



VERMONT NATIONAL GUARD LEGISLATIVE REPORT **Fiscal Year 2025**

Sexual Assault and Sexual Harassment; Report in Accordance with V.S.A. 20 § 427



STATE OF VERMONT
OFFICE OF THE ADJUTANT GENERAL
789 Vermont National Guard Road
Colchester, Vermont 05446-3099

10 January 2026

MEMORANDUM FOR: THE VERMONT LEGISLATURE

SUBJECT: Vermont National Guard Fiscal Year 2025 "Sexual Assault and Sexual Harassment; Report"

1. As required by law, attached is the annual Vermont National Guard "Sexual Assault and Sexual Harassment; Report" (see Vermont Statutes Annotated, Title 20 §427). This report contains positive indicators regarding the Vermont National Guard programs. Commanders and leaders have created a climate where survivors of sexually based violence are coming forward with confidence that their reports will be taken seriously, and knowledge that they will receive the support and care necessary.
2. The Vermont National Guard has a moral obligation to keep our men and women safe from those with intentions to attack their dignity and honor. The Vermont National Guard is unequivocal in its commitment to ensure that survivors of sexual assault, sexual harassment and discrimination based on sexual orientation are protected, treated with dignity and respect and provided proper care, while perpetrators are held accountable for their actions.
3. As each year passes, we continue our commitment to improve our processes, programs and response capabilities to ensure the members of the Vermont National Guard feel empowered to address and intervene without fear of retaliation.

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GREGORY C. KNIGHT
Major General
The Adjutant General

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Executive Summary

In May 2013, the Governor signed into law a requirement for The Adjutant General of the Vermont National Guard (VTNG) to provide a report on January 15th, 2014, and annually thereafter regarding sexual assault, sexual harassment and discrimination based upon sexual orientation (see Vermont Statutes Annotated Title 20 § 427, “*Sexual Assault and Sexual Harassment; Report*”). Please see page 21 for all definitions and page 23 for the commonly used acronyms throughout this report. The information covered in these pages addresses case data from the Sexual Assault Prevention and Response (SAPR) office regarding reported sexual assaults and case data from the Military Equal Opportunity (MEO) program regarding sexual harassment and discrimination based on sexual orientation. The following material covers the period of 1 October 2024 through 30 September 2025.

This report has four sections.

1. Sexual Assault,
2. Sexual Harassment and Orientation Discrimination,
3. Year in Review, and
4. Addendum.

The Addendum includes sexual harassment and sexual assault reporting and investigation flow charts, policy information, definitions, and a commonly used acronym list. In fiscal year 2025 the SAPR office tracked a total of 11 reports of sexual assault. With incidents occurring in years 2008, 2010, 2022, 2023, 2024 and 2025. Seven of the accused perpetrators were VTNG members. In addition, the MEO program processed one sexual harassment complaint and zero complaints of sexual orientation discrimination.

Section One: Sexual Assault

The Vermont National Guard SAPR office receives reports of sexual assault according to the Department of Defense definition: Intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the survivor does not or cannot consent. The definition includes rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy, or attempts to commit these acts.¹ The National Defense Authorization Act section 1631 (Public Law 111-383) requires the Secretary of Defense to submit an annual report of sexual assaults involving military members to the Committees on Armed Services to the Senate and House of Representatives. The report includes reports from each of the Military Departments. The statistical data below reflects the reporting information submitted by the VTNG through the Defense Sexual Assault Incident Database (DSAID) and supplemental summary reports for FY24.

Currently the SAPR office is staffed by the Lead Sexual Assault Response Coordinator (SARC), Nikki Sorrell; 158th Fighter Wing SARC, Serena Furnari; and SAPR Specialist, Rachel Schneider. Serena Furnari has been with the program for seven years, she is a licensed clinical social worker. Her passion for member well-being is evidenced by some of the projects she has spearheaded. Projects like The Airmen's Table, a food shelf on base for members experiencing food insecurity, and the creation of specialized training to help leadership understand the impact of trauma on those they lead. Rachel Schneider has been with the program for almost 2 years. Her education in social work and experience in harm reduction provides expert insight regarding the psychosocial impact of gender-based violence. This year Rachel led the creation of our annual SAPR training materials. The training focuses on emotional intelligence and trauma informed response to disclosers of harm. Our team lead, Nikki Sorrell has been with the program for 6 years. She is a licensed clinical psychologist. Her dedication to the program and those it serves can be seen in projects she has led like the SAPR Mobilization policy, the first of its kind across the National Guard. The policy was created to combat sexual offenses, create clear lines of communication, and enhance training and resources to our members when they are in a deployed setting.

Offense Reporting Options

The SAPR office offers three options for Service members to report offenses, providing both confidential and non-confidential options to ensure survivors receive appropriate care and to hold offenders accountable. Service members who choose to report a sexual assault will elect either the Unrestricted (non-confidential/need to know basis) or the Restricted (confidential) option by completing DD Form 2910 (Victim Reporting Preference Statement). The third report type is

¹ Because the SAPR program is based on the DoD definition, its coverage area is broader than Sexual Assault as defined under Vermont law. Therefore, SAPR covers allegations of state-based equivalents, such as Lewd and Lascivious conduct as defined in Vermont.

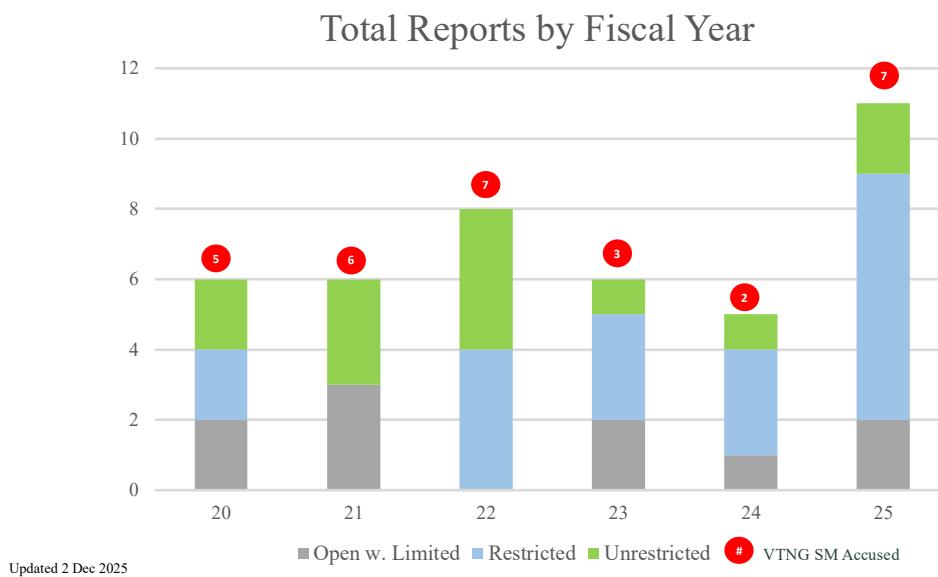
Open with Limited and is used in circumstances where the survivor does not or chooses not to sign DD Form 2910 (Victim Reporting Preference Statement). This would occur if the survivor were a civilian, or if the case is reported via a third-party source such as a member of leadership learning of an incident prior to formal reporting.

Please note that the Vermont National Guard (VTNG) does not have investigatory or prosecutorial jurisdiction over either a civilian or military crime of sexual assault. Under Vermont Statutes Annotated, Title 20, § 941, the VTNG has jurisdiction over “purely military offenses.” Civilian courts will prosecute all other offenses. Sexual assault (under either the Vermont or UCMJ definition) is not a purely military offense. Also, according to National Guard Bureau regulation all Unrestricted reports of sexual assault are initially reported to local law enforcement for investigation. If local law enforcement does not investigate, then the National Guard Bureaus Office of Complex Investigations will conduct an investigation for the VTNG. Reports of sexual assault are never investigated internally by the VTNG.

Statistical Data

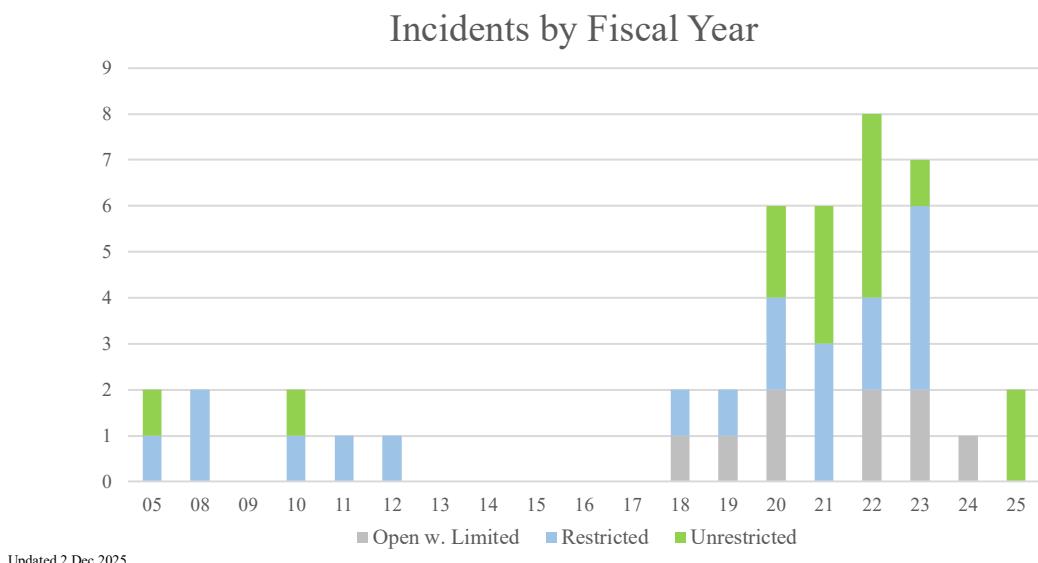
Figure 1.1 depicts the total number of reports of sexual assaults the SAPR office has received in the last five years. The bars indicate total number of reports, the color on those bars indicates report type (please see definition on page 21 for report type definitions), and the red circle informs the reader of the number of perpetrators in those reports identified as Vermont National Guard members. Looking at FY25 we can see that the office received 11 reports of sexual assault. Seven Restricted, two Unrestricted, and two Open with Limited reports. Seven of the reports listed a VTNG member as the alleged offender and four reports named a non-VTNG member.

Figure 1.1



Figure, 1.2 depicts the total number of reports received by the SAPR office represented in Figure 1.1, but broken out by the fiscal year in which the incidents occurred. This chart demonstrates that sexual violence affects all victims differently and many choose to wait years before they report if they report at all. The military has no time limits on reporting sexual assaults. This offers members time to heal, find safety, and/or report when it feels right for them. The SAPR office began taking reports in 2010 and, to date, survivors have come to report incidents that took place dating back to 1981. Looking at FY25 we can see that two of our eleven reports occurred in FY25.

Figure 1.2



Fiscal Year 2025 Sexual Assault Case Details

Figure 1.3: Assault type, incident year and type of report for FY25.

Case ID	Incident Year	Status of Survivor	Status of Accused	Assault Type	Report Type
01042	2008	F / E-4	M / E-6	Sexual Assault	Restricted
01144	2024	Civilian	M / E-4	Rape	Open w/ Limited
001151	2023	F / E-5	M / O-2	Abusive Sexual Contact	Restricted
00220	2010	F / E-4	M / E-4	Sexual Assault	Restricted
00221	2011	F / E-4	M / E-5	Rape	Restricted
00342	2023	Civilian	M / E-4	Sexual Assault	Open w/ Limited
00412	2025	F / E-5	M / E-5	Abusive Sexual Contact	Unrestricted
00427	2022	F / E-3	M / Unknown	Abusive Sexual Contact	Restricted
00473	2008	F / E-4	M / O-4	Abusive Sexual Contact	Restricted
00524	2023	F / O-2	M / E-7	Abusive Sexual Contact	Restricted
01075	2025	M / O-1	M / E-8	Abusive Sexual Contact	Unrestricted

Disposition Data on FY25 Reports Involving Accused Vermont National Guard Service Members

Figure 1.4 depicts disposition status for the two Unrestricted cases and two Open with Limited cases that were reported in FY25. Please note we are only including disposition information for these four cases because they were the four that required investigations. The other seven cases were filed as Restricted, therefore the allegation remains confidential and not subject to investigation or action. The reporting parties involved in Restricted cases may choose to switch their reports to Unrestricted at any time to open an investigation.

Figure 1.4:

Case Number	Incident FY	Allegation	Disposition
01144	2024	Rape	Case is still active in the courts. Administrative Separation action complete. Discharged 22 Nov 25, characterized as Uncharacterized because SM was in an entry-level status
00342	2023	Sexual Assault	Case is still active in the courts. Administrative Separation action pending review before TAG decision can be made.
00412	2025	Abusive Sexual Contact	Federalized case Case was investigation by Naval Criminal Investigation Service (NCIS). Case was unsubstantiated. Action in this case was deferred to the alleged offenders Command, parties outside of the VTNG.
01075	2025	Abusive Sexual Contact	Federalized case Case currently being investigated by the Criminal Investigation Division (CID) through active-duty Army. No disposition to offer at this time.

Federalized Reports

From the eleven total reports of Sexual Assault the Vermont National Guard had in FY25 two are federalized case. This means that the incident occurred when the VTNG member was deployed/stationed outside of the continental U.S. The cases are listed in Figure 1.4.

Section Two: Sexual Harassment and Orientation Discrimination

In the Vermont National Guard, any report of unlawful discrimination is filed with the State Equal Employment Manager (SEEM) Todd Connolly. Allegations against members in a National Guard (NG) military status are processed through the Military Equal Opportunity (MEO) program under National Guard Bureau (NGB) regulations. The SEEM reports statistical data of all discrimination cases annually by Public Law 112-239, 126 STATS: 1764, section 579(b) to the NGB, which consolidates data from each state. Sexual Harassment and Sexual Orientation discrimination are subcategories of unlawful discrimination based on sex or gender. The definition of Sexual Harassment involves unwelcome sexual advances, request for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature. Please see page 21 for full definition. This report addresses only discrimination cases of sexual harassment and sexual orientation.

The SEEM for the Vermont National Guard is Mr. Todd Connolly, who has held this role for 3.75 years and has supported the MEO program for 18 years before assuming the SEEM position. Todd has recently worked as a Region 1 Representative for the national-level Equal Employment Manager Advisory Council (EEMAC) and currently serves as the national council Co-Chair. The EEMAC provides oversight and guidance to Equal Employment Opportunity Directors and MEO Program Managers across all 54 states, territories, and the District of Columbia National Guard units. Todd is also one of the key developers of the curriculum at the Defense Equal Opportunity Management Institute (DEOMI), the training school for all MEO representatives. He is a mentor and coach to other National Guard SEEMs across the country and serves as an instructor/facilitator at the Department of Defense EEO/MEO Training School. He has played a crucial role in expanding the MEO program within the Vermont National Guard.

Reporting Procedures

The National Guard Military Equal Opportunity Complaint Process consists of two phases: the State Informal Resolution Request (IRR) and the NGB Formal Resolution Request (FRR). All allegations of unlawful discrimination begin at the informal phase, allowing each NG agency to investigate and reach a resolution. If a complainant is unsatisfied with the outcome of the investigation or the proposed resolution, they may appeal through the formal phase, requesting NGB review of the case. NGB may conduct a new investigation and propose a resolution for the NG agency to implement.

Sexual Harassment Complaint Processing Changes

In the last few years, there have been several refinements to how complaints of sexual harassment are processed. All complaints of sexual harassment are initially referred to the SAPR office for a confidential interview. This allows SAPR to evaluate whether a component of sexual assault exists and discuss with the complainant SAPR reporting options, SAPR services, and potential representation by a Special Victims Counsel military attorney. Additionally, complainants of sexual harassment may choose to have leadership handle the matter

expeditiously or opt for an in-depth investigation. Under prior policy, in-depth investigations were required. Existing regulations require in-depth investigations to be conducted by an investigating officer selected from outside the brigade or wing elements of the complainant and subject. The investigating officer receives specialized training on conducting sexual harassment investigations. An investigation report is routed through the SEEM to the commander to determine an appropriate course of action. The next superior commander reviews the decision before the subordinate commander or SEEM meets with the complainant to explain the proposed resolution. In contrast, the new expeditious option available to complainants provides them with more control over the visibility of the issue and is designed to encourage the swift remediation of problems without the formalities of an in-depth investigation. Resolution proposals from either option are appealable to NGB, and the complainant benefits from more control over how the complaint is handled.

Disposition

Investigations that substantiate an allegation of sexual harassment require initiation of administrative separation action. Minor incidents may result in retention with rehabilitation. Regardless of separation or retention, other forms of documenting the substantiated sexual harassment are required, such as annual evaluation reports of the offending Service member.

Current Statistical Data

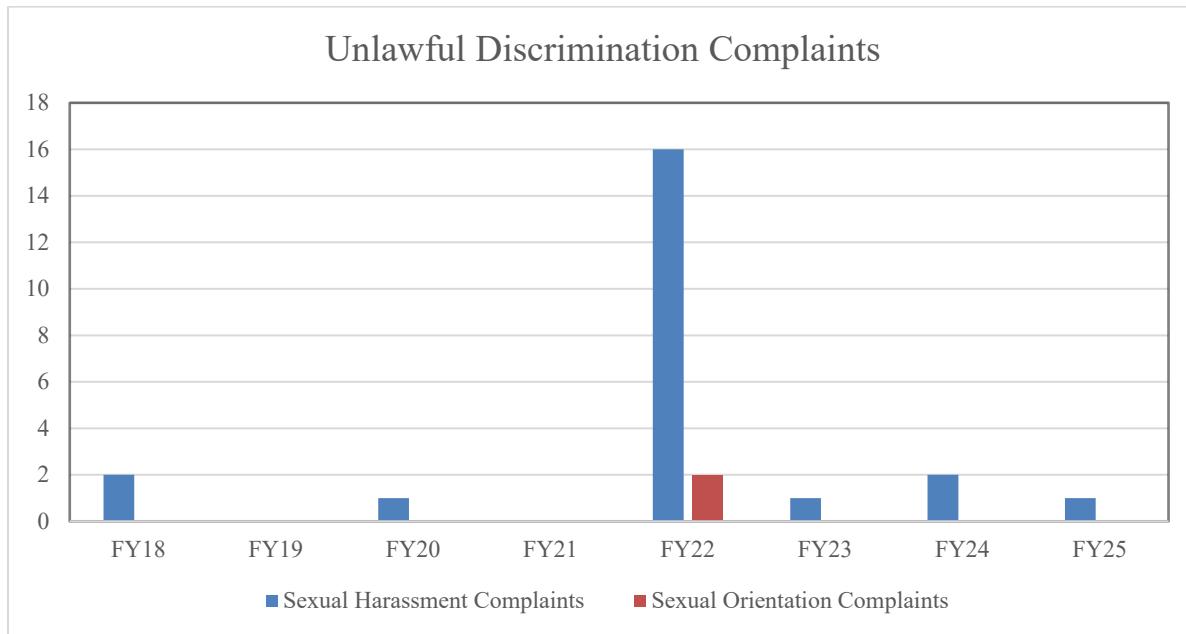
During FY25, the VTNG MEO program received one sexual harassment complaint and zero complaints of discrimination based on sexual orientation. Figure 2.1 depicts each sexual harassment compliant for FY25.

Figure 2.1:

VTNG Case Number	Sex / Rank of Complainant	Sex / Rank of Alleged Offender	Alleged Discrimination	Incident Description	Disposition
VT-2025-021	F / E-3	M / E-7	Sex Discrimination - Sexual Harassment	Unwanted offensive comments of a sexual nature	Unsubstantiated

Figure 2.2 depicts sexual harassment and orientation complaints since FY18. An inquiry is when a member visits or contacts the SEEM Office with a request for information, seeking guidance, states a concern or requests alternative dispute resolution. A complaint is submitted when a member formally alleges unlawful discrimination in writing using the NGB Form 333.

Figure 2.2:



Section Three: Year in Review

The Sexual Assault Prevention and Response (SAPR) Program

Mobilizations

Last year the SAPR office released an Army National Guard (ARNG) SAPR Mobilization Support Policy. The policy is the first of its kind and it fills gaps between Federal mobilization and State training, readiness, and reporting of sexually based offenses. This year the policy is being exercised for the first time as the ARNG prepares for their next mobilization in early 2026. The new policy focuses on early assignment of mobilizing SAPR personnel, enhanced training for all deployers to include specialized leader training and trauma informed response, and requirements to report all sexually based offenses back to the State within a 72-hour window.

Our Air National Guard (ANG) has begun adopting a mobilization strategy that is similar to the ARNG policy. With a focus on pre-deployment prevention and risk assessment briefs, assignment of VTNG SAPR personnel for each deployment or exercise, and continued leadership engagement with their SARC, Serena.

The work the team has done to better support members before, during, and after deployments has been a huge focus over the last few years. We have seen the reward for our efforts in more Soldiers and Airmen knowing the resources, accessing services, and the growth in relationships with leadership.

Training

At the beginning of fiscal year 2024 the VTNG Sexual Assault Prevention Response (SAPR) office instituted a 3-year training cycle that would highlight SAPR education in a different way. The materials were built in-house, following the Department of Defense requirements. The training would start as foundational learning and build from that foundation each year.

The intent of the training was to get away from traditional training methods of large slide desks and lecture style briefings. The SAPR office wanted to create training that was beneficial to their members and encouraged engagement. They also knew they had exceptional individuals in their organization and wanted to offer skills and knowledge that would build a Guard full of individuals who were knowledgeable about the SAPR program and trauma informed to best support victims of sexual violence.

Training packages were created each year that utilized tools like small groups, question and answer sessions, teach-backs, scenario based learning, and self-inventories. The training schedule is listed below. If anyone is interested in our training packages, please reach out to the VTNG SAPR office.

Training Schedule

SAPR 101 (2024): A foundational learning tool that educates the field about the basic components of the Sexual Assault Prevention and Response program. It includes education around sexual assault, sexual harassment, bystander intervention, prevention strategies, reporting options, and Buddy Aid.

SAPR 102 (2025): Is designed to operationalize the fight against sexual assault by allowing members to navigate through cases in real time using skills and knowledge they learned from SAPR 101.

SAPR 103 (2026): Will educate members on emotional intelligence (EI) and give them the skillset to respond to disclosure of sexual assault in a trauma informed capacity. We also highlight sexually based offenses that fall under the umbrella of hazing and bully to broaden the traditional interpretation of sexual assault.

*At the end of the 3 years the training will begin again at SAPR 101 to include updates and new material.

Military Equal Opportunity (MEO) Program

Over the past reporting period, the MEO program has undergone significant changes due to updated Executive Orders and evolving Department of War and National Guard Bureau Directives. The State Equal Employment Manager (SEEM) has prioritized compliance review, program alignment, and restructuring of processes to meet new requirements. As a result, this year has served as a transition and implementation period, focused on laying the groundwork for long-term program effectiveness and accountability. While major new initiatives were not launched during this timeframe, substantial foundational work has been completed to ensure that future reporting periods will reflect measurable outcomes, improved MEO program performance, and enhanced service to our members and civilian employees across the VTNG.

Integrated Primary Prevention Workforce (IPPW)

In its 3rd year since program inception, the Vermont National Guards Integrated Primary Prevention Workforce (IPPW) continued to build its capability toward primary prevention of interpersonal violence (i.e. sexual violence, workplace violence, domestic violence, suicide/self-harm). At the start of 2025, the IPPW achieved full operational capacity, with a team comprising six prevention experts and one attorney advisor. However, the team faced setbacks from administrative challenges due to Executive Orders, resulting in a reduction to 50% capacity by the end of the year. The IPPW is actively in the process of hiring to rebuild its team and restore its full operational strength.

This year, the IPPW's work focused on three main lines of effort:

1. Building the Prevention System – The primary focus is on strengthening the prevention infrastructure within the Vermont National Guard. This includes several key initiatives:

Accountability Councils: This year a framework was laid to establish the Joint Prevention Integration Council and the Commander's Ready and Resilient Councils. These forums will not only provide Commanders with a more holistic understanding of risk and protective factors within their formations, but it will enhance Commander accountability for fostering a safe and supportive environment. The goal is for this to be completely stood up by the end of 2026.

Program Evaluation: To assess and improve the outcome measurement of programs within the VTNG and ensure they meet intended goals, IPPW began assisting programs with internal evaluation. This will be an ongoing effort as part of continuous quality improvement.

Community Collaboration: IPPW maintains ongoing partnerships with the Vermont Mission Connect (Governor's Challenge), UVM Sexual Violence Prevention Coordinator, local prevention and health organizations, and the Vermont Health Department with an aim at improving collaboration and resource integration for better outcomes.

2. Addressing Stress as a Risk Factor – A significant effort is being made to address the risk factor of stress by enhancing the wellness of Vermont National Guard members. This is being achieved through:

Holistic Health Resource Promotion: Increased marketing and awareness of resources available for financial, physical, mental, spiritual, nutritional, and sleep wellness.

Enhanced Access to Essential Services: Actively working to ensure Service members and their families have improved access to critical resources, including behavioral health services, job opportunities, and nutritious food.

Train Heroic Program: The implementation of a new program, Train Heroic, provides Service members with free access to at-home physical fitness training guided by a peer-lead coach.

3. Enhancing Leadership as a Protective Factor – The third line of effort is centered on leadership development. The main initiatives include:

First Line Leadership Training: Designed to enhance crucial skills such as emotional intelligence, communication, transparency, and other interpersonal abilities that are fundamental to effective leadership, starting from the lowest levels.

Pre-deployment Prevention Planning: To equip leadership with the necessary tools to protect their personnel from interpersonal violence during the deployment cycle.

In 2025, the IPPW's targeted, three-pronged strategy laid a crucial foundation for a culture of prevention within the Vermont National Guard. These proactive efforts to strengthen institutional systems, mitigate stress, and cultivate leadership excellence are creating a clear and actionable framework for reducing harm and enhancing the holistic well-being of every Service member.

Section Four: Addendum

Figure 4.1: SAPR Team Marketing



VTNG Sexual Assault Prevention & Response

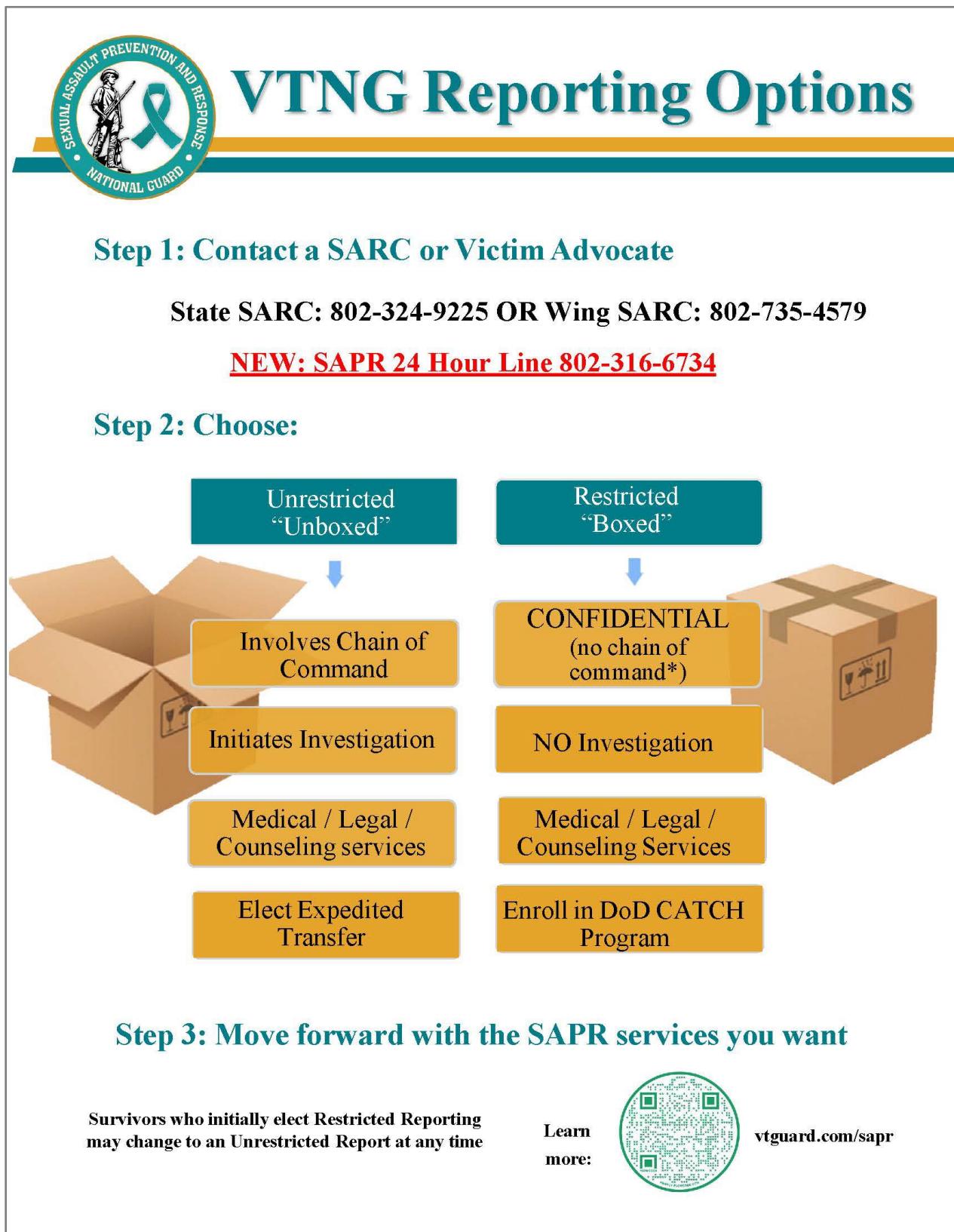
24/7 JOINT VTNG SAPR Line: 802-316-6734



Nikki Sorrell VTNG Lead Sexual Assault Response Coordinator Desk: (802) 338-3149 Mobile: (802) 324-9225 nicole.e.sorrell.civ@army.mil	Serena Furnari 158th Fighter Wing Sexual Assault Response Coordinator Desk: 802-660-5358 Mobile: (802) 735-4579 serena.furnari@us.af.mil	Rachel Schneider JFHQ Victim Advocate Desk: (802) 338-3035 Mobile: (802)-324-5584 rachel.i.schneider.civ@army.mil
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Safe Helpline
Sexual Assault Support for the DoD Community
safehelpline.org | 877-995-5247

Figure 4.2: SAPR Reporting Options Marketing Materials



The graphic is a marketing material for SAPR Reporting Options. It features a circular logo on the left with a figure holding a rifle and a blue ribbon, surrounded by the text "SEXUAL ASSAULT PREVENTION AND RESPONSE" and "NATIONAL GUARD". The main title "VTNG Reporting Options" is in large, bold, blue letters. Below the title, "Step 1: Contact a SARC or Victim Advocate" is listed with two phone numbers: "State SARC: 802-324-9225 OR Wing SARC: 802-735-4579" and "NEW: SAPR 24 Hour Line 802-316-6734". "Step 2: Choose:" is followed by a diagram comparing "Unrestricted" (labeled "Unboxed") and "Restricted" (labeled "Boxed") reporting. The "Unrestricted" path leads to "Involves Chain of Command", "Initiates Investigation", "Medical / Legal / Counseling services", and "Elect Expedited Transfer". The "Restricted" path leads to "CONFIDENTIAL (no chain of command*)", "NO Investigation", "Medical / Legal / Counseling Services", and "Enroll in DoD CATCH Program". "Step 3: Move forward with the SAPR services you want" is at the bottom, with a note that survivors can change reporting status. A QR code and website link are also present.

VTNG Reporting Options

Step 1: Contact a SARC or Victim Advocate

State SARC: 802-324-9225 OR Wing SARC: 802-735-4579

NEW: SAPR 24 Hour Line 802-316-6734

Step 2: Choose:

Unrestricted "Unboxed"	Restricted "Boxed"
Involves Chain of Command	CONFIDENTIAL (no chain of command*)
Initiates Investigation	NO Investigation
Medical / Legal / Counseling services	Medical / Legal / Counseling Services
Elect Expedited Transfer	Enroll in DoD CATCH Program

Step 3: Move forward with the SAPR services you want

Survivors who initially elect Restricted Reporting may change to an Unrestricted Report at any time

Learn more: vtguard.com/sapr

VTNG Sexual Assault Reporting and Investigation Process

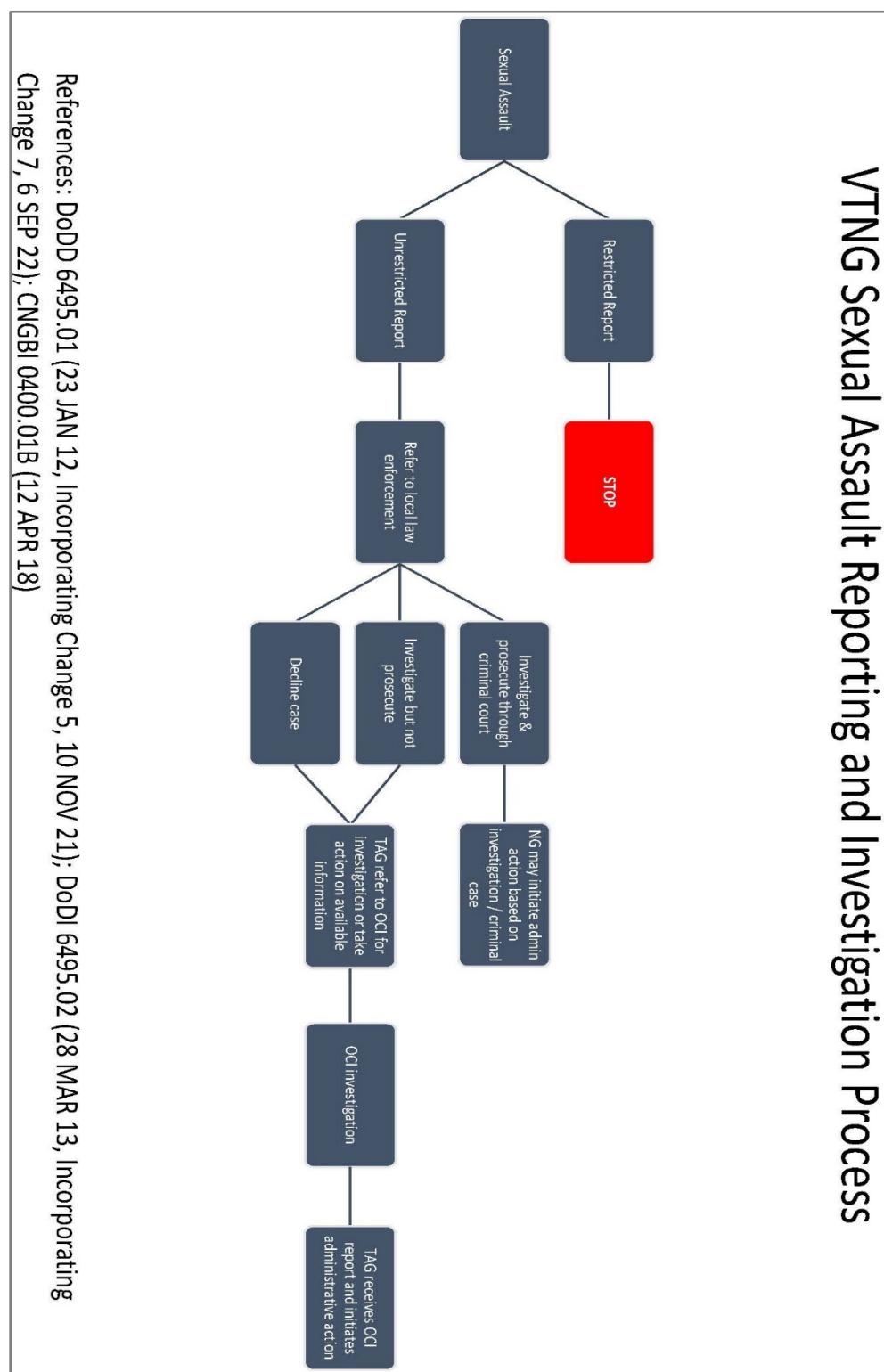
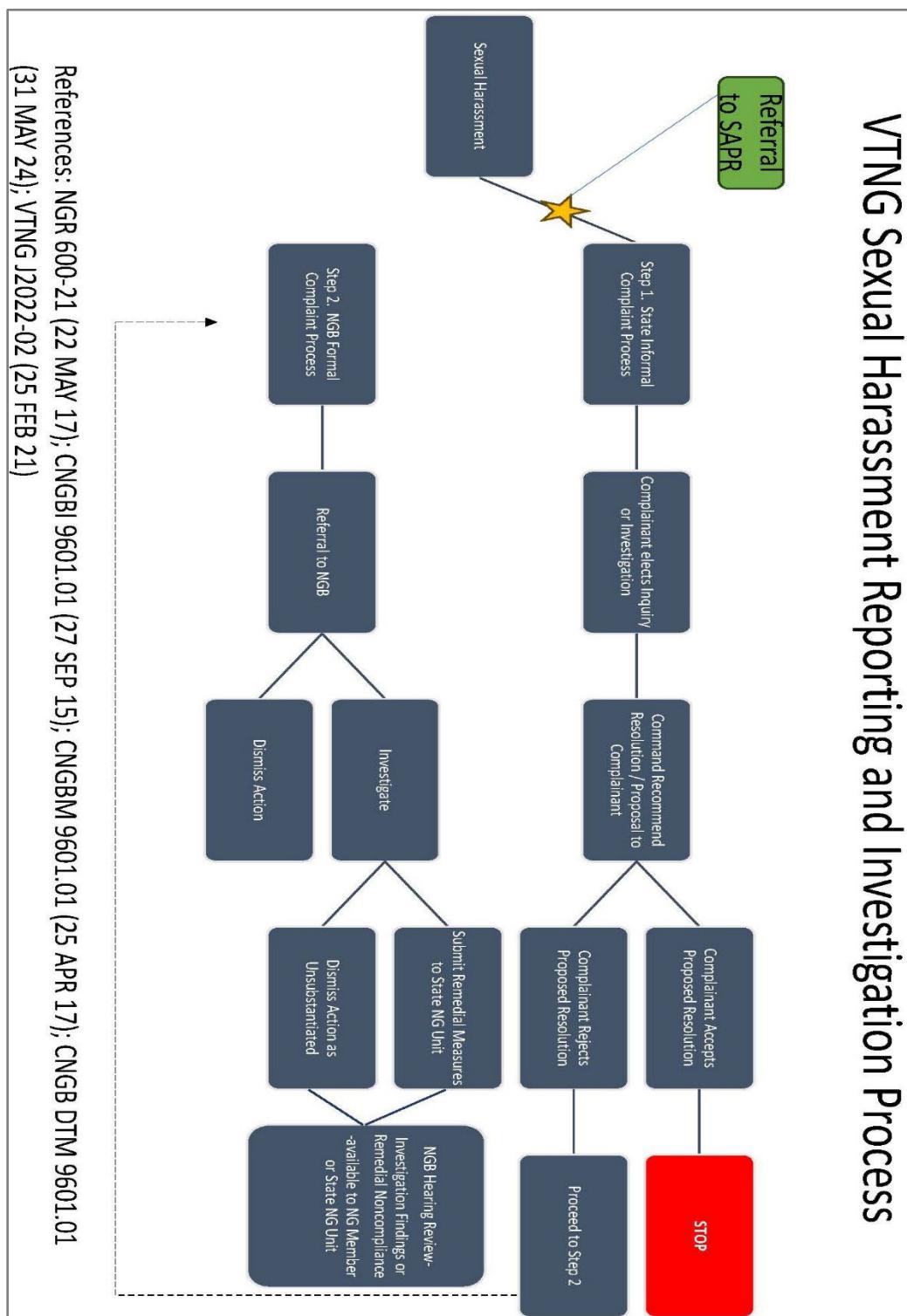


Figure 4.3: VTNG Sexual Assault Reporting and Investigation Process (updated 2024)

References: DoDD 6495.01 (23 JAN 12, Incorporating Change 5, 10 NOV 21); DoDI 6495.02 (28 MAR 13, Incorporating Change 7, 6 SEP 22); CNGBI 0400.01B (12 APR 18)

Figure 4.4: VTNG Sexual Harassment Reporting and Investigation Process (updated 2024)



Policies: Related to SAPR and MEO Programs

- Joint Policy J2022-07 Sexual Assault Prevention and Response Program; 17 May 2022. This policy offers a complete overview of the SAPR program per guidance from Department of Defense Instructions (DoDI 6495.01 and DoDI 6495.02).
- Joint Policy J2022-08 Expedited Transfer of VTNG Members who report an Unrestricted Report of Sexual Assault; 17 May 2022. This policy states that commanders will notify members who file an Unrestricted report of the option to request a temporary or permanent transfer from their assigned command to a different location or training schedule. The commander will approve or disapprove the request within five calendar days.
- Joint Policy J2022-09 Prevention of and Response to Retaliation for Reports of Sexual Assault or Harassment; 17 May 2022. This is a zero-tolerance policy for retaliation against those who reported or have assisted someone who reported sexual misconduct.
- Joint Policy J2021-03 Harassment Reporting and Response Plan; 1 February 2021. This policy defines the procedure for reporting and preventing harassment in the workplace. It provides clarity on complaint process. It mandates that all allegations of discrimination be reported to the State Equal Employment Manager and creates a detailed retaliation protection plan.
- Joint Policy J2021-20 Equal Employment Opportunity Policy & Standard Operating Procedure; 12 October 2021. This policy protects non-military employees and applicants from discrimination based on protected classes. It also defines and establishes the procedure for processing and resolving employment discrimination complaints.
- Joint Policy J2022-02 Equal Opportunity and Standard Operating Procedure for Processing Discrimination Complaints; 24 February 2022. This SOP defines and establishes the procedure for processing and resolving discrimination complaints involving members serving in a Title 32 status while in a military pay status.
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Definitions

Sexual Assault, per the DoD definition: Intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the survivor does not or cannot consent.

Includes: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy, or attempts to commit these acts. The DoD has a broader definition of sexual assault than Vermont. It contains categories of sexual contact that includes the equivalent to sexual assaults and lewd and lascivious conduct under Vermont law.

Sexual Harassment: The definition of sexual harassment applicable to this report is described in DoD Instruction 1020.03 “Harassment Prevention and Response In the Armed Forces”. It involves unwelcome sexual advances, request for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a person’s job, pay or career; or
- Submission to or rejection of such conduct by a person is used as a basis for career or employment decision affecting that person; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive working environment.

Restricted Report: Confidential reporting option that does not trigger an investigation. Provides access to counseling, medical, legal and advocacy services. Per recent policy change this reporting option allows the survivor of the incident to disclose to their chain of command if they choose (previously this necessitated an Unrestricted Report, and consequently an investigation).

Unrestricted Report: This reporting option triggers an investigation conducted by an external agency selected based on jurisdiction and survivor preference; provides access to counseling, medical, legal and advocacy services.

Open with Limited Report: A subcategory of unrestricted reports used when the SARC does not receive a formal report for an open investigation; most often when there is a military subject and a civilian victim.

Informal Resolution Request: Allegations of unlawful discrimination, including sexual harassment or discrimination based on sexual orientation, against a National Guard member in a military status made through the Military Equal Opportunity program. The complaint is addressed by the subject’s commander who will determine appropriate actions to take, if any. The individual reporting the allegation can accept this outcome, withdrawal the allegation, or submit a Formal Resolution Request.

Formal Resolution Request: After an Informal Resolution Request has been completed a complainant who is unsatisfied with the proposed resolution can submit the complaint to

National Guard Bureau. NGB will review the case and may investigate or dismiss the complaint. If the claim is substantiated, NGB will offer disposition recommendations for the command to implement.

Non-Judicial Discipline (often called an “Article 15”): A disciplinary process under the Vermont Code of Military Justice that commanders can use to address purely military offenses. It incorporates a variety of misconduct from the Uniform Code of Military Justice, including sexual harassment.

Commonly Used Acronyms

DoD: Department of Defense

DoW: Department of War

EOA: Equal Opportunity Advisor

EOL: Equal Opportunity Leader

IQO: Inquiry Officer

JFHQ: Joint Force Headquarters

LIR: Leadership Inquiry Report

MEO: Military Equal Opportunity Program

NGB: National Guard Bureau – the VTNG’s liaison with Federal military authorities

SAPR: Sexual Assault Prevention and Response - Program that offers reporting options, victim advocacy and overall support for survivors of sexual assault. Every branch of the military has a SAPR program, and we all report to the Department of Defense.

SARC: Sexual Assault Response Coordinator

Lead State SARC – Nikki Sorrell

158th Fighter Wing SARC – Serena Furnari

SEEM: State Equal Employment Manager – Todd Connolly

TAG: The Adjutant General – Leader of the VTNG – Major General Gregory Knight

VTANG: Vermont Air National Guard

VTARNG: Vermont Army National Guard

VTNG: Vermont National Guard