

SHARP Program

Sexual Harassment / Assault Response & Prevention

SHARP Stand-down Leader Engagement Training

Audience: All Soldiers and Civilians

- ❑ **THE FOCUS AND OPERATION OF THE ARMY SHARP PROGRAM AND I.AM.STRONG CAMPAIGN**
- ❑ **INDIVIDUAL RESPONSIBILITY AND ACCOUNTABILITY FOR MAINTAINING A CLIMATE OF DIGNITY AND RESPECT**
- ❑ **IMPORTANCE OF INCULCATING ARMY VALUES IN DAILY OPERATIONS AND HOW THOSE VALUES RELATE TO THE PREVENTION AND RESPONSE TO SEXUAL HARASSMENT AND SEXUAL ASSAULT**
- ❑ **POTENTIAL CONSEQUENCES FOR SEXUALLY BASED OFFENSES**
- ❑ **EXAMPLES OF HOW SEXUAL HARASSMENT AND SEXUAL ASSAULT ADVERSELY IMPACT OUR ARMY.**



“Commanders, non-commissioned officers, and law enforcement must ensure that every allegation of sexual assault and sexual harassment is thoroughly and professionally investigated and that appropriate action is taken. Leaders at every level are responsible for establishing a command climate of mutual respect, trust, and safety. Leaders must develop systems to “see” their units, and understand the extent to which their leadership promotes a positive command climate for all Soldiers. I urge everyone to start a conversation within your unit or organization, among leaders, peers, and subordinates and with family and friends to better understand one another’s experiences and to develop better solutions to this problem.”

**Raymond T. Odierno
General, 38th Chief of Staff
U.S. Army
CSA Sends, 16 May 2013**

❑ Number of Reported Cases - Army

FY12: 1,423 (174 Restricted and 1,249 Unrestricted)

FY 11: 1,695 (301 Restricted and 1,394 Unrestricted)

***** 16% Decrease in total number of reported cases**

❑ Rate of Reported Cases per 1,000 Soldiers

FY12: 2.2 per 1,000 ; FY11: 2.5 per 1,000

❑ CENTCOM AOR Rate per 1,000 Soldiers

FY12: 1.9 per 1,000 ; FY 11: 1.5 per 1,000

❑ Army FY12 Annual Report – Rape (358)

- Army Prosecution Rate: 56% (104/186)
- Army Conviction Rate: 81%
- Civilian Retained Cases Prosecution Rate: 17% (7/40)
- RAINN (Rape, Abuse, Incest National Network) - Reported National Average Prosecution Rate: 20%

❑ Victim/Subject Data (Soldiers)

- 84% of victims: E1-E4 (unchanged from FY11)
- 65% of victims: 24 years old or younger (66% - FY11)
- 86% of victims: female (87% - FY11)
- 97% of alleged offenders (subjects): male (unchanged)
- 59% of subjects: E1-E4 (unchanged)
- 42% of subjects: 24 years old or younger (46% in FY11)

❑ Army FY12 Annual Report – Aggravated Sexual Assault (379)

- Army Prosecution Rate: 59% (157/266)
- Army Conviction Rate: 80%
- Civilian Retained Cases Prosecution Rate: 14% (4/28)

*** Actual sexual assaults in the Army are believe to six (6) times greater than cases reported.**

What is I. A.M. STRONG?

- ❑ **Intervene, Act, and Motivate** (I. A.M.) STRONG is the Army's campaign to combat sexual assaults by engaging all Soldiers and Civilians in preventing sexual assaults before they occur.
- ❑ Grounded by our shared belief in the Army Values, we are a band of brothers and sisters, placing mission first, never accepting defeat, never quitting and never leaving a fallen comrade. Our interdependence and shared respect among comrades frames who we are as a Team and an Army - a Team that finds sexual assault reprehensible and beyond toleration. Those who commit assaults hurt a member of our Team and wound our Army. This criminal act is cowardly and damaging to the very moral fiber that gives our Army its innermost strength.
- ❑ As proud members of our Team, we are duty bound to **Intervene, Act, and Motivate** others to stop sexual assaults and the sexually offensive language and gestures that create an environment friendly to this abuse.

- Loyalty**
- Duty**
- Respect**
- Selfless Service**
- Honor**
- Integrity**
- Personal Courage**
- It is impossible to follow the Army Values and committ sexual harassment or sexual assault!**

- ❑ When a sexual assault occurs, it is contrary to not just our **Army Values and Warrior Ethos**, it is an **assault on the Army way of life**—a life in which it is **our duty** to **protect** and **take care** of each other no matter the time, place, or circumstance. It is also a violation of UCMJ, punishable by court-martial.
- ❑ The Army's policy states that **sexual assault**, which includes forcible rape, sodomy, and indecent assault, is a **criminal offense incompatible** with the **Army's** high **standards** of **professionalism, discipline**, and **Army Values**. Commanders and supervisors of perpetrators will take **appropriate disciplinary action** and/or administrative action.

What is the difference between sexual harassment and sexual assault?



Sexual Harassment

Sexual Harassment involves verbal, non-verbal and physical behaviors



Sexual Assault

Sexual Assault involves sexual contact characterized by use of force

Both are unacceptable and neither will be tolerated

Definition - Sexual Harassment

- ❑ Harassment is any unwelcome verbal or physical conduct based on protected bases (Race, Color, Religion, Gender, National Origin, Age (40 and over), Disability, Reprisal, and GINA) when the conduct culminates in a tangible employment action, or... was sufficiently severe or pervasive to create a hostile work environment. **NOTE: Harassment on any of these grounds is prohibited!**

- ❑ Sexual Harassment is a form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - Submission to or rejection of is made a term or condition of a person's job, pay, career
 - Submission to or rejection of is used as a basis for career or employment decisions
 - Conduct interferes with an individual's work performance
 - Conduct creates an intimidating, hostile, or offensive work environment

AR 600-20, Paragraph 7-4

- ❑ Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964. Complaints are processed IAW AR 690-600, AFI 36-2706, 29 CFR Part 1614 and MD-110.
- ❑ A civilian may name a management official in his/her complaint, but the complaint is filed against the Secretary of the Army.
- ❑ A civilian must contact the EEO Office within 45 calendar days of the harassment to initiate a complaint of discrimination. If the harassment is ongoing, the most recent instance must have occurred within 45 calendar days of contact with the EEO Office.

To determine if conduct falls under the category of sexual harassment, consider the following questions:

- Is the behavior sexual in nature?
- Is the behavior unwelcome?
- Does the behavior create a hostile or offensive work environment?
- Have sexual favors been demanded, requested, or suggested as a condition of employment or career and job success (Quid pro Quo)?

Suggested individual actions to deal with sexual harassment include:

- Confront the harasser.
 - File a complaint. (Formal or Informal)
 - Use an intermediary spokesperson.
 - Write a letter to the harasser about the behavior and the expected resolution.
 - Report the harassment to the chain of command.
- We are all Soldiers and civilians. Regardless of someone's gender, sex, nationality, or race, as a U.S. Soldier or civilian who embodies Army Values, you should respect everyone and have the personal courage to stand up for one another.**

- ❑ Sexual assault is intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent; sexual assault can occur without regard to gender, spousal relationship, or age of victim.
 - Consent will not be deemed or construed to mean the failure by the victim to offer physical resistance
 - Consent is not given when a person uses force, threat of force or coercion, or when the victim is asleep, incapacitated, or unconscious

AR 600-20, Paragraph 8-4



Restricted Reporting

- ❑ Victim receives medical treatment and counseling
- ❑ No investigation conducted
- ❑ Does not hold offenders accountable
- ❑ Must report to SARC/VA SHARP Specialist, or Healthcare Personnel
- ❑ Applies to Soldiers and his/her adult Family members
- ❑ Legal assistance

Unrestricted Reporting

- ❑ Victim receives medical treatment and counseling
- ❑ Official investigation conducted
- ❑ Holds offenders accountable
- ❑ Victims can report to variety of resources: chain of command, law enforcement, SARC/VA/SHARP Specialist, etc.
- ❑ Applies to Soldiers and his/her adult Family members
- ❑ Legal assistance

NOTE: DOD civilians and their adult Family members when stationed OCONUS and U.S. citizen contractor personnel when authorized to accompany Armed Forces in a contingency operation OCONUS are eligible for treatment in the military healthcare systems will be authorized limited sexual assault prevention and response services.

- The majority of victims are 20-24 year-old females.
- Most military alleged perpetrators are 20-24 year-old males.
- More than half of sexual assault cases involve alcohol or prescription drugs as well as illicit drugs.

- 80% of sexual assault victims are under age 30.
- 73% of sexual assaults are committed by a non-stranger.
- The average age of a rapist is 31 years old.
- In 1 of 3 sexual assaults, the perpetrator was intoxicated.
- Statistical data referenced from the Rape, Abuse, Incest National Network (RAIN) website.

*** Statistical data referenced from the Rape, Abuse, Incest National Network (RAIN) website.**

Sexual Assault: Article 120 UCMJ

Rape / Aggravated Sexual Contact
Sexual Assault / Abusive Sexual
Contact

Other Sexual Misconduct: Articles 93, 120b-c, 125, 134

Cruelty and Maltreatment
Stalking
Indecent viewing, recording,
broadcasting Indecent exposure
Sodomy, Adultery
Service-discrediting conduct

Fraternization: Ch. 4, AR 600-20; Article 92, UCMJ

Relationships that:
Compromise supervisory authority
Cause impartiality
Are exploitative
Impact discipline and morale

Sexual Harassment: Ch.7, AR 600-20; Article 92, UCMJ

Verbal; Nonverbal; Physical Contact

Quid Pro Quo; Hostile Environment

- The mere perception of an inappropriate relationship is enough to violate AR 600-20
- Touching any body part of another person with intent to arouse or gratify anyone's sexual desire (which is determined case-by-case) is enough to violate Article 120

- Isolation
 - Depression
 - Degrading of individual
 - Difficulty with trust
 - Excessive absenteeism
 - Loss of career
 - Post Traumatic Stress Syndrome
 - Loss of unit cohesion
 - Inability to accomplish goals/mission
 - Decreased unit readiness
 - Low morale
 - Excessive absenteeism
 - Loss of personnel
- Loss of safety
 - Diminishes community relations
 - Instability
 - Higher rates of violent crime
 - Degradation to community

Bottom-line: Sexual harassment and sexual assault endanger the lives of individuals and threaten the Army's mission.

Leslie Davis, a civilian, works in the “cube farm” environment of the in-processing center. One day, SSG Bill Evans stopped by SGT Mark Fields’ cubicle and they began a sexually explicit exchange about Leslie. Leslie Davis did not hear any of it, but another employee (SPC Weaver), sitting unseen in the adjacent cubicle, heard the comments.

Does this constitute sexual harassment?

Yes! Offensive, unwanted, and unsolicited comments or behaviors of a sexual nature can constitute a hostile environment. It does not matter that SPC Weaver was not the object of the comments, nor that they did not intend for SPC Weaver to hear.

PFC Doe reported a sexual harassment incident he experienced to his platoon leader. The 2LT said, “Well, I’ve never heard any such complaint about SGT Jones before. I don’t think he meant any harm so, I’m going to let it slide this time.”

Evaluate the Officer’s response.

An Army leader is obligated to handle complaints far more actively than simply deciding not to bother with them.



Cruelty & Maltreatment of Subordinates

SPC alleged that MSG forced her to perform oral sex through intimidation and use of his military rank and connections with local Emergency Services. He made her do it a second time while deployed to Iraq. During canvass interviews, multiple other junior Soldiers stepped forward to describe similar incidents, to include digital penetration, as well as multiple incidents of sexual harassment.

Adjudication

At General Court-Martial, MSG was convicted of Abusive Sexual Contact and five counts of Cruelty and Maltreatment. He was sentenced to Reduction to SPC, 29 months' confinement, and a Dishonorable Discharge and will be required to register as a Tier 1 sex offender in his state of residence for the next 15 years.

SHARP

I AM THE FORCE BEHIND THE FIGHT.



As a Soldier in the U.S. Army, I am committed to stopping and reporting all forms of Sexual Harassment and Sexual Assault, by living the Army Values and holding myself and others accountable. I am a force in the fight to Protect My Team.

I.A.M. STRONG

www.PreventSexualAssault.army.mil DoD Safe Helpline: 1-877-995-5247

SHARP

I AM THE FORCE BEHIND THE FIGHT.



As a Senior Leader, I am enforcing the Standards of Conduct in alignment with Army Values. I am committed to reducing the Army community of Sexual Harassment and Sexual Assault, ensuring that all Soldiers and Civilians live, work, and raise families in communities free from sexual violence. I am the leading force in the fight to Protect My Team.

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SHARP

I AM THE FORCE BEHIND THE FIGHT.



As a committed civilian member of the Army team, I am enforcing the Army Standards of Conduct. I am also accountable to those standards. My strength and determination are helping to eliminate Sexual Harassment and Sexual Assault from our community. I am a force in the fight to Protect My Team.

I.A.M. STRONG

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SHARP

I AM THE FORCE BEHIND THE FIGHT.



As a Leader in the U.S. Army, I am setting the foundation for the Army's enforcement of Standards of Conduct, by setting the example and shaping the behaviors of tomorrow's Army Leaders. I am enforcing the Army's and my personal desire for the Army Family to live and work in communities free of Sexual Harassment and Sexual Assault. I am a force in the fight to Protect My Team.

I.A.M. STRONG

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SHARP

I AM THE FORCE BEHIND THE FIGHT.



I Am Committed to Stopping Sexual Harassment and Sexual Assault.

I Am Living the Army Values.

I Am Protecting the Members of My Team.

I.A.M. STRONG

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LOYALTY DUTY RESPECT SELFLESS SERVICE HONOR INTEGRITY PERSONAL COURAGE