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US ARMY INSTALLATION MANAGEMENT COMMAND
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12 August 2016

MEMORANDUM FOR US Army Fort Belvoir Personnel

SUBJECT: Fort Belvoir Policy Memorandum #59, Sexual Harassment/Assault Response and Prevention (SHARP)

1. REFERENCE.

- a. Army Regulation 600-20 (Army Command Policy), 6 November 2014.
- b. EXORD 221-12, HQDA, 23 June 2012, subject: Department of Defense Directive Synchronization Order.
- c. Memorandum, Secretary of the Army, 28 May 2013, subject: Ensuring the Quality of Sexual Assault Response Coordinators, Sexual Assault Prevention and Response Victim Advocates and Others in Identified Positions of Significant Trust and Authority.
- d. Department of Defense Directive 6495.02, 28 March 2013 w/change 2 effective 7 July 2015, subject: Sexual Assault Prevention and Response (SAPR) Program Procedures.
- e. Department of Defense Directive 6495.01, 23 January 2012 w/change 2 effective 20 January 2015, subject: Sexual Assault Prevention and Response (SAPR) Program.
- f. Department of Army Directive 2011-19, 3 October 2011, subject: Expedited Transfer or Reassignment Procedures for Victims of Sexual Assault.
- g. ALARACT 007/2012, 12 January 2012, subject: Sexual Harassment/Assault Response and Prevention (SHARP) Program Implementation Guidance.
- h. ALARACT 123/2011, 4 April 2011, subject: Mandatory Unit Sexual Harassment/Assault Response and Prevention (SHARP) Training.
- i. ALARACT 182/2010, 17 June 2010, subject: Sexual Harassment/Assault Response and Prevention (SHARP) Program Implementation and Training.
- j. Memorandum, JFHQ-NCR/USAMDW, 21 March 2014, subject: Policy Letter- Withholding and Notification of Misconduct – Memorandum #5.

2. PURPOSE. To provide direction and intent to all Fort Belvoir personnel on the Sexual Harassment/Assault Response and Prevention (SHARP) Program.

3. APPLICABILITY.

- a. Active duty Department of the Army and Department of Defense Components assigned or attached to Fort Belvoir.

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b. National Guard and Reserve Component members who are sexually assaulted when performing active service and inactive duty training.

c. Military dependents 18 years of age and older who are eligible for treatment in the military healthcare system, and who were victims of sexual assault perpetrated by someone other than a spouse or intimate partner. The Family Advocacy Program (FAP) provides the full range of services to victims of domestic violence who are sexually assaulted by someone with whom they have an intimate partner relationship.

d. The following non-military individuals who are victims of sexual assault are only eligible for limited emergency care medical services at a military treatment facility, unless that individual is otherwise eligible as a Service member or TRICARE (<http://www.tricare.mil>) beneficiary of the military health system to receive treatment in a military treatment facility (MTF) at no cost to them. At this time, they are only eligible to file an Unrestricted Report. They will also be offered the LIMITED SAPR services to be defined as the assistance of a Sexual Assault Response Coordinator (SARC) and a SAPR Victim Advocate (VA) while undergoing emergency care OCONUS. These limited medical and SAPR services shall be provided to:

(1) DoD civilian employees and their family dependents 18 years of age and older when they are stationed or performing duties OCONUS and eligible for treatment in the MHS at military installations or facilities OCONUS. These DoD civilian employees and their family dependents 18 years of age and older only have the Unrestricted Reporting option.

(2) U.S. citizen DoD contractor personnel when they are authorized to accompany the Armed Forces in a contingency operation OCONUS and their U.S. citizen employees. DoD contractor personnel only have the Unrestricted Reporting option.

e. Service members who are on active duty but were victims of sexual assault prior to enlistment or commissioning are eligible to receive full services and either reporting option.

4. POLICY.

a. The Department of Defense has demonstrated its commitment to preventing and eliminating all types of workplace harassment, based upon race, color, gender, national origin, religion, age, disability, sexual orientation or reprisal, within the military ranks and civilian workforce through written policy, communication, education, training, enforcement, and assessment. We must continue to focus our energy on ensuring that our service members and civilians understand the importance of the DOD's policy on this issue.

b. Sexual harassment is a form of gender discrimination that involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature between the same or opposite genders when submission to, or rejection of, such conduct explicitly or implicitly affects an individual's employment. As leaders, it is our duty to provide

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and maintain an environment of trust and respect for human dignity where sexual harassment will not be tolerated.

c. Sexual assault is a crime defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. It also degrades mission readiness by devastating the military's ability to work effectively as a team. When a sexual assault occurs, it is a direct violation of not just our military core values and Warrior Ethos, it is an assault on the military 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. Every Soldier and Civilian who is aware of a sexual assault should immediately (within 24 hours) report incidents. Sexual assault is incompatible with military values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws.

d. Army policy promotes sensitive care and confidential reporting for victims of sexual harassment and sexual assault and accountability for those who commit these crimes. For the purposes of the SHARP policy, confidentiality or confidential reporting is defined as allowing an individual to report sexual harassment and sexual assault to specified individuals. This reporting option gives the individual access to medical care, counseling, and victim advocacy, without necessarily initiating the investigative process. Individuals who are victims of sexual assault may choose between "restricted" and "unrestricted" reporting.

(1) An informal complaint is any complaint that an individual does not wish to file in writing and is handled at the lowest level.

(2) A formal complaint is one that a complainant files in writing and swears to the accuracy of the information. Formal complaints require specific actions, are subject to timelines, and require documentation of the actions taken. A formal complaint is initiated at the brigade SARC and commander level.

(3) Restricted reporting: This reporting option does NOT trigger an investigation. The command is notified that "an alleged sexual assault" occurred, but is not given the victim's name or other personally identifying information. Restricted Reporting allows Service members and military dependents who are adult sexual assault victims to confidentially disclose the assault to specified individuals (SARC, SAPR VA, or healthcare personnel) and receive healthcare treatment and the assignment of a SARC and SAPR VA. A sexual assault victim can report directly to a SARC, who will respond or direct a SAPR VA to respond, offer the victim healthcare treatment and a SAFE, and explain to the victim the resources available through the DD Form 2910, where the reporting option is elected. The Restricted Reporting option is only available to Service members and adult military dependents. Restricted Reporting may not be available in a jurisdiction that requires mandatory reporting, or if a victim first reports to a civilian facility or civilian authority, which will vary by State, territory, and overseas agreements (see paragraph 1.f. of this enclosure). If a victim elects this reporting option, a victim may convert a Restricted Report to an Unrestricted Report at any time. The conversion to an Unrestricted Report will be

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documented with a signature by the victim and the signature of the SARC or SAPR VA in the appropriate block on the DD Form 2910.

(4) Unrestricted reporting: This option is for victims of sexual assault who desire medical treatment, counseling, consideration for protection and expedited (permanent or temporary) transfers, and an official investigation of the crime. When selecting unrestricted reporting, victims should use current reporting channels (e.g. chain of command) of law enforcement or report the incident to the SARC, or request healthcare providers to notify law enforcement. Upon notification of a reported sexual assault, the SARC will immediately assign a VA. At the victim's discretion/request, the healthcare provider shall conduct a sexual assault forensic examination (SAFE), which may include the collection of evidence. Details regarding the incident will be provided to only those personnel who have a legitimate need to know. An unrestricted report will be elevated to the brigade SARC and commander or higher.

(5) Individuals who are sexually assaulted may also seek confidential counsel from a Chaplain or a Special Victim Counsel (SVC). The current protections afforded privileged communications with a Chaplain or SVC will not be affected or altered by the policy on restricted reporting. The Chaplain or SVC cannot accept a restricted report but can offer advice and counseling to the individual, including recommending that the individual report the incident to a SARC, or VA if the individual desires to file a restricted report. Victims of sexual assaults will be briefed and given the option to speak with the Special Victim Counsel.

(6) While a sexual assault victim may disclose information to whomever he or she chooses, an official report is made only when a DD Form 2910 is signed and filed with a SARC or SAPR VA, or when a Military Criminal Investigative Organization (MCIO) investigator initiates an investigation.

(7) For Restricted and Unrestricted Reporting purposes, a report can be made to healthcare personnel, but healthcare personnel then immediately contact the SARC or SAPR VA to fill out the DD Form 2910. Chaplains and military attorneys cannot take official reports.

(8) Unless a DD Form 2910 is filed with a SARC, a report to a Chaplain or military attorney may not result in the rendering of SAPR services or investigative action because of the privileges associated with speaking to these individuals. A Chaplain or military attorney should advise the victim to consult with a SARC to understand the full scope of services available or facilitate, with the victim's consent, contact with a SARC.

e. It is Army policy that there is a presumption in favor of transferring or reassigning a sexual assault victim, at his/her request, following that victim's credible report of sexual assault. Commanders and civilian leaders shall consider requests for transfer or reassignment in an expedited manner (72 hours). This policy applies to all service members who report being a victim of a sexual assault. Only service members are authorized the option of an Expedited Transfer.

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f. The Fort Belvoir leadership will use training, education, and awareness to minimize incidents of sexual harassment and sexual assault; to promote the sensitive case handling of clients and victims of sexual harassment/assault; to offer victim assistance and counseling; to hold those who commit sexual offenses accountable; to provide confidential avenues for reporting; and to reinforce a commitment to our Service Values.

g. Our workforce will treat all victims of a sexual offense with dignity, fairness, and respect.

h. Our workforce will treat every reported sexual offense seriously by following proper guidelines. The information and circumstances of the allegations will be disclosed on a need-to-know basis only.

i. This policy applies to the following:

(1) Both on and off post and during duty and non-duty hours.

(2) Working, living, and recreational environments (including both on and off post housing).

5. PROCEDURES.

a. In accordance with reference 1.a., 1.b., and 1.c., commanders of brigade-sized units will appoint two members of their command to serve as full-time SARC and VA. Commanders of battalion-sized units will appoint at least two members of their command to serve collateral duty as VAs. Commanders of smaller units will appoint at least one member of their unit to serve collateral duty as a VA. Smaller size units with limited resources may also coordinate VA support with larger size units or with the SARC. The direct number for coordination is (703) 740-7029.

b. Direct command involvement is required in order to meet the DA SHARP mission objectives. These objectives are accomplished within the limits of law and policy and are as follows:

(1) Ensure SHARP training is conducted annually at all levels.

(2) Commanders are to interview, screen, and select individuals to perform SHARP duties.

(3) Ensure that all SHARP personnel meet required criteria to perform SHARP duties:

(a) Deployable (optional based on command requirements).

(b) Background and enhanced screening checks (criminal, domestic violence, sex offender, substance abuse, Inspector General, and human resource).

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(c) 80 Hours SHARP Foundation Course trained.

(d) Left/Right seat ride training (location specific)

(e) National certification (D-SAACP).

(f) SARC's grade plate: Officer – MAJ/CW3 (O4/W3) or higher; NCOs – SFC (E7) or higher; DA Civilians – GS-11 or higher, or equivalent.

(g) VAs grade plate: Officers – O1/W2 or higher; NCOs – E6 or higher; DA Civilians – GS-9 or higher, or equivalent.

c. Ensure sexual assault prevention and response training is integrated into redeployment, post-deployment, and in-processing briefing.

d. Unit commanders will publicize this information and provide service members and leaders with contact information for all response agencies. Additionally, each subordinate organization will provide copies of duty appointment orders of SARCs and VAs to the Fort Belvoir SHARP Office.

e. Commanders will provide sexual assault response services for other Service units that are stationed on or near the installation.

(1) Army SHARP personnel will accept sexual assault first responder's roles for other service members upon notification or request.

(2) The unit SARC will notify and coordinate with appropriate Service SARC for case management and time appropriate case transfer.

(3) The advocacy and well-being of the service member(s) remain at the forefront of inter-service case management.

f. The Fort Belvoir SHARP Resource Center will ensure sexual assault response capability is available 24 hours per day/7 days per week, and the Garrison website and other forms of media accurately display the installation's 24-hour Helpline (703) 740-7029 and the DOD Safe Helpline numbers (877-995-5247).

6. RESOURCES.

a. Army SHARP - <http://www.sexualassault.army.mil>.

b. DOD Safe Helpline - <https://www.safehelpline.org>

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- c. MyDuty.mil - <http://www.myduty.mil>
- d. Military OneSource - <http://www.militaryonesource.mil>
- e. Marine Corps SARP - <http://www.hqmc.marines.mil>
- f. Air Force SAPR – <http://www.sexualassaultpreventionresponse.af.mil>
- g. Navy SAPR – http://www.cnrc.navy.mil/ffr/family_readiness/fleet_and_family_support_program/sexual_assault_prevention_and_response.html
- h. Coast Guard SAPR – http://www.uscg.mil/worklife/rape_sexual_assault.asp
- i. National Guard SHARP – <http://www.nationalguard.mil/jointstaff/j1/sapr/contacts.aspx>.
- j. DOD Sexual Assault Program Response Office - <http://www.sapr.mil/>

7. The success of this program is everyone's responsibility. We must make every effort to educate all personnel about this program. Our effectiveness and success depend on five imperatives:

- a. Provide compassionate care for victims; and protect rights and privacy of survivors.
- b. Thoroughly and professionally investigate every allegation and take appropriate action.
- c. Create a positive climate and environment of trust and respect in which every person can thrive and achieve full potential.
- d. Hold individual, units and organizations, and commanders accountable.
- e. The chain of command must be fully engaged – they are centrally responsible and accountable for solving the problems of sexual assault and sexual harassment within the ranks and restoring the trust of our Soldiers, Civilians and Families.

8. PROPONENT. The proponent for this policy is the SHARP Office at 703-740-7029.



ANGIE K. HOLBROOK
Colonel, AG
Commanding