

Information on Civilian Courts & Resources

Access to Civilian Courts

- Survivors of a sex related offense occurring in the United States have the right to express to the military their views about whether the offense should be prosecuted by court-martial or in a civilian court with jurisdiction over the offense.
 - ◇ If you choose to express your preference, your views are not binding but will be considered by the Air Force convening authority when determining whether to refer the charge for trial by court-martial.
 - ◇ If you express a preference for prosecution by civilian authorities, the civilian authority with jurisdiction over the offense will be notified of your preference.
 - ◇ If the Air Force learns of a decision by the civilian authority whether or not to prosecute the offense in a civilian court, you will be notified.
- If the sexual assault took place on land subject to exclusive federal jurisdiction, the Office of Special Investigations (OSI) may still have investigative jurisdiction over the case. (In some cases, another prosecutorial authority other than OSI may take the case depending on the circumstances and individuals involved.)
- Survivors may also report a sexual assault to civilian authorities. However, civilian authorities may decline to investigate and/or prosecute the allegations.
- Reporting a sexual assault to civilian law enforcement and/or legal authorities may limit a survivor's ability to file a restricted report with the DoD.

To access the DAFI regarding sexual assault and military justice, you may find the entire document here: https://static.e-publishing.af.mil/production/1/af_ja/publication/afi51-201/afi51-201.pdf

Can I access other off-installation, civilian helping resources?

Yes, it can be helpful to have support in your own community after sexual assault. Many civilian resources have highly trained staff who can offer initial crisis response as well as resources for ongoing support related to sexual assault. These helping agencies can offer information and support including:

- Assisting a survivor with making an official report to civilian law enforcement.
- Physical and psychological support, medical attention, and hospital accompaniment.
- Legal/criminal justice system advocacy.
- Help with safety planning, including Military Protective Orders and Civilian Protective Orders.

*** You do not have to tell law enforcement or your commander about your sexual assault in order to receive care or assistance.