

DEPARTMENT OF DEFENSE UNIFORM COMMAND DISPOSITION REPORT

Disclosure of this information is voluntary and will be used to report the final disposition of all cases of sexual assault in which the alleged offender is a member of the Armed Forces and which the adult victim files an unrestricted report of alleged sexual assault made under the Family Advocacy Program (FAP), Sexual Assault Prevention and Response (SAPR), or Sexual Harassment/Assault Response Program (SHARP), see System of Records Notice DoD 0006, "Military Justice and Civilian Criminal Case Records." When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

A. Case Administrative Information

1. Investigative Case Number		2. DSAID/FAP Case Number		3. Case Type		4. Was Alcohol Involved in the incident?					
5. Subject Name (Last, First, MI)		6. Subject Grade		7. Subject Type		8. Subject Sex		9. Subject Ethnicity		10. Subject Race	
11. Select any referrals given to the subject <input type="checkbox"/> Mental Health <input type="checkbox"/> Chaplain/Spiritual Support <input type="checkbox"/> Alcohol/Drug Counseling <input type="checkbox"/> Medical <input type="checkbox"/> Legal <input type="checkbox"/> Other <input type="checkbox"/> None											
12. Was service member subject placed in pretrial confinement? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown If Yes, date (YYYYMMDD)				13. Did service member subject have a prior substantiated sexual assault allegation? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown If Yes, location?				14. Did service member subject have an accessions waiver for a prior sexual assault? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown			
15. Victim Sex		16. Victim Grade		17. Victim Type		18. Victim Ethnicity		19. Victim Race			
20. (CONUS cases only) Was the victim advised of their right to request the case be prosecuted by courts-martial or in a civilian court with jurisdiction over the offense? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, include the date (YYYYMMDD) _____ and the victim's preference.											

B. Initial Case Disposition Information

21. Is the subject under UCMJ jurisdiction? <input type="checkbox"/> Yes <input type="checkbox"/> No		22. If no, reason for no jurisdiction?		23. Did legal review find probable cause for an offense under the UCMJ?	
24. If no probable cause was found, what was the reason?					
25. If probable cause was found and subject is under UCMJ jurisdiction, did the command initiate punitive or administrative action? <input type="checkbox"/> Yes, action was initiated on a sexual assault offense (and non-sexual assault offenses, if warranted). <input type="checkbox"/> Yes, action was initiated on a non-sexual assault offense only. <input type="checkbox"/> No					
26. Select all of the following that apply. Report all applicable disposition information in subsequent sections. <input type="checkbox"/> Charges preferred to court-martial (even if case did not go to trial) <input type="checkbox"/> Administrative Separation (including in lieu of trial) <input type="checkbox"/> Charges brought to NJP/Article 15 <input type="checkbox"/> Other adverse administrative action					
27. Month & Year of Command Disposition Decision (MMDDYYYY)			28. Month & Year Command Disposition Completed (MMDDYYYY)		

C. Court-martial Information

29. What, if any, sexual assault charges were preferred to court-martial? Select all that apply.

- Attempt to commit a sexual assault (Art. 80) Rape (Art. 120)
- Sexual Assault (Art. 120) Aggravated Sexual Assault (Art. 120)
- Aggravated Sexual Contact (Art. 120) Abusive Sexual Contact (Art. 120)
- Wrongful Sexual Contact (Art. 120) Non-consensual Sodomy (Art. 125)

30. List any non-sexual assault charges preferred to court-martial. Include the UCMJ article and offense name.
Ex. Art 92, Fraternalization; Art. 128, Assault; Art 132, Retaliation

31. Was an Article 32 hearing held?

32. If yes, what was the Art 32 date? (YYYYMMDD)

33. What was the Convening Authority's decision as to disposition?

34. Date of referral/dismissal/
withdrawal? (YYYYMMDD)

35. What, if any, charges were referred to court-martial? Include the UCMJ article and offense name.

36. Court-martial Forum

37. Date of Court-martial? (YYYYMMDD)

38. Result of court-martial?

39. What charge(s) was subject convicted of? Include the UCMJ article and offense name.
(Include UCMJ article and offense name)40. Is sex offender
registration required?

41. What sentence was adjudged at court-martial?

42. Was subject separated in lieu of trial?

43. Date of separation? (YYYYMMDD)

44. Characterization of Service?

D. Non-Judicial Punishment Information45. Did the command impose NJP for crimes arising out of the sexual
assault investigation?46. If yes, what charges were listed at NJP?
Include the UCMJ article and offense name.47. Date punishment imposed
(YYYYMMDD)

48. Result of NJP (list punishment if applicable)

E. Administrative Separation49. Was subject processed for administrative
separation?

50. Was this separation in lieu of trial?

51. Was this processing mandatory under service
regulations?

52. Basis for Separation?

53. Date of board or separation
(YYYYMMDD)54. Did subject waive the
administrative board?55. If subject went to a separation board, what was the board's
decision?56. If separated, what was the characterization of
service?**F. Other Adverse Administrative Action**

57. If subject received other adverse action not already recorded on this form, select all that apply:

- Written counseling, admonishment, or reprimand Letter of Instruction
- Oral counseling, admonishment, or reprimand Cadet/Midshipman disciplinary system Other (explain in synopsis block)

58. If Yes, date of adverse action (YYYYMMDD)

G. Civilian Authority Action		
69. Did civilian authorities investigate the case?	60. Did civilian authorities prosecute the case?	61. Civilian jurisdiction
62. If known, what charges were prosecuted?		63. Date of civilian trial, if known (YYYYMMDD)
64. Did subject's command take adverse action due to civilian charges and/or trial?	65. If known, results of civilian trial, including sentence if applicable	
H. Case Synopsis Information		
66. Use this section to describe the basics of the case, as well as any unique circumstances, such as any adverse action taken due to civilian prosecution of the subject, or if the subject was separated from service due to conduct unrelated to the reported sexual assault. Do not discuss the Sexual Assault Initial Disposition Authority SA-IDA's decision making process or privileged information. Consult with a judge advocate and review service guidelines for examples and required information for this section.		
I. Reporting Command Information		
67. Did MCIO indicate the victim signed a Section 540K Declination to Participate in the Investigation Letter? <input type="checkbox"/> Yes <input type="checkbox"/> No		
68. Command POC Information: Name, Rank, Position, Email, and Phone Number		
69. Name and Contact Information for judge advocate consulted	70. Date of consultation (YYYYMMDD)	

INSTRUCTIONS

DEFINITIONS AND INSTRUCTIONS: General definitions and instructions for this form are below. See service instructions or regulations for more detailed information on completing this form.

Section A: Investigative Case Number - Military Criminal Investigative Organization case number (CID, NCIS, AFOSI, CGIS)

DSAID/FAP Case Number - Can be obtained from SARC or Victim Advocate. For multiple victims, list DSAID numbers with victim initials in the synopsis block.

Case Type - Indicate whether this case was tracked through the Family Advocacy or Sexual Assault Prevention instructions.

Subject Name - If the name of the subject is not known (or the victim declines to provide the name), enter "Unknown." Do not include victim information if subject information is unknown. Complete separate reports for multiple subjects. List companion subjects in the synopsis block.

Subject's/Victim's Sex - Enter the sex reflected in the Defense Enrollment Eligibility Reporting System for a Service member or government identification for a civilian.

Pre-trial Confinement - If a service member subject was placed in pre-trial confinement, include the date confinement began in this block.

Prior Substantiated Allegation - If a service member subject has a prior adult substantiated sexual assault allegation that occurred before the sexual assault reported on this form, include the location of that prior allegation (i.e., military base or ship name, city/state, city/country)

Section B: Probable Cause Determination - A probable cause determination is made by a Staff Judge Advocate or Trial Counsel. The investigative agency cannot give a probable cause determination for disposition purposes.

Fiscal Year of Command Disposition Decision - This is the month and fiscal year the command decided to take the case to court-martial, non-judicial punishment (NJP), administrative board, other adverse action, or to take no action. This may be different than the year the action is completed.

Fiscal Year Command Disposition Completed - This is the month and fiscal year of the court-martial, NJP, or administrative board, or other adverse action, or to take no action. This may be different than the disposition decision year.

Section C: Court-martial Punishments - Possible punishments include: confinement, restriction, or hard labor (include duration); fines and/or forfeitures (include amounts and duration); reduction in rank (include rank); letters of reprimand; punitive discharges or dismissal.

Section D: Crimes arising out of the sexual assault investigation - This refers to misconduct that was identified as a result of the reported sexual assault and is related to the conduct at issue in the report. Examples include fraternization, underage drinking, assault consummated by a battery, or orders violations. Do not include misconduct the command was intending to punish the subject for prior to the assault (i.e., drug use) or misconduct that occurred after the assault but was not related to the assault.
Results of the NJP - Include all punishments imposed at the NJP and indicate if any were suspended. If the misconduct was dismissed and no punishment was imposed, indicate that as well.

Section E: Separation Board Decision - If the separation board recommended separation and the service decided to retain the subject, explain why subject was retained in the synopsis block. If the separation board recommended retention and the service decided to separate the subject, explain why in the synopsis block and under what provision the subject was separated (i.e., Best Interest of the Service (BIOTS)).

Section F: Date of Adverse Admin Action - If date is not known, enter month and year command action was taken.

Section G: Civilian Jurisdiction Information - Consult with the MCIO to determine if the civilian authorities chose to prosecute a service member or to determine if a civilian subject was prosecuted for an assault on a service member. See service instructions to determine when to submit this disposition form in the event of a civilian prosecution.

Section H: If a victim signs a Section 540K Declination Letter, indicate that in this section.

Section I: See service instructions for who is responsible for completing this form. In cases with known service member subjects, it is usually the SA-IDA. In cases with unknown subjects, it is usually the victim's command.