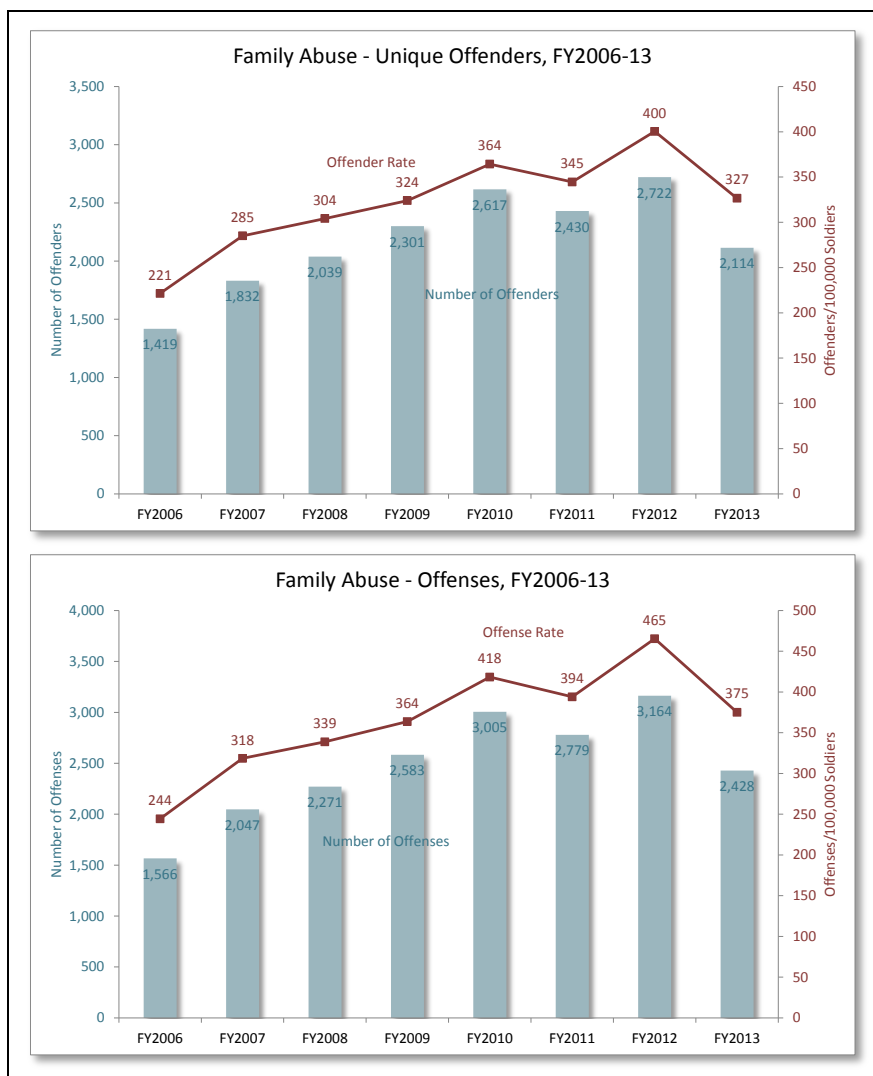


Figure III-16: Family Abuse Trends
 FY2013 is a reversal of upwardly trending offender and offense rates since FY2006.

²¹ This category consists of child neglect / maltreatment / mistreatment, child abuse, spouse abuse, and other family member abuse.

²² Army law enforcement initiatives (i.e., additional training) are being executed to close this gap in reporting/recording.

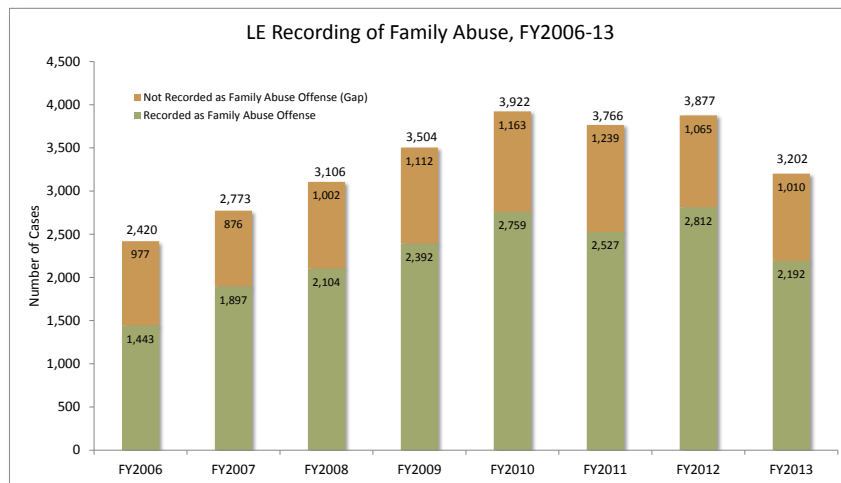


Figure III-17: LE Recording Gap of Family Abuse as a Secondary Offense

The gap in Family Abuse recording (orange bar) represents approximately one out of every three incidents from FY2006-13. Specifically, the gap consists of sex crimes, aggravated assaults and simple assaults against family members in which law enforcement did not properly report/record the appropriate Family Abuse secondary offense.

SUSTAINED HISTORY OF DOMESTIC VIOLENCE

Following an October 2012 argument with his spouse, a (b) attempted suicide by setting himself on fire. He died 8 days later. He had an exceptionally volatile marriage. The (b) was the subject of six Military Police (MP) reports for off-post domestic violence-related incidents between 2006 and 2012 - all while assigned to the same unit.

In February 2006, he was charged with assault and harassment. In January 2008, he was charged with assault and attempting to elude a pursuing police vehicle. In April 2010, he was charged with Harassment (Domestic Violence) when he threatened to beat his wife to death. In October 2011, he was charged with Harassment (Domestic Violence), Interfering with Reporting Domestic Violence, Violation of a Protection Order (Domestic Violence), and Obstructing a Police Officer. In December 2011, he was charged with Violation of a No Contact Order. In March 2012, he was charged with Violation of a No Contact Order (Domestic Violence).

The (b) was directed to complete domestic violence and mental health assessments. Additionally, he served a total of 59 days in a civilian jail. A review of his Official Military Personnel File (OMPF) revealed two General Officer Memorandums of Reprimand (GOMOR). The latter GOMOR cited the (b) had tattooed his wife’s name on his body over 100 times in penance for infidelity.

A review of the *Commander’s Suspected Suicide Event Report* revealed the (b) had serious financial issues as his wife would routinely transfer his paycheck into her account. Additionally, the couple recently had a house foreclosed on. Lastly, the (b) was facing punishment for violating a no-contact order. To mitigate risk, his unit removed and retained 5 weapons from the (b) residence.

LEARNING POINTS

- ❖ Reduce the risk of suicide and other high-risk behavior by separating at-risk Soldiers from their POWs (IAW ALARACT 063/2013).
- ❖ Initiate appropriate measures to assess and monitor Soldiers under investigation to reduce the potential of self-harm or harm to others.
- ❖ Enhance situational awareness by participating in the Community Health Promotion Council (CHPC) and other risk reduction forums.

AWOL / Desertion

Figures III-18 and III-19 illustrate AWOL and Deserter trends, respectively, for enlisted Soldiers on active duty. Officers are excluded due to the small numbers of offenders (~15/year); including them would skew percentages downward.

a. AWOL

The percentage of AWOL Soldiers decreased 64% from its high in FY2007 to a seven year low in FY2013. In FY2007, 0.86% of the total active duty enlisted Force was titled with at least one AWOL compared to 0.31% in FY2013. AWOLs remain a serious concern for Army leaders as they impact unit and team cohesion/readiness and often lead to the more serious felony of desertion.

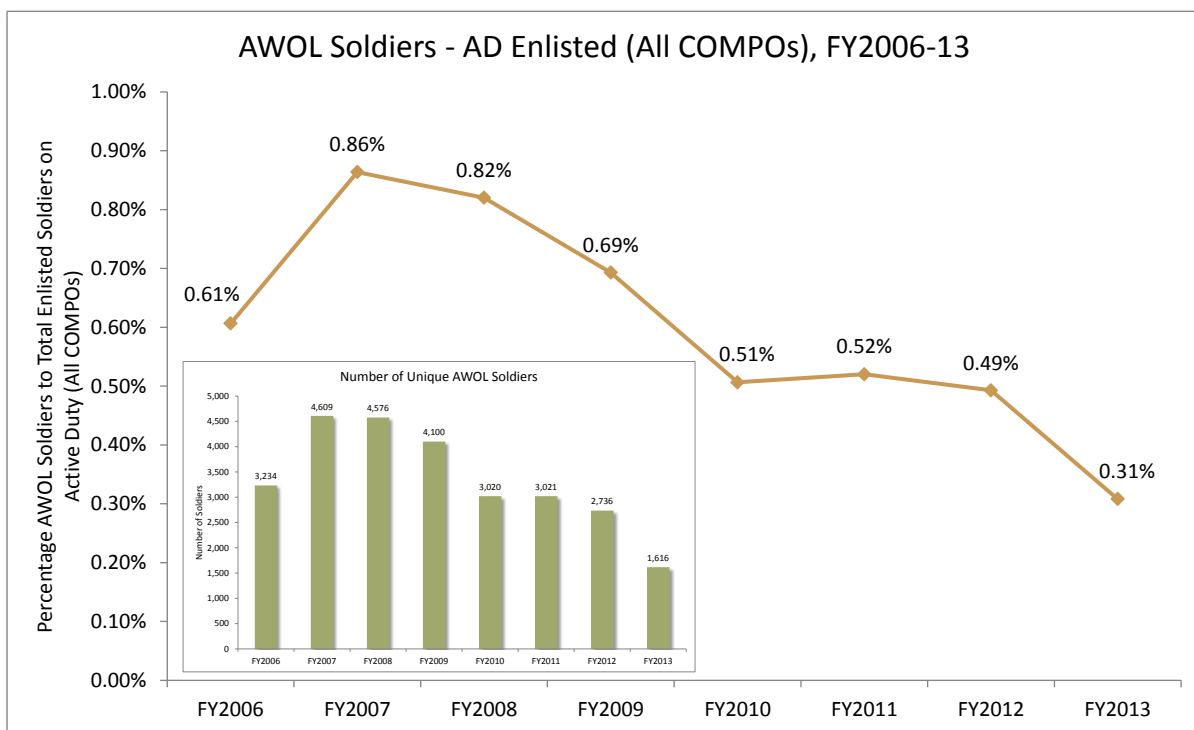


Figure III-18: AWOL Soldiers – AD Enlisted Only, All Components (COMPO)²³

The AWOL offender rate hit a seven year low in FY2013, decreasing 64% from its high in FY2007. Approximately one out of every 300 enlisted Soldiers went AWOL at least once in FY2013.

LEARNING POINTS

- Notify the PMO within 48 hours of a Soldier being AWOL. Immediately notify the PMO when the Soldier has returned.

²³ There are three Army Components: COMPO 1 – Active Army; COMPO 2 – Army National Guard; and COMPO 3 – US Army Reserve.

b. Desertion

The shape of the Desertion trend resembles that of the AWOL trend. In FY2007, 0.56% of the total active duty enlisted Force was titled with at least one Desertion offense compared to 0.16% in FY2013. This represents a 71% decrease.

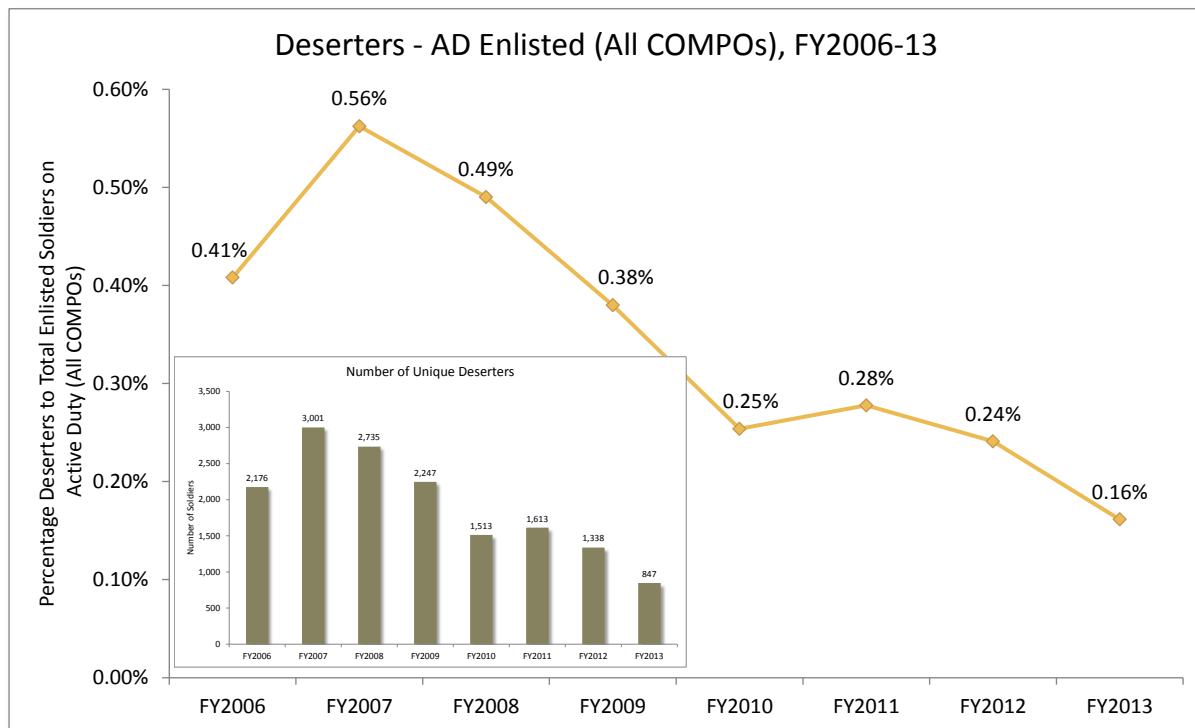


Figure III-19: Deserters – AD Enlisted Only, All COMPOs

The Desertion trend parallels the AWOL trend. The Desertion offender rate hit a seven year low, too, in FY2013, decreasing 71% from its high in FY2007. Approximately one out of every 600 enlisted Soldiers deserted at least once in FY2013.

LEARNING POINTS

- ✪ Soldiers do not have to be AWOL for 30 consecutive days before being classified / reported as a Deserter. Commanders should immediately classify a Soldier as a Deserter without regard to the length of absence if: (1) the Soldier intends to remain permanently absent; (2) the commander believes there is a risk that the Soldier may commit violent acts, or harm themselves or others; or (3) the absent Soldier is assigned to a special mission unit or had access to Top Secret, Sensitive Compartmented Information, or Special Access Program information during the 12 months preceding the absence. Timely reporting IAW these provisions may equate to reduced threat and risk.

IV - Multiple Felony Offenders

This chapter discusses the serious problem of multiple felony offenders. Multiple felony offenders are defined as Soldiers who are titled in two or more separate law enforcement cases involving a founded felony-level offense.^{24,25}

The presence of multiple felony offenders in formations may highlight policy and process gaps that allow offenders to offend again, continue to serve, delay separation from service, and/or languish in an ambiguous status. Had these Soldiers, especially those who committed the most egregious crimes, been separated following the first felony, at least one other felony may have been prevented. This prevention would have saved the Army leader time, resources and readiness, and avoided negative impact on the Army community.

Based on founded offenses only (i.e., prior to commander adjudication), there were 37,229 multiple felony offenders from FY2001 through FY2013. As of September 2013, 75% (27,972 Soldiers) had been separated; 11% (4,177 Soldiers) were still in the Army; and 10% (3,628 Soldiers) had been dropped from the rolls (DFR).²⁶ Of those in DFR status, approximately two-thirds are incarcerated and approximately one-third are deserters.

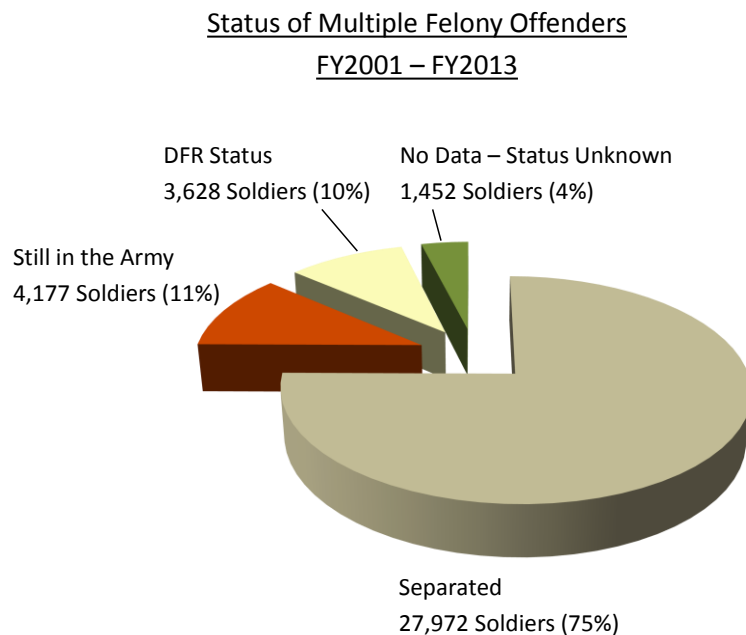


Figure IV-1: Status of Multiple Felony Offenders

From FY2001 - FY2013, there have been 37,229 multiple felony offenders in the ranks. 4,177 Soldiers (11%) were still serving as of September 2013.

²⁴ Based on closed, founded investigations that have received a legal opine demonstrating that there is probable cause to title the Soldier (list in the subject line) with the crime. It is not dependent on judicial decision / commander adjudication.

²⁵ As reflected by Figure IV-3, the majority of multiple felony offenders committed non-violent felonies (e.g., drug crimes). Refer to pages 4-6 for examples of violent and non-violent felonies.

²⁶ Status results are based on AC personnel information only. Access to Reserve Component (RC) personnel data was not available at the time; it is assumed that the 1,452 Soldiers with unknown status are largely RC Soldiers. It is possible for separated AC Soldiers to join the Reserve Component. Therefore, the number of Multiple Felony Offenders still in the Army may be slightly understated and the number of separated Multiple Felony Offenders slightly overstated.

INSUFFICIENT LEADER SURVEILLANCE, DETECTION AND RESPONSE

A 29-year-old (b) was found deceased in the off-post room he was renting from a fellow Soldier. Numerous prescription medications were located in his room.

The (b) had an extensive criminal history, primarily attributed to substance abuse issues. He was apprehended in 2004 for underage drinking. He received a Field Grade Article 15 in 2005 after testing positive for cocaine. It is unknown if he was referred to ASAP or if separation action was initiated IAW AR 635-200. In 2008, he was apprehended for the Wrongful Use of Prescription Drugs after testing positive for Adderall. While he was reduced from (b) to (b) and referred to ASAP, it is unknown if he was processed for separation. The (b) tested positive for cocaine again in March 2012 (while still serving in same battalion as the 2008 offense). It is unknown how this crime was adjudicated as the DA Form 4833 was not returned to CID.

Additionally, the (b) went AWOL on 28 March 2012 but surrendered the following day. He went AWOL again on 13 June 2012 and remained in AWOL status until his 5 August 2012 death. He was not classified as a Deserter, thus preventing apprehension efforts by civilian law enforcement. The Rear Detachment chain of command attempted to contact him by telephone numerous times following his 13 June AWOL, but was unsuccessful. While leaders knew where he resided, they did not go to the (b) residence because he threatened to harm anyone who approached him.

1. Profile of Multiple Felony Offenders Still Serving

Soldiers who repeatedly commit felony-level offenses, especially those who committed violent crimes, yet continue to serve are a threat to the readiness of the Force. An analysis of these individuals, viewed by three perspectives (number of felony-level cases per offender, separation history, and criminal history), illustrates different aspects of the problem.

The number of felony-level cases per offender measures the impact on the Army due to the retention of these offenders in the Force. Action taken after the first felony offense often did not prevent the offender from reoffending. When appropriate action is not taken against felony offenders, the effect is recurring and cumulative - 20% (843 of 4,177) of multiple felony offenders still serving had been titled in three or more felony-level cases, as illustrated in Figure IV-2.

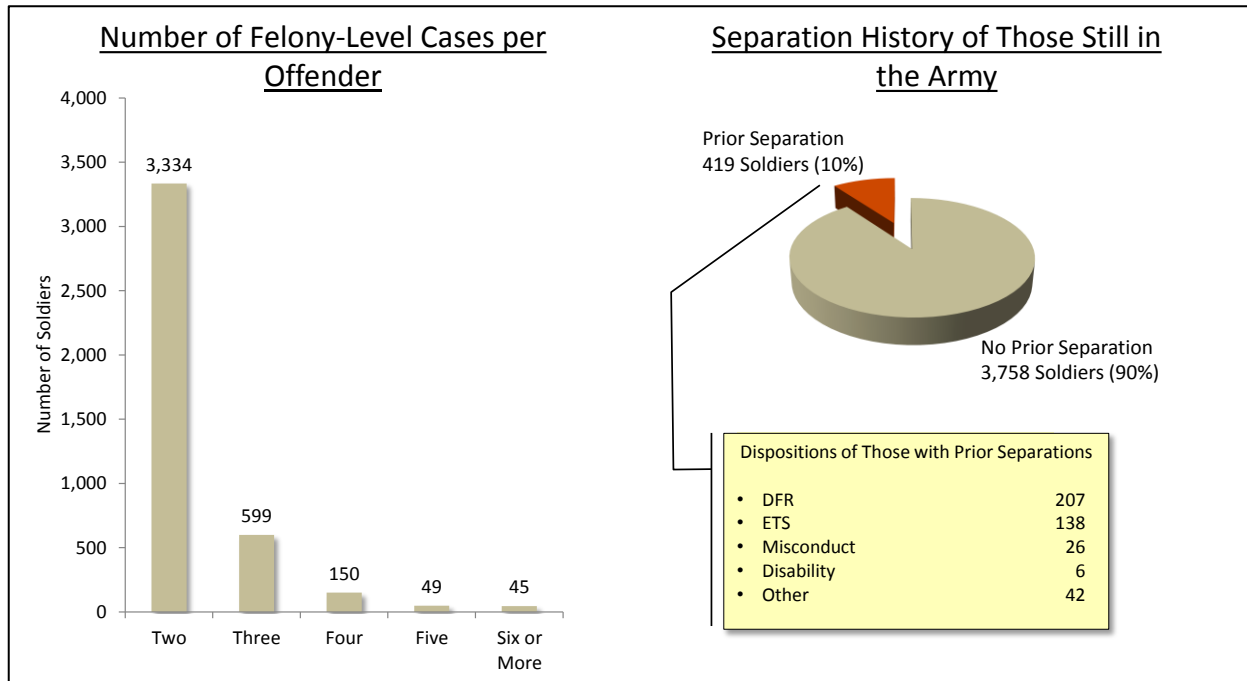


Figure IV-2: Felony-Level Cases and Separation History of Multiple Felony Offenders Still Serving

The majority of those multiple felony offenders still serving were titled in two felony-level cases. A significant number (843 Soldiers), however, are still serving despite three or more cases involving founded felonies. Additionally, 10% of the 4,177 multiple felony offenders still serving (419 Soldiers) had been previously separated and allowed to reenlist.

Figure IV-2 also depicts the magnitude of prior separations for this cohort of multiple felony offenders still serving. Of the 4,177 Soldiers still serving, 419 Soldiers (10%) had prior separations. At least 233 Soldiers had previously separated for adverse reasons. This latter population confirms gaps already identified in Army transition processes that allow offenders to depart active duty with an inappropriate characterization of service and a reentry code that allows them to reenter the Army.

Criminal history is the third perspective for this cohort, as depicted in Figure IV-3. Of the 4,177 Soldiers still serving, the most frequently occurring offenses were the non-violent felonies of Failure to Obey a General Order (47% of the cohort) and Drug Crimes (34%). For violent felonies, the most frequently occurring offenses were Aggravated Assault (11%) and Violent Sex Crimes (11%). Considering that violent felonies compose 3% of crime across the entire active duty population, the percentage of Aggravated Assault and Violent Sex Crime offenses committed by this cohort is substantial.

Crime Category	Number of Soldiers Titled At Least Once for Offense	% of Those Still in the Army as of September 2013
Violent Felony		
Aggravated Assault	465	11%
Violent Sex Crimes	462	11%
Homicide / Attempted Murder	41	1%
Child Pornography	37	1%
Kidnapping	17	<1%
Robbery	14	<1%
Non-Violent Felony		
Failure to Obey General Order	1,961	47%
Drug Crimes	1,409	34%
Larceny	718	17%
Other Sex Crimes	378	9%
Desertion	217	5%
Drunk Driving with Personal Injury	48	1%
Other Non-Violent Felonies	2,295	55%
Misdemeanor		
Traffic Violations	1,478	35%
Assault and Battery	935	22%
Family Abuse	496	12%
Drunk Driving without Personal Injury	491	12%
Drunk and Disorderly	422	10%
AWOL	275	7%
Other Misdemeanors	1,183	28%

How to Read: 465 (11%) of the 4,177 multiple felony offenders who are still in the Army were titled for at least one Aggravated Assault. A Soldier may be titled for more than one crime category, but would be counted only once within that category regardless of the number of offenses for which he/she was titled. Misdemeanor crimes are also depicted to represent the extent to which the 4,177 multiple felony offenders impacted readiness through criminal conduct in this category.

Figure IV-3: Criminal History of Multiple Felony Offenders Still Serving

Of the multiple felony offenders still serving, 11% were titled for Aggravated Assault; 11% for Violent Sex Crimes; 47% for Failure to Obey a General Order; and 34% for Drug Crimes.

LEARNING POINTS

- ✪ Take appropriate adverse disciplinary and administrative measures against multiple felony offenders. This prevents the transmission of criminal and high-risk behavior across units and communities.
- ✪ Establish commander withholds based on a systemic review of disciplinary and administrative actions.
- ✪ Monitor flags, bars and DA Form 4833 compliance to ensure unit readiness.
- ✪ Utilize criminal history sharing procedures (ALARACT 187/2013) to gain awareness and provide assistance to at-risk Soldiers, deterring involvement in future criminal offenses.

2. Subset: Multiple Drug Offenders

Multiple drug offenders, a substantial subset of multiple felony offenders, are defined as active duty Soldiers who were titled in two or more drug-related cases, including traditional Drug Crime offenses and drug-related Failure to Obey a General Order violations (e.g., synthetic drugs). Of the 37,229 multiple felony offenders dating back to FY2001, nearly half (16,746) were multiple drug offenders.

A recent policy change has revised separation decisions regarding drug abusers.²⁷ NCOs (corporal and above) processed for drug-related separations require a retention decision from the first general officer in the chain of command. This retention authority applies as well to junior enlisted Soldiers who tested positive for illegal drugs a second time in their career. This change, along with those discussed in Section III.2.e., *Recent Changes to AR 600-85, The Army Substance Abuse Program (ASAP)*, will likely result in the further reduction of multiple drug offenders still serving.

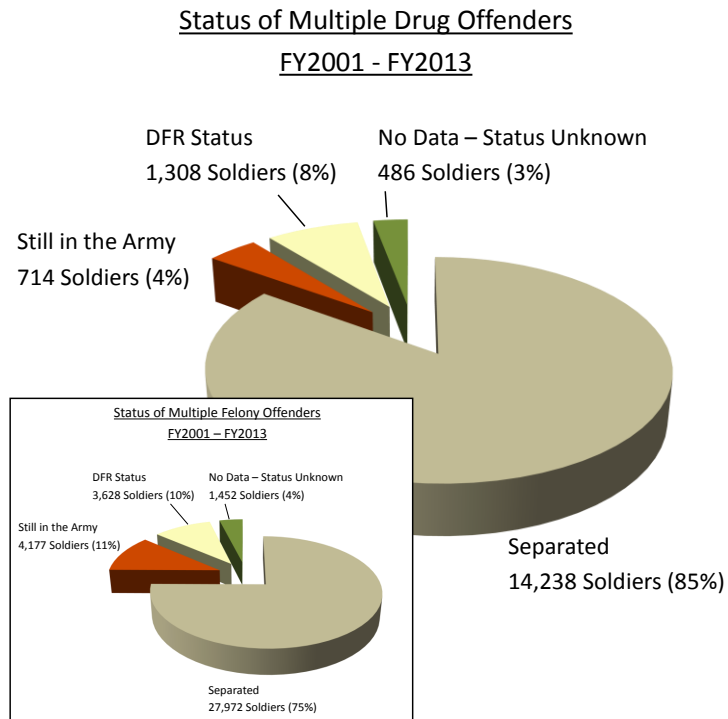


Figure IV-4: Multiple Felony Offender Subset: Multiple Drug Offenders Compared to the broader multiple felony offender population, more multiple drug offenders were separated (85% vs. 75%) with fewer multiple drug offenders still serving (4% vs. 11%).

LEARNING POINTS

- IAW AR 600-85, process illegal drug abusers (first offense) for separation.

²⁷ Army Directive 2012-07 (Administrative Processing for Separation of Soldiers for Alcohol or other Drug Abuse), 13 March 2012. This change was later reflected in the 28 December 2012 revision of AR 600-85.

V - Administrative Accountability

Commanders, leaders and program managers have the ability to help shape the readiness of the Force. When used appropriately, administrative processes ensure the most qualified recruits are selected, the highest quality Soldiers are retained, and those Soldiers who are not meeting Army standards are effectively transitioned back to civilian life. Administrative actions are essential to ensure accountability, provide treatment and repair when needed, and guarantee the readiness of the Army.

1. DA Form 4833

The DA Form 4833, *Commander's Report of Disciplinary or Administrative Action*, remains a critical tool in ensuring Soldier readiness. Documenting important judicial, non-judicial or administrative actions and recording disciplinary actions and referrals (e.g., ASAP and FAP) facilitates Soldier accountability. The DA Form 4833 is intended to provide such a record through commanders' adjudication of criminal conduct. Prior analysis of DA Form 4833 compliance revealed Army-wide shortcomings.

The Army is making progress on this front. There were approximately 64,000 delinquent (beyond 45 day suspense) DA Forms 4833 as of 6 March 2012. As of 14 December 2012, however, the number of delinquent DA Forms 4833 dropped to approximately 37,000. Additionally, as of 1 October 2013 the number of delinquent DA Forms 4833 dropped to approximately 30,000. This 23% improvement from December 2012 to November 2013 may be the result of: (1) Army-wide emphasis; (2) senior commander surveillance; and (3) IT innovations to lessen the workload on actioning commanders; and (4) a small decrease in end strength (~33,000 Soldiers) from FY2012 to FY2013.

Installations continue to make DA Form 4833 compliance a priority. A recently-identified best practice incorporated DA Form 4833 checks into the installation clearing process. Soldiers cannot clear the PMO until outstanding DA Forms 4833 have been resolved. This procedure benefits Soldiers as well as open DA Forms 4833 can impact security clearance reinvestigations.

Forthcoming policy changes to AR 190-45, *Law Enforcement Reporting*, will reduce the DA Form 4833 delinquency rate and better shape Soldier readiness. Commanders will have 60 days to complete and return the DA Form 4833 to law enforcement, a more realistic suspense considering the time to adjudicate some offenses. Additionally, commanders will be provided increased visibility of off-post criminal conduct, enabling them to ensure their Soldier is held accountable. Currently, the PMO is required to track civilian court adjudications, complete the DA Form 4833 and submit to the Army Crime Records Center – a policy gap that leaves commanders out of the loop. This gap will be closed in a subsequent revision that requires law enforcement to coordinate with commanders and supporting Judge Advocates to discern final disposition.

LEARNING POINTS

- 🌟 The DA Form 4833 documents command actions taken which can inform subsequent treatments and adjudications. Record the outcome of disciplinary and administrative action, to include referrals (e.g., ASAP, FAP), and return to CID / PMO.

2. Accession Conduct Waivers

Implementation of a 2010 policy change eliminating drug and alcohol waivers continues to enhance the readiness of the Force. Additionally, the Army significantly reduced the number of criminal misconduct waivers granted. As reflected in Figure V-1, the number of Active Component accession waivers decreased from a high of 15% of total recruits in FY2007 to only 2% in FY2013. The 2% (1,433 waivers) granted in FY2013 represents all criminal misconduct waivers, of which 85% (1,225) were for misdemeanor crime, 8% (110) were for felony crime (committed as a juvenile), and 7% (98) were for patterns of criminal misconduct.

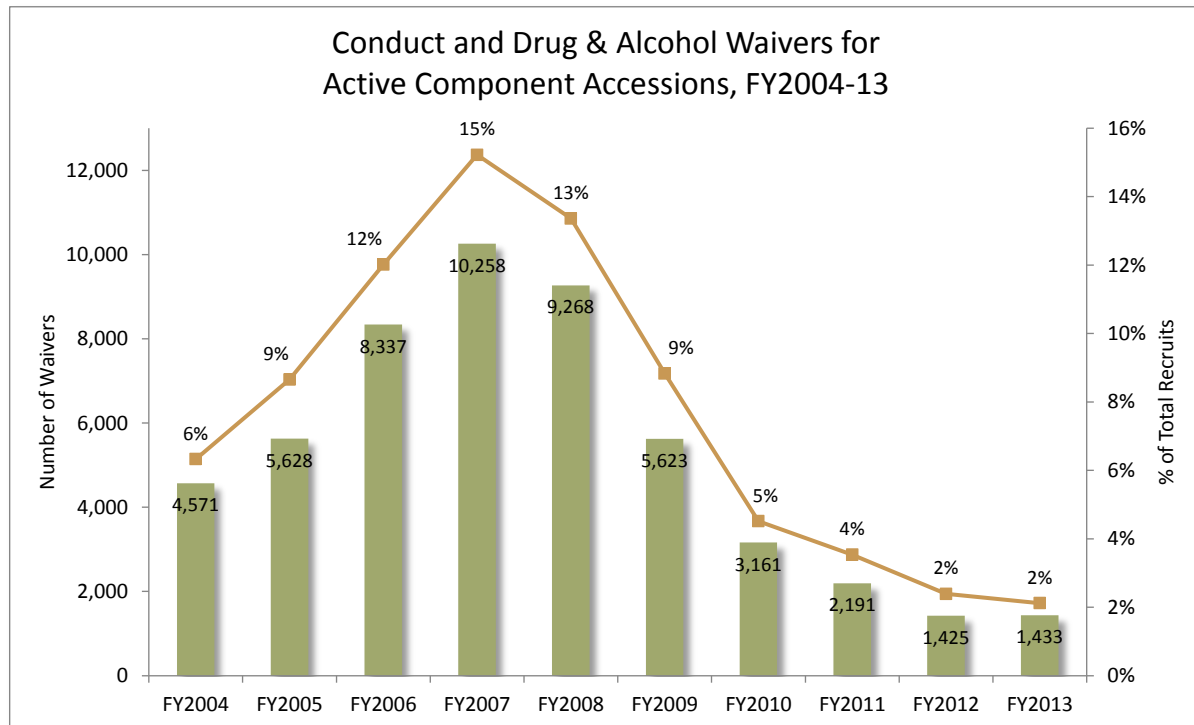


Figure V-1: Conduct and Drug & Alcohol Waivers

Waivers granted in FY2013 represent an 86% decrease relative to its high in FY2007. This decrease was driven in part by the elimination of Drug & Alcohol waivers in FY2010; these waivers represented 1,307 of the 10,258 total waivers at its peak in FY2007. Only 2% of FY2013 recruits entered the Army with a criminal misconduct waiver, largely attributed to misdemeanor-level crime.

This positive trend, observed since FY2007 (surge period), is critical because analysis has established a correlation between criminal conduct accession waivers and subsequent crime committed while in uniform. As published in the *Army Gold Book*, the waived population committed more than twice as many criminal offenses than the non-waivered populations. More importantly, those enlistees who entered with a drug waiver were six times more likely to commit a drug offense than the non-waivered cohort.²⁸

²⁸ Population covered FY2001-11 accession waivers. Please refer to pages 152-153 of the *Army Gold Book* for supporting statistics. The *Gold Book* can be accessed at: <http://usarmy.vo.llnwd.net/e2/c/downloads/233874.pdf>

3. Reenlistments

Previous analyses in the *Army Red Book* and *Army Gold Book* indicated that commanders retained high-risk Soldiers to meet the demands of an era of persistent conflict. Current analysis of reenlistment data indicates that commanders have responded appropriately in recent years and are reenlisting quality Soldiers. As illustrated in Figure V-2, the percent of Soldiers who were titled from criminal offenses within three years prior to their most recent enlistment has declined since FY2009. While hard work remains, analysis suggests commanders have started to shape the Force ahead of the strategic reset.

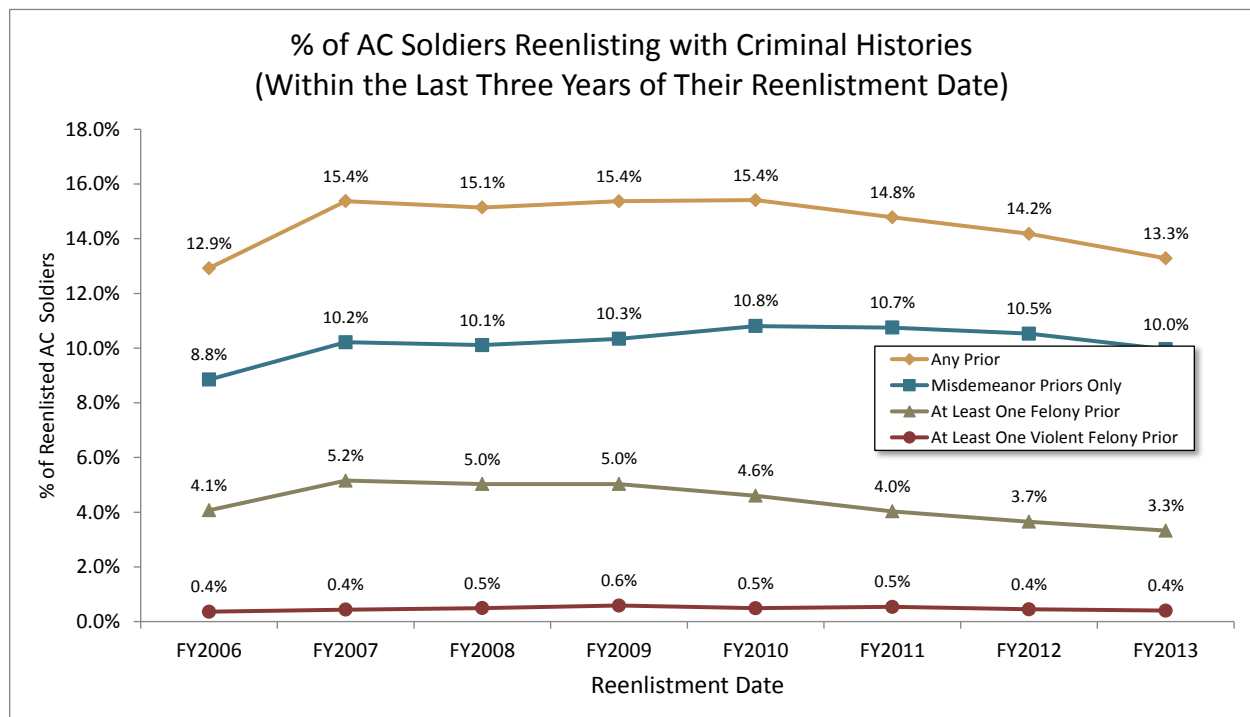


Figure V-2: Reenlisted Soldiers with Criminal Histories

The percent of AC Soldiers reenlisting with criminal histories (within the last three years of their reenlistment date) continues to shrink. This suggests that commanders are appropriately shaping the Force although hard work remains.

LEARNING POINTS

- Consider a Soldier’s criminal history when making reenlistment decisions; a commander’s call to the PMO can inform these determinations.

Subsequent analysis should focus on the criminal histories of those Soldiers who ETS but enlist in the ARNG and USAR. This examination may reveal a population of Soldiers with criminal records moving within components. This type of information could potentially inform ARNG and USAR leaders of health and discipline issues that may arise in their formations; and help the Army determine if the Total Force is being shaped appropriately.

Additionally, enhanced communication between unit commanders as Soldiers mobilize and demobilize may further enhance unit readiness. If not already codified by policy, there may be value in requiring losing units to document and inform gaining commanders of relevant readiness information²⁹ or discipline issues that may impact at-risk and high-risk Soldiers.

TRANSITION OF HIGH-RISK SOLDIERS

A Reserve Component (b) was found deceased in his college apartment in October 2012, apparently the result of a heroin overdose. The death investigation revealed the (b) was released from Detox two days prior to his death. Upon release, he immediately texted friends to obtain drugs.

In 2008, the (b) reported the theft of 35 Vicodin tablets but refused to cooperate with investigators by providing critical evidence. Further, a criminal history check revealed he had been convicted 5 years earlier in civilian court for obtaining prescription drugs thru fraud.

A review of ASAP records revealed the (b) was enrolled in ASAP from May thru August 2010 for opiate dependence. In September 2011, the (b) was admitted to a military hospital for suspicious behavior. Medical testing revealed the presence of heroin in his system. Additionally, heroin and syringes were found in his personal property. While being treated, the (b) stole a vial of Lidocaine (an anesthetic) from the emergency room.

The Soldier received a Field Grade Article 15 and was found guilty of Wrongful Possession and Use of Opiates, Failure to Obey a General Order, and Larceny of Government Property. He was reduced in rank from (b) to (b). Upon completion of his mobilization the following week, he transitioned back to his RC unit.

This vignette raises the question of how leaders can best transition high-risk Soldiers and ensure that gaining leaders are aware of relevant factors.

LEARNING POINTS

- ★ Enhance readiness by informing gaining commanders of high-risk Soldiers as they transition among AC and RC units.

4. Separations

Administrative separations³⁰, as illustrated in Figure V-3, have significantly increased since FY2006. The growing trend in administrative separations, combined with the decreasing trend in accession waivers (previously presented in Figure V-1), suggests that commanders at all levels are rebalancing unit readiness through appropriate administrative and disciplinary actions.

Although there were roughly the same number of Soldiers in FY2013 as in FY2006 (647,347 vs. 640,999), 84% (7,877) more Soldiers were separated in FY2013 for conduct, discipline and/or readiness reasons than in FY2006. Additionally, 9,198 of the 17,235 FY2013 separations were for Chapter 14

²⁹ IAW the "Military Command Authority" exception to the Health Insurance Portability and Accountability Act (HIPAA).

³⁰ Analysis based on the following chapters as they impact the readiness of the Force: Chapter 9 (Drug/Alcohol Rehab Failure), Chapter 10 (In Lieu of Trial by Court-Martial), Chapter 11 (Entry Level Separation), Chapter 13 (Unsatisfactory Performance) and Chapter 14 (Misconduct).

(Misconduct), considerably higher than the low of 5,657 in FY2006. This is consistent with commanders' decreasing tolerance of crime and high-risk behavior in the Force.

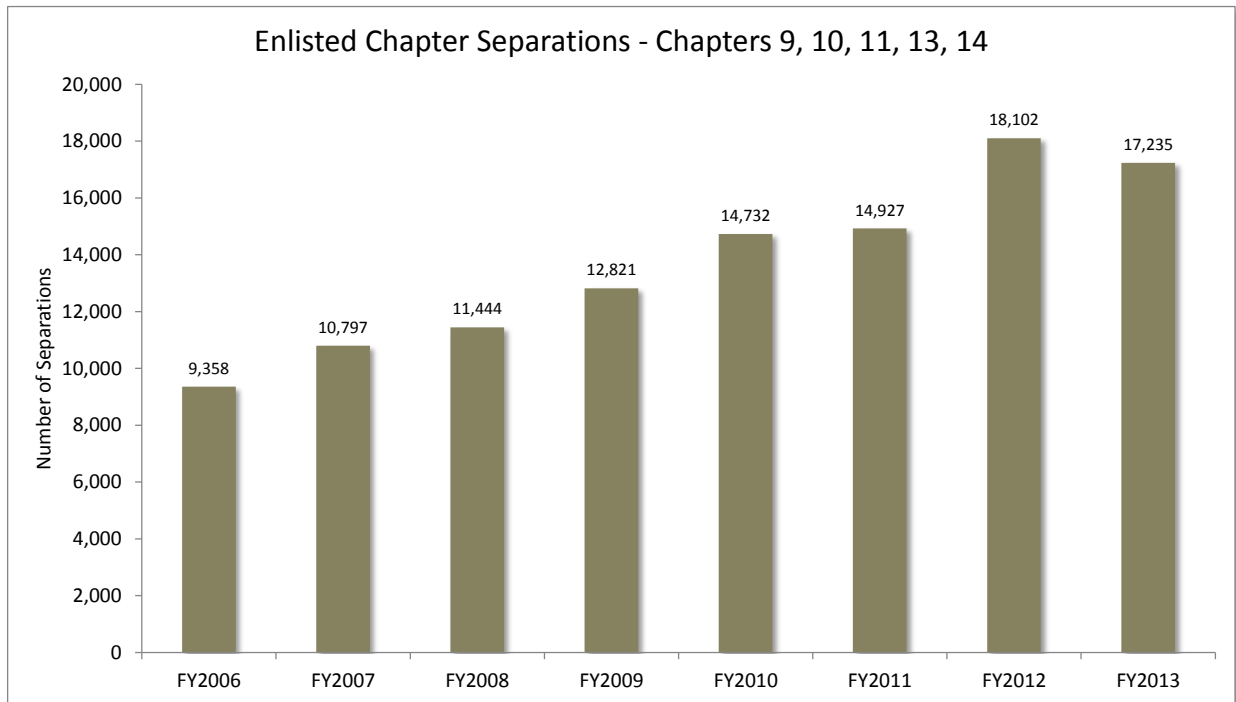


Figure V-3: Total Chapter Separations

Administrative separations have increased 84% since FY2006. The growing trend in administrative separations, combined with the decreasing trend in accession waivers, suggests that commanders at all levels are rebalancing unit readiness through appropriate administrative and disciplinary actions.

HIGH-RISK SOLDIER RE-ENTERS THE ARMY

A 28-year-old non-mobilized, Reserve Component (b) suffered an accidental death in 2012, after overdosing on cocaine, heroin and alcohol.

A review of the (b) records revealed that he committed a series of alcohol-related crimes and was reduced to (b). He was separated in 2004 under Chapter 14 (Misconduct) and received an Under Honorable Conditions (General) discharge. His DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects a reentry code of "3" (Not considered fully qualified for reentry; ineligible unless a waiver is granted). Despite this, he was able to enlist in the Reserve Component in 2009.

LEARNING POINTS

- Ensure that Soldiers processed for administrative separation reflect an appropriate characterization of services (e.g., Other Than Honorable (OTH) discharge) and re-entry code to prevent transition into the Reserve Component, and subsequently, the Active Component.

5. Army Corrections

There are 782 Soldiers incarcerated in DoD confinement facilities as of September 2013. As illustrated in Figure V-4, a disproportionate number of Army prisoners are junior Soldiers (E1-E4). Junior Soldiers composed 73% of the prisoner population despite reflecting 40% of the AD population. Also, a disproportionate number of prisoners are male (99%) compared to their AD population size (86%).

In FY2013, 46% of the Army prisoner population’s primary confining offense was sex crimes and 40% for other violent crimes. Of the sex crimes, 52% were against adult victims and 48% against children. Of the other violent crimes, 55% were for murder, 24% for assault, and the remaining 21% for other violent offenses (child pornography, robbery, kidnapping).

Approximately 82% of the population has a sentence length of 1 year or more. Less than 6% of the Army population has a life sentence. 80% of those serving a life sentence were convicted of murder and 13% were convicted of a violent sex crime (rape, sodomy, sexual assault).

Pay Grade	Army Prisoners		FY2013 AD Population	
	Number	%	Number	%
E1-E4	571	73%	261,736	40%
E5-E6	151	19%	179,935	28%
E7-E9	26	3%	82,884	13%
W01-CW5	8	1%	20,060	3%
O1-O6	25	3%	102,346	16%
Unknown/Other*	1		386	
Total	782	~100%	647,347	~100%

*Omitted for comparison purposes to the AD population

Figure V-4: FY2013 Army Prisoners by Pay Grade
Junior Soldiers (E1-E4) represent a disproportionate cohort of the Army prisoner population relative to its AD population size. 73% of all Army Prisoners are junior Soldiers.

6. DNA Collection from Criminal Suspects

In accordance with DoD and DA policy, Army law enforcement is required to collect deoxyribonucleic acid (DNA) samples from Soldiers and civilians who are suspects of certain criminal investigations and to forward the samples to the US Army Criminal Investigation Laboratory (USACIL).³¹ The purpose of this requirement is to enable crime solving through the positive identification of individuals in the FBI’s DNA database.

As of July 2012, nearly 180,000 criminal cases in our Nation have been facilitated by DNA matches in the FBI’s database. Army success stories include the following:

- Soldier apprehended for Indecent Liberties with a Child at (b) (6) matched to a sexual assault in (b) (6)
- Soldier apprehended for a drug crime in (b) (6) matched to a sexual assault in (b) (6)
- Civilian apprehended for DUI at (b) (6) matched to a sexual assault in (b) (6)
- Soldier apprehended for a drug crime at (b) (6) matched to a burglary in (b) (6)

A January 2013 review of law enforcement compliance suggested additional emphasis was required. For that reason, Headquarters (HQ) Installation Management Command (IMCOM) issued Operations Order (OPORD) 13-110, *Collection and Submission of Deoxyribonucleic Acid (DNA) Samples*, 13 March 2013, directing collection, forwarding and compliance reporting. This effort will ultimately drive greater regulatory compliance, enabling offenders to be held accountable and enhancing unit readiness and installation safety.

³¹ This requirement is stipulated by Department of Defense Instruction (DoDI) 5505.14, *Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations*, 24 April 2012, ALARACT 131/2013, MOD 1 to ALARACT 008/2001 - *Guidance for DNA Collection Requirements for Army Criminal Investigations*, 17 May 2013, and stems from the DNA Fingerprint Act of 2006, Public Law 109-162.

VI - Closing

Leaders at all levels have been working diligently to improve the discipline of the Force and continue to make impactful strides in this area. A number of recently implemented or forthcoming Army initiatives, outlined below in Figure VI-1, will further enable commanders, leaders and program managers in this regard.

Recently Implemented Initiatives
<ul style="list-style-type: none"> • Chain of command is notified when a Soldier is interviewed by CID (to prevent risk of self-harm) • Consolidation of all drug offense investigations under CID • Reconstitution of Drug Suppression Teams at the 13 major installations • Blanket ban on all synthetic drugs • ASAP required to notify CID of all positive urinalysis tests • Increased testing for the more commonly abused prescription drugs • Army Directive 2013-10 expanded Spice and bath salts surveillance to probable cause and competence for duty testing • DoD memorandum dated 1 November 2013 added random synthetic cannabinoids (e.g., Spice) to the drug testing panel • Limited prescription medication to 30 days with a maximum of five refills • Peer review (medical channels) when 4+ controlled substances are prescribed • ALARACT 366/2011 allows commanders to immediately declare a high-risk Soldier a deserter • ALARACT 063/2013 informs of the authority of commanders and Healthcare Professionals to inquire about off-post Soldiers' privately owned weapons and take action to ensure safety • Collaboration with the US Marshals Service to locate and bring to justice fugitive Soldiers who deserted to avoid prosecution • Secretary of the Army (SECARMY) Directive 2013-06 and ALARACT 187/2013 authorizes newly assigned Soldiers' criminal histories to be provided to commanders in order to shape prevention and intervention efforts for those potential at-risk and high-risk Soldiers • ALARACT 223/2013 implements the e4833 system, which automates the DA Form 4833 process to allow more accurate reporting and tracking of commander's adjudications • SECARMY Directive 2013-21 implements initiating separation proceedings and prohibiting overseas assignments for Soldiers convicted of a sex crime • Reference AR 600-20; Appendix G-2, h, commanders are required to notify the CID, Military Police, Installation Provost Marshal and commanders in the chain of command (as appropriate) within 24 hours
Forthcoming
<ul style="list-style-type: none"> • Army Research Institute developing, validating and implementing screening measures to more fully assess recruits' potential and predict performance and attitudes; potential payoffs include improvements in person-job match, performance and retention • Commander's Risk Reduction Dashboard will assist commanders detect, measure and track high-risk behavior; engage in mitigation and prevention actions; and strengthen the Army Profession • Total Army Sponsorship Program is being revised to ensure a warm hand-off between losing and gaining installations and reduce the negative impacts of isolation and the stress of transitions • Current programs (e.g., Transition Assistance Program) will be reinforced or new ones (e.g., Soldier For Life) introduced to reduce stressors associated with transition periods and facilitate the successful reintegration into civilian society • OPMG is developing a unified case management system called the Army Law Enforcement Reporting and Tracking System; it will be the single source for Army law enforcement reporting and crime analysis to provide standardization and unity of effort in LE statistical reporting of all crime

Figure VI-1: Army Initiatives to Improve Discipline

As represented by the many initiatives implemented or under way, the Army is committed to improving the readiness of the Force.

On-the-ground commanders, leaders and program managers are essential to efforts for improving surveillance, detection, and response. The following recommendations, compiled from this report and other Army reports, are actions that command teams can undertake to improve Soldier discipline and readiness:

- ✦ Monitor completion of DA Forms 4833; ensure 360° surveillance/awareness of prior offenses and other administrative and disciplinary actions
- ✦ Establish appropriate administrative and disciplinary withholds
- ✦ Ensure barracks policies provide appropriate good order and discipline (visitation, alcohol, Health & Welfare inspections, leader presence)
 - Incorporate Military Working Dogs in Health & Welfare inspections
- ✦ Reinstitute CQs (NCOs) and runners in all barracks
- ✦ Monitor UA compliance; ensure all drug activity is referred to Law Enforcement
- ✦ Monitor unit flag and bar actions
- ✦ Set conditions to reduce stigma and promote help-seeking behavior
- ✦ Implement a formal sponsorship and integration program
 - Proper integration can prevent sex crime victimization and mitigate risks during transition periods
- ✦ Become involved in the CHPC and other risk reduction forums
- ✦ Use informal communication avenues (i.e., Family Readiness Groups (FRG)) to monitor discipline and readiness
- ✦ Enhance situational awareness with climate surveys and sensing sessions
 - Segregated sensing sessions (i.e., females only) may prove more informing
- ✦ Conduct detailed discussion of problems and recommendations in the *Army Gold Book* with subordinate leaders
- ✦ Familiarize Soldiers at all levels with recent changes to AR 600-85, *The Army Substance Abuse Program*
 - Process any drug abuser or two-time DUI offender for separation
- ✦ Consider a Soldier's criminal history in reenlistment decisions
- ✦ Leverage DES and CID expertise; get left of the incident via CID briefs on drug and alcohol abuse and preventing sexual assaults
- ✦ Implement Armed Forces Disciplinary Control Boards to provide broader situational awareness of environments conducive to criminal and high-risk behavior

Senior Army Leadership is committed to enabling our commanders, leaders and program managers with information needed to improve the discipline of the Force and measure their improvement efforts. The *FY2013 Army Crime Report* continues the groundwork established in two previous comprehensive reports:

Army Health Promotion / Risk Reduction / Suicide Prevention Report (July 2010)

aka *Army Red Book*

<http://csf2.army.mil/downloads/HP-RR-SPReport2010.pdf>

Generating Health and Discipline in the Force Ahead of the Strategic Reset (January 2012)

aka *Army Gold Book*

<http://usarmy.vo.llnwd.net/e2/c/downloads/233874.pdf>

Appendix A - OPMG Crime Reporting Methodology

Introduction: Appendix A provides an overview of the methodology used by OPMG / CID to report crime across the Army.

Crime Reporting Metrics / Parameters / Sources:

- Key Metrics: Key crime metrics are the counts and rates of: (1) offenders, and (2) offenses. These metrics are provided for a given reporting period.
 - Offenders (subjects) are limited to active duty Soldiers only. This includes all ARNG and USAR Soldiers on active duty. Based on the reporting period and crime type/category defined, individual subjects are counted only once (or uniquely).
 - Offenses are limited to those that are founded or under investigation. It is unknown whether commanders or civilian courts adjudicated these offenses. Insufficient evidence or unfounded offenses are excluded.
 - Rates for the two metrics above are expressed in per capita terms; that is, in offenses or offenders per 100,000 AD Soldiers. The rate accounts for the changing Army population over time, thus normalizing data when performing crime trend analysis.
- Reporting Periods: The common reporting time period is by government fiscal year (i.e., October 1 through September 30). Other reporting periods are: calendar year; fiscal year or calendar year half; fiscal year or calendar year quarter; and month.
- Crime Types and Categories: Crime types include violent felonies, non-violent felonies and misdemeanors.
 - Violent and non-violent felonies are offenses punishable by death or confinement for more than one year as defined by Army policy (e.g., AR 195-2, AR 190-30); misdemeanors are crimes with a maximum punishment of one year.
 - Additional crime categorizations within these crime types are based on criminal offense codes in AR 190-45, *Law Enforcement Reporting*. (See Figure A-1 for the list of categories and subcategories.)
- Data Sources: Principal sources for crime data are the authoritative Army law enforcement systems, Centralized Operations Police Suite (COPS) and Army Criminal Investigation/Criminal Intelligence (ACI2). Monthly population data from Defense Manpower Data Center (DMDC) is used to calculate the average active duty population for specific reporting periods. Note: only crime data with a law enforcement basis (i.e., unrestricted cases) are included; those without a law enforcement basis (i.e., restricted cases) are excluded.

Example - How a crime is “counted” for reporting purposes:

Two civilian females attended a party adjacent to a barracks and became extremely intoxicated. They found an empty bedroom to lie down and, while resting, were sexually assaulted by three men. The next morning, one of the females reported the crime to the military police and the three men, later identified as two PFCs and one civilian, were each titled with rape and forcible sodomy.

Number of Offenders: Two. Each of the PFCs is counted once regardless of the number of offenses. The male civilian offender is not counted since we count only AD Soldiers.

Number of Offenses: Four. Each of the PFCs is titled once for a rape offense and once for a forcible sodomy offense.

Crime Types and Categories	Offender Count	Offenders per 100,000	Offense Count	Offenses per 100,000
Violent Felony	1,602	247	2,200	340
Homicide	71	11	81	13
Murder	52	8	55	8
Voluntary Manslaughter	1	0	1	0
Involuntary Manslaughter	12	2	15	2
Negligent Homicide	5	1	5	1
Attempted Murder	5	1	5	1
Sex Crimes	989	153	1,321	204
Rape and Attempts	459	71	573	89
Sexual Assault and Attempts	509	79	572	88
Forcible Sodomy	147	23	176	27
Kidnapping	27	4	42	6
Robbery	16	2	28	4
Aggravated Assault	486	75	588	91
Child Pornography	88	14	140	22
Non-Violent Felony	15,132	2,338	26,815	4,142
Drug Crimes	5,509	851	10,421	1,610
Failure to Obey General Order	4,531	700	6,100	942
Desertion	855	132	1,098	170
Larceny	1,279	198	1,602	247
Government Property/Funds	893	138	1,061	164
Private Property/Funds	432	67	541	84
Other Sex Crimes	944	146	1,315	203
Drunk Driving with Personal Injury	112	17	113	17
Other Non-Violent Felonies	4,556	704	6,166	953
Misdemeanor	24,006	3,708	37,095	5,730
Traffic Violations	13,282	2,052	18,508	2,859
Assault and Battery	3,380	522	3,709	573
AWOL	1,632	252	2,595	401
Drunk Driving without Personal Injury	3,093	478	3,211	496
Family Abuse	2,114	327	2,428	375
Drunk and Disorderly	1,530	236	1,657	256
Other Misdemeanors	4,135	639	4,987	770
Total	35,141	5,428	66,110	10,212

Average FY2013 AD Soldier Population: 647,347

Figure A-1: Crime Types and Categories, FY2013 Active Duty Army Crime