MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Prevention of Sexual Harassment and Sexual Assault and Treatment of Complainant and Victims, CG Policy Memo 18-19

1. References:


   b. Army Regulation (AR) 600-20, Army Command Policy, 6 November 2014.


   f. AR 195-2, Criminal Investigation Activities, Table B-1.

   g. Memorandum for Secretary of the Army, Sexual Assault Prevention and Response (SAPR) Program for Civilian Employees, 12 February 2016.

2. Policy. I am committed to having cohesive teams of trusted professionals, where everyone treats each other with dignity and respect to rid our Army of sexual harassment and assault; acts that are incompatible with Army Values and Warrior Ethos and not tolerated. My intention is to eliminate these acts with a comprehensive, command led program of awareness and prevention, training and education, victim advocacy, response, accountability and support through the Sexual Harassment Assault Response Prevention (SHARP) team and Resource Center (RC). We must develop organizational trust and unit integrity to foster a culture where members report incidents and intervene to prevent wrongdoing without fear of retaliation. I expect full leadership involvement at all levels in implementing this policy.

3. Definitions.
a. Sexual Assault is intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. The term includes a broad category of sexual offenses consisting of the following specific Uniform Code of Military Justice (UCMJ) offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, sodomy, or attempts to commit these acts. Sexual Assault is punishable under the UCMJ as well as local and civilian laws.

b. Sexual Harassment is a form of gender discrimination that involves unwelcomed sexual advances, requests for sexual favors and other verbal, non-verbal or physical conduct of a sexual nature between the same or opposite genders that interferes with an individual’s work performance or creates a hostile or offensive work environment.

4. Procedures. Commanders and leaders shall remain proactive in preventing and responding to offenses of a sexual nature. Commanders, with the support of the Installation SHARP program, are required to support annual command inspections, command climate surveys, ensure all mandatory training requirements are achieved, ensure the physical environment reduces vulnerability of sexual offenses, create a culture that does not tolerate inappropriate sexual behavior, increase bystander ability to identify and stop sexually offensive behaviors, and allocate required resources within their area of operations.

5. Victim and Complainant Care. Commanders and leaders will ensure victims and complainants are treated with dignity and respect, reasonably protected from the accused, and free from reprisal for reporting a sexual harassment or sexual assault offense. Commanders and leaders will ensure victims of sexual assault have access to medical treatment and counseling, chaplain, legal services, law enforcement, military and civilian protective orders, expedited transfers, a Victim Advocate (VA) and/or Sexual Assault Response Coordinator (SARC) and they are notified of court proceedings and conferred with by the attorney in the case.

6. Reporting.

a. Sexual Assault Reports. Military ID card holders age 18 and older and all Soldiers who are eligible for treatment in a Military Healthcare System are eligible to report a sexual assault to any unit SHARP SARC or VA, the DoD Safe Helpline 877-995-5247 or the Fort Sill SHARP hotline 580-91-SHARP using either the restricted or unrestricted option. DoD Civilians are encouraged to contact a SHARP SARC for information, reporting options and referrals to appropriate on and off post organizations. Commanders will ensure all unrestricted reports, incidents or allegations of sexual assault that they are made aware of are reported to the Staff Judge Advocate (SJA), the Criminal Investigative Division (CID), their brigade or equivalent SARC, the Senior Commander and the Commanders’ higher headquarters. Commanders will not conduct
a 15-6 investigation or inquiry about whether a sexual assault occurred or not; this purview lies solely with the CID.

b. Sexual Harassment Complaints. Soldiers and adult dependent Family members will be given the opportunity to make either formal or informal complaints. Informal complaints are not filed in writing and will be handled at the lowest level. Formal complaints are filed in writing, require specific actions, are subject to timelines and will be taken by the brigade or equivalent SHARP SARC. Commanders are required to report all formal sexual harassment complaints to their higher headquarters, the Senior Commander, and their unit SHARP SARC within 72 hours of notification of the complaint. DoD Civilians initiating a sexual harassment complaint may contact a SHARP representative or contact the Fort Sill Equal Employment Opportunity (EEO) office directly 580-442-4024. All Civilian sexual harassment complaints will be referred to EEO per AR 690-600.

c. Acts of Reprisal. Reprisal may include retaliation, ostracism, or acts of cruelty, oppression or maltreatment. Reprisal against victims, alleged victims, witnesses, bystanders, Sexual Assault Response Coordinators, Victim Advocates and first responders will not be tolerated and may be punished under Article 92, UCMJ. Any reported incidents of retaliation or reprisal require a plan to address the identified issues and discussion at the monthly Sexual Assault Review Board (SARB) until the victim’s case is closed or the retaliation or reprisal has been addressed. Acts of reprisal may be reported to the Fort Sill Inspector General’s Office 580-442-3172, the Criminal Investigative Division (CID) 580-442-5404 or the SHARP hotline 580-91-SHARP.

7. This CG Policy Memorandum supersedes CG Policy Memo IMSI-EE, subject: Prevention of Sexual Harassment and Sexual Assault and Treatment of Complainant and Victims, CG Policy Memo 16-27.

8. Proponent. The proponent for this policy is the Installation SHARP Office (BLDG 2871) at 580-558-0115. Individuals seeking assistance may contact the SHARP Resource Center (BLDG 2870) at 580-442-6938 or 442-2567.

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Major General, USA
Commanding
IMSI-EE
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