

# SAFE IS STRONG

## TAKING CARE OF ARMY FAMILIES



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### LINK: HOW HAS THE ARMY ADDRESSED PSB-CY?

#### 2015 – 2017:

- Complaints of serious juvenile-on-juvenile misconduct, including sexual misconduct, occurred in DoD Educational Activities (DoDEA) in Germany. These incidents were publicized by the news media and led to high level inquiries.

#### 2018 – 2019:

- In 2018, Congressional hearings occurred in response to the allegations of problematic sexual behavior between children and youth (PSB-CY) and other harmful behaviors to children and youth on military installations.
- The FY2019 National Defense Authorization Act (NDAA) (see NDAA Sec. 1089 of H.R. 5515) [\[LINK\]](#) required the installation Family Advocacy Program (FAP) to review the allegations of PSB-CY and to establish a database of every incident of PSB-CY.
- Subsequent to the Congressional actions, the DoD continued to publish guidance for the military service on responding to PSB-CY.
- July 2019, DoD Manual 6400.01, Vol.1, Family Advocacy Program (FAP): FAP Standards. This manual implemented policy, assigned responsibilities, and provided procedures for addressing child abuse, domestic abuse, and problematic sexual behavior in children and youth (PSB-CY) in military communities.
- September 2020: DoDIG Report No.2020-127 [\[LINK\]](#) published an evaluation of DoDs response to PSB-CY in DoDEA. This report found that administrators did not report

all misconduct incidents that could have been categorized as serious juvenile-on-juvenile misconduct. Recommendations that followed were for DoD to review DoDEA administrators' use of discretion when determining when to report an incident as serious, and that DoD develop policy on how installation commanders should address such misconduct.

- January 2021: The FY2021 NDAA (Section 549B) expanded the requirement for the DoD's response to child abuse. [\[LINK\]](#) This law expanded the requirement for the DoD's response to child abuse to improve the tracking of adult crimes against children and serious harmful behavior between children and youth involving children on military installations. The database of reported events will be maintained by DoD.
- June 2021: Army issues Directive 2021-27 [\[LINK\]](#) Installation Response to Problematic Sexual Behavior in Children and Youth. This Directive provided a definition of what behaviors could be considered as PSB-CY, established policies for assessment, eligibility for treatment, established the multidisciplinary team (MDT) for the installation response, and required the Army to promulgate an executive order to establish installation roles and responsibilities.
- June 2021: Following the 2019 NDAA directive to establish policies, the Army issued an Executive Order (HQDA EXORD 111-21

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Implementation Guidance for Installation, dated August 2021). This ExOrd provided direction to Army FAP.

- December 2021: The DoD published Instruction 6400.10 [\[LINK\]](#) DoD Coordinated Community Response to Problematic Sexual Behavior in Children and Youth. This DoDI established policy, assigned responsibilities, and prescribed procedures for the DoD coordinated community response for preventing and responding to PSB-CY, as defined in DoDI 6400.01.

- January 2022: As a result of the Congressional laws and Army directives and executive orders, additional guidance is being developed to respond to PSB-CY. Among these is the non-clinical referral tool (NCRT, DD form 3179). [\[LINK\]](#) The NCRT was developed (1) to assist personnel from the DoDEA and the Child Development and Youth Programs (CD/YP) personnel in determining if a consult or referral to FAP is necessary and (2) to assist FAP in determining if a referred incident warrants engagement of the MDT.