



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT BELVOIR
9820 FLAGLER ROAD, SUITE 213
FORT BELVOIR, VIRGINIA 22060-5928

AMIM-BVG-ZA

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Letter #12 - Sexual Harassment/Assault Response and Prevention (SHARP)

1. REFERENCES.

- a. Army Regulation 600-20, Army Command Policy, 24 July 2020.
- b. Army Regulation 195-2, Criminal Investigation Activities.
- c. Department of Defense Instruction 6495.02, Sexual Assault Prevention and Response Programs Procedures, 28 March 2013 (Incorporating Change 6, November 10, 2021).
- d. Department of Defense Instruction 6495.02, V3. Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases, 24 Jun 2022.
- e. Army Directive 2022-13, Reforms to Counter Sexual Harassment/Sexual Assault in the Army, 20 Sep 2022.
- f. Army Directive 2018-23, Improving the Effectiveness of Essential and Important Army Programs: Sexual Harassment/Assault Response and Prevention, Equal Opportunity, Suicide Prevention, Alcohol and Drug Abuse Prevention, and Resilience, 8 November 2018.
- g. Army Directive 2021-30 (Sexual Harassment/Assault Response and Prevention Services for Department of the Army Civilians), 2 September 2021.

2. PURPOSE.

- a. To provide direction and intent for the United States Army Garrison Fort Belvoir Sexual Harassment/Assault Response and Prevention (SHARP) Program.
- b. Acts of sexual harassment and sexual assault are unlawful and unacceptable. Sexual harassment and sexual assault dehumanize victims and degrade mission readiness by devastating the Army's ability to work effectively and cohesively as a team. Sexual harassment and sexual assault are incompatible with Army Values and have no place in the Army. We will not tolerate sexual harassment or sexual assault.
- c. I am committed to, and fully support, the SHARP program. I expect commanders and leaders at all levels to create and maintain an environment conducive to preventing and eliminating sexual harassment and sexual assault. All personnel will support this policy by fostering a climate of dignity and respect. In accordance with AR 600-20, paragraph 7-50

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assistance with any Army agency requesting SHARP services will receive a direct handoff to a Sexual Assault Response Coordinator or Victim Advocate.

c. **Sexual assault** is a crime punishable under the Uniform Code of Military Justice (UCMJ), and other Federal and local civilian laws. Sexual assault has no place in our communities or the Army. Sexual assault is intentional sexual contact, characterized by use of force, threats, intimidation, or the abuse of authority, or when the victim does not or cannot consent. Sexual assault includes UCMJ offenses of rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these acts. It can occur without regard to the gender, spousal relationship, or age of the victim.

d. Victims of sexual assaults will be briefed and given the option to speak with the Special Victim Counsel (SVC). Individuals who are sexually assaulted may seek confidential counsel from a chaplain or an SVC. The chaplain nor SVC cannot accept a report of a sexual offense, but can offer advice and counseling to the individual, including recommending that the individual report the incident a SARC, VA, or healthcare provider if the individual desires to file an official report.

e. **How to report a Sexual Assault.** Service members and their adult military dependents may report a restricted or unrestricted sexual assault incident to the Fort Belvoir SHARP 24/7 Helpline 703-740-7029 or the DoD SAFE Helpline at 877-995-5247, www.safehelpline.org.

(1) **Unrestricted Report.** To file an unrestricted report that will trigger a law enforcement investigation, notify your SARC, VA, chain of command, law enforcement, SJA, or healthcare provider, Chaplain.

(a) Service member and their family member that are 18 years or older enrolled in DEERS electing to make an unrestricted report of sexual assault using a DD Form 2910 (Victim Reporting Preference Statement) are eligible to receive victim advocacy services from Sexual Assault Response Coordinators (SARCs) and Sexual Harassment/Assault Response Program (SHARP) Victim Advocates (VAs) or Victim Representatives (VRs). These services include expedited transfers, Military Protective Order (MPO), Civilian Protective Order (CPO), Medical, Counseling Services and Legal Services. CATCH Program when the name of suspect is not known by law enforcement.

(b) DA Civilians electing to make an unrestricted report of sexual assault using a DD Form 2910 (Victim Reporting Preference Statement) are eligible to receive victim advocacy services from Sexual Assault Response Coordinators (SARCs) and Victim Advocates (VAs) or Victim Representatives (VRs). These services **do not** include expedited transfers, Nonemergency medical services (follow up care) at a military medical treatment facility and legal services that laws unless the DA Civilian victim is otherwise legally entitled to the services authorize DA Civilians.

(2) **Restricted Report.** To file a restricted report that will remain confidential and will NOT trigger a law enforcement investigation, notify your SARC, VA, or healthcare provider.

(a) Service members and their family member that are 18 years or older and enrolled in DEERS are eligible to file a Restricted Report, at any time providing they did not

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(e) All restricted and unrestricted reports will be entered into the Defense Sexual Assault Incident Database (DSAID) within 48 hours of receiving the report.

f. **Sexual harassment** is a conduct that involves unwelcome sexual advances, requests 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 rejection of such conduct by a person is used as a basis for career or employment decisions 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 environment; and is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive:

(1) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay or job of a member of the Armed Forces or a Civilian employee of the Department of Defense.

(2) Any deliberate or repeated unwelcome verbal comments or gestures of a sexual nature by any member of the Armed Forces or civilian employee of the DoD.

(3) There is no requirement for concrete psychological harm to the complainant for behavior to constitute sexual harassment. Behavior is sufficient to constitute sexual harassment if it is so severe or pervasive that a reasonable person would perceive, and the complainant does perceive, the environment as hostile or offensive.

(4) Sexual harassment can occur through electronic communications, including social media, other forms of communication, and in person.

(5) The use of disparaging and/or sexualized terms may contribute to an unlawful hostile environment and thus will not be tolerated. Leaders at all levels will protect their teams against sexual harassment and proactively ensure that their environments are free from all forms of sexual harassment.

g. **How to report a Sexual Harassment.** Service members and their adult military dependents may report an Informal, Formal or Anonymous sexual harassment complaint to the SHARP hotlines. DA civilians, former employees, or applicants seeking employment, and certain contract employees may report Sexual harassment to the Equal Opportunity complaint (EEO) in accordance with AR 690-600 (Equal Employment Opportunity Discrimination Complaints). Details for military personnel filing a complaint are found in AR 600-20 (Army Command Policy).

(1) **Informal** complaints of sexual harassment involve less severe or egregious incidents that can be resolved by the individual, with the help of another, and/or by the direct resolution.

(2) **Formal** military complaint requires use of DA Form 7746 (Sexual Harassment Complaint Form), and complainants must swear to the accuracy of their allegations. Soldiers have 60 calendar days to file a formal complaint from the date of last incident. The process contains specific timelines, and commands are required to include specific

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protected communication. This includes acts of cruelty, oppression or maltreatment committed against an individual who makes or attempts to make a protected communication. Individuals who believe they have evidence of reprisal should immediately report it to their chain of command or the Inspector General.

(1) If a service member and their adult military dependents or DoD Civilians report experiencing retaliation associated with their unrestricted report of sexual assault, the victim has the ability to file a report of retaliation using DD Form 2910-2 (Retaliation Reporting Statement for Unrestricted Sexual Assault Cases).

n. Commanders, supervisors, and leaders at all levels will be fully committed to ensuring that the working environment of Soldiers, DoD Civilians and contractor employees are free of sexual harassment and sexual assault. Prevention of sexual harassment and sexual assault is everyone's responsibility. Every Soldiers, family member, DoD Civilians, and contractor employee is responsible for treating one another with dignity and respect.

o. Reports of sexual offenses will be treated seriously by following proper guidelines. The information and circumstances of the allegations will be disclosed on a need-to-know basis only.

p. Commanders will submit a Sexual Assault Incident Response Oversight Report (SAIRO) within eight calendar days of the incident report. The SAIRO report will not delay a Commander's immediate reporting to USACIDC or operational reporting through appropriate channels.

q. A Military Protective Order (MPO) may be implemented for both sexual assault and sexual harassment complaints. The first O-6 in the subject's chain of command will implement mechanisms to protect complainants of sexual harassment and victims of sexual assault. When warranted by facts and circumstances, this may include Military Protective Orders. MOP will be initiated no later than six hours after determining an MPO is warranted.

r. Ensure the subject's commander issues a DD Form 2873 (Military Protective Order) to the subject and submits the DD Form 2873 to the installation Directorate of Emergency Service or Provost Marshal Office (DES/PMO).

s. Commanders will provide a copy of the MPO to the sexual assault victim or sexual harassment complainant. The commanders must inform the victim or complainant that MPO's may not be enforceable by non-military authorities and advise them of their ability to also seek a Civilian Protective Order (CPO) issued by a judge, magistrate, or other authorized civilian official. Commander should refer victims to a SHARP professional and the Installation Office of the Staff Judge Advocate for assistance in obtaining a CPO.


t. Garrison Commanders will ensure that sexual assault response capability is available 24 hours per day/7 days per week, and that the garrison website and other forms of media accurately displays the installation's 24/7 Hotline and the DoD 24/7 Safe Helpline (SHL) numbers (877-995-5247).

u. The success of this program is an individual responsibility. Therefore, I expect all personnel to educate themselves in order to detect and prevent sexual assault and sexual

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receiving the final outcome of any judicial, non-judicial, or administrative proceedings. This duty is not delegable. This does not change the responsibilities requiring Victim Advocates and Sexual Assault Response Coordinators to provide information to victims in their care.

5. SHARP professionals will monitor compliance with requirements in paragraph 4, subparagraphs (a) through (w) and brief compliance at command and staff meetings.
6. PROPONENT: Fort Belvoir SHARP Office is the proponent for this policy.


DAVID J. STEWART
COL, EN
Commanding

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