



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
2405 GUN SHED ROAD
JOINT BASE SAN ANTONIO FORT SAM HOUSTON, TEXAS 78234-1223

AMIM-HR (600-20i)

24 AUG 2021

**MEMORANDUM FOR ALL US ARMY INSTALLATION MANAGEMENT COMMAND
(IMCOM) PERSONNEL**

**SUBJECT: Command Policy #23 – Sexual Harassment/Assault Response and
Prevention (SHARP) Program**

1. References:

- a. DoDI 1020.03 (Harassment Prevention and Response in the Armed Forces) 29 December 2020.
- b. DoDI 6495.02 (Sexual Assault Prevention and Response (SAPR) Program Procedures) March 28, 2013, Encl 5 [Change 5, 9 April 2021].
- c. AR 350-1 (Army Training and Leader Development, Table F-1, Mandatory Training Requirements for all Personnel) 10 December 2017
- d. AR 600-20 (Army Command Policy, Chapter 7) 24 July 2020
- e. AR 690-600 (Equal Employment Opportunity Discrimination Complaints) 9 February 2004
- f. Army Directive 2018-23 (Improving Essentials Programs) 8 November 2018

2. Applicability: This policy applies to all Soldiers, Department of the Army (DA) Civilians, Family members, contractors, and other personnel who work on, reside on or visit any US Army installations, or facilities within the Installation Management Command areas of operation.

3. The Army has zero tolerance for sexual harassment and sexual assault. This policy reinforces the Army's commitment to eliminate sexual harassment and sexual assault through a comprehensive program of awareness, prevention, training, education, victim advocacy, response, reporting, and accountability. Leaders at every level must be committed to creating and maintaining a positive command climate that promotes productivity and fosters dignity and respect for others. Sexual harassment and sexual assault are unacceptable actions that erode trust, destroy teamwork, and negatively affect Army readiness. This is a call to action, and strongly encourages bystander intervention to prevent sexual harassment and sexual assault. Three common ways to intervene are for you to act directly; to distract the persons involved to alter the situation;

or to encourage someone more appropriate or better equipped to intervene in an inappropriate or dangerous situation.

4. All Soldiers and Army Civilians must understand, embrace, and fulfill their responsibilities to prevent sexual harassment, sexual assault, and associated retaliatory behaviors within our Army. Preventing sexual harassment and sexual assault is everyone's responsibility. Anyone subjected to sexual harassment or sexual assault should report the incident to the SHARP office. I expect leaders to swiftly (within 24 hours) address allegations of sexual harassment, sexual assault, and retaliation. For DA Civilians experiencing sexual harassment, procedures for reporting are available through your local Equal Employment Opportunity Office. Sexual harassment and sexual assault are punishable under the Uniform Code of Military Justice for the military and under federal and local law for civilians.

5. Reference 1d defines "sexual harassment" as conduct that involves:

- Unwelcome sexual advances or requests for sexual favors and deliberate; or
- Repeated offensive comments of a general nature when submission to such conduct is 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 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 working environment, and is so severe or pervasive that a reasonable person would perceive the environment as hostile or offensive.

6. The definition for sexual assault is "intentional physical sexual contact, characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent."

7. A civilian employee who has been sexually assaulted should report the assault to law enforcement, the Equal Employment Opportunity office (if there is a connection to the workplace), or ask the SHARP office for a referral to available civilian resources to supplement SHARP services open to non-military personnel. All victims who contact SHARP professionals for assistance will receive all necessary assistance, support, and access to resources permitted by law and policy.

8. Soldiers and active duty eligible Family members over the age of 18 who contact SHARP professionals for assistance will receive all necessary assistance, support, and access to resources permitted by law and policy. Soldiers and eligible Family members, who have been sexually assaulted, have two distinct reporting options:

a. **Restricted Reporting:** Restricted reporting allows Soldiers and active duty eligible Family members who are sexual assault victims to disclose the details of their assault to specifically identified individuals on a confidential basis, and to receive medical treatment and counseling without triggering an official investigation. Soldiers and active duty eligible Family members sexually assaulted and desire restricted reporting should report the assault to their Sexual Assault Response Coordinator (SARC), Victim Advocate (VA) or a healthcare provider. Civilians and contractors do not have this restricted reporting option.

b. **Unrestricted Reporting:** Unrestricted reporting allows Soldiers and active duty eligible Family members who are sexually assaulted and desire medical treatment, counseling, and an official investigation of allegations to use current reporting channels (the chain of command or law enforcement) or to report the incident to the SARC or the on-call VA.

9. This command will treat all victims of sexual assault and sexual harassment with dignity, fairness, privacy, and respect. We will treat every report of sexual assault, sexual harassment, and related retaliatory behaviors seriously and follow the guidelines listed below:

a. Commanders or supervisors, upon notification of an allegation of sexual assault, will immediately contact their local SARC for guidance, and notify Criminal Investigative Division (CID). Leaders will protect the rights of both the victim and the accused. SHARP personnel will provide victim's rights using DD Form 2701 Initial Information for Victims, and Witnesses of a Crime. Commanders will submit a Sexual Assault Incident Response Oversight Report (SAIRO) within eight calendar days of the incident report.

b. Leaders will hold offenders accountable for substantiated misconduct provide compassionate care for victims and protect the rights and privacy of all concerned. Commanders will not conduct any internal inquiries or investigations of sexual assaults or delay immediately contacting CID to assess the credibility of the report themselves.

c. All personnel will contribute to a culture of trust in which everyone can thrive and achieve their full potential. Commanders, Directors, and supervisors must support annual Sexual Assault Awareness Prevention Month (SAAPM) events in April of each year and the SHARP campaign lines of effort.

10. Per reference 1d, all commanders and senior enlisted advisors will meet with the SARC within 30 days of taking command or change of responsibility for one-on-one SHARP briefing. The training will include a trends analysis brief for the unit and area of responsibility, the confidentiality, and "official need-to-know" requirements for both unrestricted and restricted reporting, and the requirements of the SAIRO report. Commanders will also use the Defense Equal Organizational Climate Survey to identify SHARP issues and take immediate action on items identified as yellow or red.

Commanders and directors will ensure that all Soldiers and DA civilians are trained annually IAW Ref 1c and document their attendance in the IMCOM G3-5-7 mandatory training data call SharePoint web page. Commanders will also participate in their local monthly Sexual Assault Review Board (SARB) meetings held by their installation senior commander and use it as a tool to support their SHARP programs.

11. Per reference 1f, commanders will determine the duration, location, and means for conducting SHARP annual refresher training. Leaders will lead annual training with the assistance of credentialed SHARP professionals. Leaders will facilitate the discussion as directed, not just participate in training. A leader can be anyone who is in a supervisory position. Contractors and local nationals are optional, but highly encouraged to attend training, but not required to report as mandatory training. Commanders will offer this training to military Family members ages 18 and over. Starting in FY22, IMCOM's goal is to have 90% of all Department of the Army Civilians (APF and NAF full-time employees) and military trained by 1 August and 100% trained by 1 September. Contractors may attend training if the government and contractor supervisor have agreed on the training and time management, or the training is otherwise required under the contract. Commanders will offer training monthly; the training is valid for one year.

12. This command will not tolerate retaliation or reprisal (any act of retaliation) against an individual who makes a protected SHARP-related communication. The definition of retaliation is as follows:

- When any person subject to the UCMJ or Federal law wrongfully takes or threatens to take an adverse personnel action; or
- Wrongfully withholds or threatens to withhold a favorable personnel action with the intent to discourage; or
- Retaliate against any person for reporting or planning to report a criminal offense; or
- Making or planning to make a protected communication

Every DoD employee and military member has the right to report criminal offenses with a protected communication. The Inspector General will investigate all reports of retaliation.

13. The Department of Defense Sexual Assault Prevention and Response Office (SAPRO) has established a Safe Helpline so members of the DoD community impacted by sexual assault can discuss their situation and concerns freely without worry that their information will be shared with the DoD or their chain of command. If individuals need immediate assistance, call the local SARC or Victim Advocate. Individuals can also call the Department of Defense Safe Helpline at 877-995-5247; go online at www.safehelpline.org to get confidential help, or download the DoD approved Safe Helpline application on their phone for immediate anonymous and confidential support.

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Anonymous means that individuals can access the Safe Helpline without sharing any personal information. Confidentiality means that in most cases the personal information shared will receive protection from disclosure.

14. This policy is effective until superseded or rescinded.

15. POC for this policy is Mr. Paul L. Smith, IMCOM SHARP Program Manager, paul.l.smith.civ@mail.mil, 210-466-0345.

A handwritten signature in black ink, appearing to read 'DGABRAM', is positioned above the printed name.

DOUGLAS M. GABRAM
Lieutenant General, U.S. Army
Commanding