



**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, 4TH INFANTRY DIVISION AND FORT CARSON  
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FORT CARSON, CO 80913-4145

AFYB-CG

13 JUNE 23

MEMORANDUM FOR RECORD

SUBJECT: Policy Letter #1: Ready and Resilient

1. Equal and fair treatment of every Soldier, Civilian, and their Family members assigned or attached to this command is an absolute priority. The enclosed policies support the READY philosophy within the Division and across Fort Carson. The intent is to identify and eliminate practices that deny equal opportunity and fair treatment to Soldiers, Civilians and their Families. In addition, we will operationalize respect daily by providing positive lines of communication and a safe and secure environment for all members of our command to succeed and prosper.

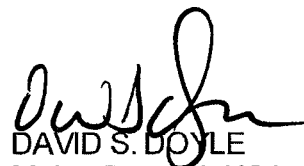
2. This policy requires that all Soldiers, Civilians and our Families are afforded fair and equitable treatment regardless of race, color, sex (including gender identity), religion, national origin, or sexual orientation. Effective equal opportunity and the fair treatment of others depends on engaged leaders and a positive command climate at every level. Lack of respect tears at the fabric of the organization, negatively impacts cohesion and ultimately degrades our readiness and lethality. Disrespectful or unfair treatment and discrimination are inconsistent with our values and will not be tolerated.

3. Respect for ourselves and our Soldiers, Civilians, and our Families will provide the foundation for our daily actions and the fabric of cohesive teams. Respect is a central part of high performing organizations and absolutely critical to maintaining readiness. I charge every member of this command to set and enforce high standards of discipline, professional behavior, and respect for others. We are a Team of Teams!

4. The enclosed 4th Infantry Division and Fort Carson Commanding General Policy Letters are effective upon receipt and remain in effect until superseded or rescinded.

5 Encls

1. EO Program
2. Harassment and Prevention
3. SHARP
4. EO Employment Program
5. Suicide Prevention

  
DAVID S. DOYLE  
Major General, USA  
Commanding

## Enclosure 1 (Equal Opportunity Program) to Policy Letter #1: Ready and Resilient

1. Reference: Army Regulation (AR) 600-20 (Army Command Policy), 24 July 2020.

2. Applicability:

a. This policy applies to all Soldiers including active or reserve, Delayed Entry Program, and cadets, assigned or attached to 4th Infantry Division and Fort Carson, and tenant activities, regardless of location, as well as their Family members.

b. This policy applies both on- and off-post, during duty and non-duty hours and to working, living, and recreational environments (including on- and off-post housing).

3. Purpose: To ensure every 4th Infantry Division Soldier has an opportunity to reach his or her maximum potential in an environment free of unlawful discrimination or offensive behavior.

4. Policy:

a. I am fully committed to the Army's Military Equal Opportunity (MEO) Program and direct the same level of support from subordinate commanders. This command will provide equal opportunity and fair treatment to all military personnel and family members without regard to race, color, religion, national origin, sex (including gender identity and pregnancy), or sexual orientation, and provide an environment free of unlawful discrimination, prejudice, insensitivity, offensive behavior, and thoughtlessness. It also includes use of disparaging terms which contributes to a hostile work environment. The 4th Infantry Division MEO program formulates, directs, and sustains a comprehensive effort to maximize human potential and to ensure fair treatment for all persons based solely on merit, performance, and potential in support of readiness. Commanders at all levels are responsible for sustaining a positive EO climate within their units.

b. Commanders at every level are also responsible for the Department of the Army (DA) Civilian Equal Employment Opportunity (EEO) Program which provides equal opportunity in employment for all DA Civilians and prohibits discrimination in employment because of race, color, religion, sex, national origin, age, disability, genetic information, or reprisal.

c. Every commander, director, and supervisor will foster and maintain positive command climates. A positive command climate is an environment free from personal, social, or institutional barriers that prevent Soldiers from rising to the highest level of responsibility. Commanders will accomplish this by setting the

## Enclosure 1 (Equal Opportunity Program) to Policy Letter #1: Ready and Resilient

appropriate example and taking necessary action to create and sustain an effective MEO program. An effective MEO program will eliminate discriminatory behaviors and practices that undermine teamwork, mutual respect, and loyalty. Leaders must proactively communicate, educate, and train the members of their commands to ensure maximum awareness of this policy.

d. Commander at all levels will support the Army Heritage Month activities annually, during the month of June, consistent with the Army's strategic communications plan. They will also allow maximum attendance by all Soldiers, Family members, and DA Civilians within their command.

e. Commanders, directors, and supervisors at all levels are accountable for addressing policies, procedures, and practices that intentionally or unintentionally contribute to discrimination. Every leader is responsible for communicating aspects of complaint processing procedures to their personnel and to encourage personnel to resolve issues at the lowest level by utilizing their chain of command. If a person feels discriminated against, he or she should not hesitate to report the issue in accordance with Paragraph 6-6, AR 600-20, to the chain of command, the Military Equal Opportunity (MEO) Professional, Inspector General (IG), Staff Judge Advocate (SJA), Chaplain, or Provost Marshal (PM).

f. Each complainant will have access to the MEO Professional, IG, SJA, Chaplain, and the Provost Marshall. Any person or a representative filing his/her complaint, anonymous, formal, or informal, will be protected from reprisal or retaliation. A complaint should be filed at the lowest echelon of command to ensure the complainant receives a thorough, expeditious, and unbiased investigation of the allegations. No Soldier or employee may take or threaten to take unfavorable personnel action or withhold a favorable personnel action in reprisal against any person for filing a complaint.

(1) An anonymous complaint is a complaint where the complainant remains unidentified and the commander will determine if sufficient information is provided to proceed as an informal or formal complaint, IAW AR 600-20, paragraph 6-6b(1). The Installation 24/7 MEO and Harassment Hotline will be managed and answered by MEO professionals only. The hotline is an additional avenue for Soldiers to anonymously report incidents of MEO and Harassment.

(2) An informal complaint is any complaint that a Soldier or Family member does not wish to file in writing. When resolving an informal complaint, members of the Command must ensure that the complaint is taken seriously, and is handled fairly and with sensitivity. Informal complaints may be resolved without the knowledge or direct

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involvement of the commander. An informal complaint should be resolved within 60 calendar days when practical.

(3) A formal complaint is any complaint that a Soldier or Family member files in writing using Department of Army Form 7279, Equal Opportunity and Harassment Complaint Form, and swears to the accuracy of the information. Formal complaints require specific actions, are subject to timelines, and require documentation of actions taken. The entire formal complaint process will be complete within 60 days.

5. Proponent. The proponent for this policy letter is the 4th Infantry Division MEO Office at (719) 526-4305.

Enclosure 2 (Army Harassment and Prevention Program (Hazing, Bullying, Discriminatory Harassment and Online Misconduct)) to Policy Letter #1: Ready and Resilient

1. Reference: Army Regulation (AR) 600-20 (Army Command Policy), 24 July 2020.

2. Purpose: To prevent incidents of hazing, bullying, discriminatory harassment, online misconduct, and other acts of misconduct to promote the fair and equitable treatment of all persons.

3. Applicability: This policy applies to all Soldiers including active or reserve, Delayed Entry Program, and cadets, assigned or attached to 4th Infantry Division and Fort Carson, to include Soldiers performing duties in units or activities assigned, attached, stationed, based, or otherwise located on the Fort Carson. This policy further applies to Soldiers physically present within the limits of the Fort Carson. All Service members assigned to, attached to, or performing duties in units or activities over whom the Commander, 4th Infantry Division, exercises Senior Commander (SC) authority are also subject to this policy. This policy applies both on- and off-post, during duty and non-duty hours and applies to working, living, and recreational environments (including on- and off-post housing).

4. Policy: 4th Infantry Division policy requires that everyone to treat all persons with dignity and respect. Soldiers who violate this policy may be subject to punishment under the Uniform Code of Military Justice (UCMJ). We are members of the profession of arms and are all bound by the same professional ethic. I expect all Soldiers to treat one another with professional courtesy, in line with the **READY** philosophy. Simply put, treat others with dignity and respect.

a. I am committed to the prevention of hazing, bullying, discriminatory harassment, online misconduct, and other acts of misconduct. The Army Values define our character as Service Members. Hazing, bullying, discriminatory harassment and other behaviors that undermine dignity and respect have no place in the military and will not be tolerated. For all Service Members, I explicitly forbid all acts of hazing, bullying, discriminatory harassment or online misconduct as defined below and in AR 600-20.

b. Without fear of reprisal, individuals subjected to or aware of hazing, bullying, discriminatory harassment, and/or online misconduct should report such actions to their commander, the unit Military Equal Opportunity Professional (MEOP), law enforcement, or the Inspector General (IG). These reports are to be considered protected communications and will be protected from acts or threats of reprisal.

c. Hazing is a form of harassment that includes conduct through which Soldiers or DA Civilian employees (who haze Soldiers), without a proper military authority or other governmental purpose but with a nexus to military service, physically or psychologically injures or creates a risk of physical or psychological injury to Soldiers for the purpose of initiation and/or admission into, affiliation with, change in status or position within, or a condition for continued membership in any military

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or DA Civilian organization. Examples of hazing include but are not limited to: pressing an object into another person's skin; oral or written berating with the purpose of belittling or humiliating; and excessive physical exercise. Hazing can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person.

d. Bullying is a form of harassment that includes acts of aggression by Soldiers or DA Civilian employees, with the intent of harming a Soldier either physically or psychologically without proper military authority or other governmental purpose. Bullying is the exposure of an individual or group to physical and/or emotional aggression with the intent to cause distress or harm. It is often indirect or subtle in nature and involves an imbalance of power between the aggressor and the victim. Bullying can also be conducted through the use of electronic devices or communications, as well as in person.

e. Discriminatory Harassment is a form of harassment that is unwelcome conduct based on race, color, religion, sex (including gender identity), national origin, or sexual orientation.

f. Other acts of misconduct may not meet the definitions above for hazing or bullying, yet may violate the dignity and respect of others. These include acts of reprisal or retaliation.

g. Online misconduct is the use of electronic communication to inflict harm. Examples of online misconduct include, but are not limited to the use of text messages, emails, chats, instant messaging, screensavers, blogs, social media sites, electronic device applications, and Web/video conferencing to haze, bully, sexually harass, discriminatory harass, stalk, retaliate, or perform any other types of misconduct that undermines dignity and respect of another person(s).

h. Victims of hazing, bullying, discriminatory harassment, online misconduct, and maltreatment are encouraged to report incidents to their chain of command, unit Military Equal Opportunity (MEO) professional, or law enforcement. Commanders and supervisors at all levels will immediately report allegations of criminal behavior to law enforcement. Commanders will ensure that all reported allegations are properly investigated. Commanders will also provide unit MEO professional with required details to update and track case information. Commanders are responsible for protecting complainants from reprisal or retaliation.

i. Every commander, director, and supervisor will set the appropriate example with regard to the prevention of hazing, bullying, discriminatory harassment, and online misconduct and will take proper action to create and sustain an environment that promotes the **READY** philosophy.

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j. On at least an annual basis, commanders will conduct hazing, bullying, discriminatory harassment, and online misconduct training as part of the MEO training requirements related to promoting a healthy unit climate.

(1) Commanders will incorporate unit-level annual MEO and Harassment Prevention and Response training, in combination with training on retaliation and reprisal, into the overall unit training plan.

(2) Annual MEO training will be conducted face-to-face. Commanders will determine the duration, location, and means for conducting training. Unit leaders will lead the training and may use MEO professionals as available and necessary.

5. Punitive Order. This policy is punitive and is intended to be a lawful general order within the meaning of Article 92, Uniform Code of Military Justice (UCMJ). Violations of this policy or of AR 600-20, paragraph 4-19, a lawful general regulation, may result in punitive action under the UCMJ, adverse administrative action, or both.

Enclosure 3 (Sexual Harassment/Assault Response and Prevention) to the 4th Infantry Division and Fort Carson, Commanding General, RESPECT Policy Letter

1. References:

- a. Army Directive (AD) 2021-30, Sexual Harassment/Assault Response and Prevention Services for Department of the Army civilians.
- b. Army Directive (AD) 2022-10, Safe to Report for Victims of Sexual Assault.
- c. Army Directive (AD) 2022-13 (Reforms to Counter Sexual Harassment/Sexual Assault in the Army).
- d. Army Regulation (AR) 600-20, Army Command Policy, Chapter 7 (Sexual Harassment/Assault Response and Prevention), 24 July 2020.
- e. DoD Instruction 6495.02, Volume 1, March 28, 2013, Incorporating Change 7, September 6, 2022, Sexual Assault Prevention and Response Program Procedures.
- f. DoD Instruction 6495.02, Volume 3, 24 June 2022, Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases.

2. Applicability. This policy applies at all times and in all locations to all Service Members, and Civilians assigned to, attached to, or performing duties in units or activities assigned, attached, stationed, based, or otherwise located on Fort Carson. This includes, but is not limited to, units and Service Members and Civilians conducting maneuvers, training, maintenance, or other duties on Fort Carson. All Service Members and Civilians assigned to, attached to, or performing duties in units or activities over whom the Commander, 4th Infantry Division and Fort Carson, exercises Senior Commander (SC) authority are also subject to this policy (Note: Soldiers, Civilians, and Families may have differing reporting avenues depending on the nature of the Situation, harassment and/or assault).

3. Purpose. To ensure that every Service Member and Civilian on Fort Carson understands my expectations regarding the fair and humane treatment of all persons.

4. Policy.

a. The Army, FORSCOM, III Corps, the 4th Infantry Division, and Fort Carson will adhere to the SHARP Program. I am committed to the elimination of Sexual Assault and Sexual Harassment from our Army. The SHARP Program implements DoD and Army Policy regarding sexual harassment and sexual assault. The Army does not tolerate or condone sexual harassment, sexual assault, or associated retaliatory behaviors. The SHARP Program enhances Army readiness by fostering a culture free of sexual harassment and sexual assault through prevention, education and training, response capability, victim support, reporting procedures, and appropriate accountability enhancing safety, well-being, and readiness.



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b. The rights of victims and offenders will be respected to ensure the safety of all parties. Complainants of sexual harassment and victims of sexual assault will be treated with compassion, dignity, and respect at all times. Leaders will collectively reduce sexual harassment and sexual assault by creating a climate that respects the dignity of every member of our Army Family. Retaliation for submitting a complaint of sexual harassment or a report of sexual assault to any agency or person will not be tolerated.

5. Sexual harassment, as defined in AR 600-20, paragraph 7-7, can be any of the following:

a. Conduct that involves unwelcomed sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; or

(2) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; and

(3) 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; or

(4) Is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

b. 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 DoD.

c. Any deliberate or repeated unwelcomed verbal comment or gesture of a sexual nature by any member of the Armed Forces or Civilian employee of the DoD.

d. 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. Sexual harassment can occur through electronic communications, including social media, other forms of communication, and in person. Brigade commanders (or brigade-equivalent commanders) will also notify the Soldier-complainant within 2 business days of receiving the final outcome of any judicial, non-judicial, or administrative proceedings. This duty is not delegable. This policy does not change the responsibilities requiring VAs and SARCs to provide information to victims in their care.

e. Further, the use of disparaging, derogatory, 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 discrimination and sexual harassment.

f. This guidance is punitive, and violations may be punished under UCMJ, Art. 92, or article 134 of the Manual for Courts Martial. Leaders who fail to address complaints or

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document sexual harassment may also be subject to punitive and/or adverse administrative action.

g. Brigade Sexual Assault Response Coordinators (SARC) will receive all reports of sexual harassment. All reports will be uploaded in the Integrated Case Reporting System (ICRS). When the harassment includes physical touch and is unclear whether the touch involved an area of the body that under the Manual of Courts Martial would make it sexual touch, the SARC will contact CID.

h. Effective immediately, if sufficient information exists to permit the initiation of an investigation, commanders will appoint investigating officers (IOs) from outside the subject's assigned brigade-sized element to conduct sexual harassment complaint investigations under Army Regulation (AR) 600-20, chapter 7. Exceptions requiring appointment of an IO from the same brigade-sized element as the subject will be approved in writing by the first general officer in the chain of command and included as an enclosure to the investigation. This authority may not be delegated. Reasons for exceptions may include, but are not limited to, unit geographic location and type of mission.

i. Individuals who feel that they are being or have been sexually harassed are encouraged to make it clear that the behavior is offensive and are also encouraged to report the incident to their SHARP personnel, supervisor, chain of command, or the Inspector General's Office. Commanders, managers, and leaders at all levels will ensure that anyone filing a complaint alleging sexual harassment will be protected against all acts or threats of reprisal and retaliation.

j. Commanders will publish the nature and results of all judicial, non-judicial, and/or administrative actions taken against the offender (including letters of reprimand) and disseminate this information to troops via unit newsletters, bulletin boards, and other communications channels. All actions will be appropriately redacted to comply with the Privacy Act of 1974 and to protect victim privacy. Prior to publication, redactions required by the Privacy Act will be approved by the servicing Office of the Staff Judge Advocate or Brigade Judge Advocate.

k. Connect to Care. Commanders will ensure that Soldiers, DA Civilians, and Family members who seek assistance with any Army agency requesting SHARP services receive a direct handoff to a SARC or VA. SHARP professionals will provide a personal handoff to other agencies if assistance beyond SHARP is required, such as advocacy and support services through the Family Advocacy Program (FAP) or for behavioral health, medical, or legal assistance. A personal handoff requires a direct communication and introduction to responsible staff at the appropriate on or off-post agency and follow-up to ensure needs were met.

l. The same principles related to minor incidents of collateral misconduct described in the "Safe to Report Act" when reporting a sexual assault, shall be applied by commanders when the complainant is reporting instances of sexual harassment.

6. Sexual Assault as defined in AR 600-20, paragraph 7-9, is intentional sexual contact characterized by the use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. Every Service Member who is aware of a sexual

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assault should immediately report it. The U.S. Army Criminal Investigation Command (USACIDC) (CID) will promptly and thoroughly investigate all allegations of sexual assault of which they become aware of and are within their jurisdiction.

a. The term includes a broad category of sexual offenses consisting of the following UCMJ offenses: rape; sexual assault; aggravated sexual contact; abusive sexual contact; or attempts to commit these acts.

b. Sexual Assault is punishable under UCMJ Article 120 or under other federal and local civilian laws. Leaders who are made aware of a sexual assault, are required to report the incident to their local CID office directly, through their Commander. Leaders who fail to (1) address complaints and reports; or (2) document sexual assault may also be subject to punishment and/or adverse administrative action.

c. SARCs and Victim Advocates (VA) will capture SHARP/SAPR Related Inquiries and record them within 48 hours in the DSAIDs SAPR Related Inquiries Module.

7. Retaliation in response to reports of sexual assault and sexual harassment is incompatible with the Army Values and the 4th Infantry Division & Fort Carson's RESPECT Policy. Commanders will establish procedures to protect all first responders (SARCs and VAs included), both civilian and Military, as well as witnesses and bystanders who intervened to prevent a sexual assault or act of sexual harassment from retaliation, reprisal, ostracism, or maltreatment related to the execution of their duties and responsibilities. Retaliatory behavior may be punishable under the UCMJ.

a. Retaliation due to the survivor submitting a report of sexual assault will be investigated by the Military Criminal Investigation Office. If the MCIO declines to investigate the retaliation, then the commander may conduct internal, command-directed investigations on the retaliation allegations only, not on the original sexual assault. However, prior to commencing a command-directed investigation, the commander will notify the MCIO investigating the sexual assault to avoid any impediment to the criminal sexual assault investigation.

b. Retaliation due to a first responder (SARC or Victim Advocate) performing his or her duties should be reported to the IG. If the IG will not investigate the situation, if sufficient information exists to permit the initiation of an investigation, commanders will appoint investigating officers (IOs) from outside the assigned brigade-sized element to conduct investigations of retaliation.

c. Retaliation due to the survivor submitting a report of sexual harassment will be investigated by the commander. If sufficient information exists to permit the initiation of an investigation, commanders will appoint investigating officers (IOs) from outside the assigned brigade-sized element to conduct investigations of retaliation.

8. Sexual Assault Resources and Reporting:

a. Sexual assault victims are strongly encouraged to seek assistance immediately. Commanders must provide support and assistance to victims and report sexual assaults

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to CID. Medical treatment, counseling, and legal services are available to sexual assault victims. Service Members and their dependents, age 18 or older and DA Civilians, are eligible for SHARP services. Victims who are minors are encouraged to report directly to the Family Advocacy Program (FAP). DA/DoD Civilian complaints of sexual harassment will be investigated and processed IAW the EEO program and AR 690-600. Those who meet the criteria above and seek assistance are entitled to a full range of support services. Victims of sexual assault may choose either file a restricted or an unrestricted report.

b. Restricted reporting allows Service Members and dependents, age 18 or older, to confidentially report a sexual assault to a SARC, VA or healthcare provider and receive medical care without notifying the supervisor, chain of command or triggering an official investigation. Additionally, in the course of otherwise privileged communications with a chaplain or legal assistance attorney, a victim may indicate that he or she wishes to file a restricted report. If this occurs, the chaplain or legal assistance attorney shall facilitate contact with a SARC or VA to ensure that the victim is offered SHARP services and is counseled on the available reporting options. A restricted report may be changed to an unrestricted report at any time when requested by the victim. Credentialed SARCs and VAs should discuss with the survivor how restricted reports are handled. When the option exists, the victim should make a well-informed decision regarding their reporting options. Those choosing the restricted reporting option will be briefed and given an opportunity to participate in DoD SAPRO's CATCH program. If the victim tells someone outside of the restricted reporting chain (for example, a friend, Family member, roommate, or others), then they can still elect to submit a restricted report; however, if the person to whom the victim confided the information is a military or civilian law enforcement officer, the report cannot be restricted, and an investigation has to be conducted by CID. If the friend, Family member, roommate, or other person to whom the victim confided the information reports the sexual assault to the chain of command or law enforcement, an official investigation will be initiated. The survivor still has the right to request a restricted report of sexual assault. If a restricted report is filed prior to chain of command or law enforcement notification they can still maintain their restricted report through SHARP and an independent investigation will be initiated by CID where the survivor can elect whether or not to participate.

c. Unrestricted reporting allows the survivor of a sexual assault to report the assault to the chain of command and other official channels, to include CID, Inspector General, and Provost Marshal. Unrestricted reports may not be changed to restricted reports. The Battalion Commander of the survivor and subject will separate them into different Battalions. This initial separation does not constitute an "expedited transfer". The survivor still has the right to request an expedited transfer. Exceptions require Brigade Commander approval. Filing an unrestricted report may enable an expedited transfer (intra-post or PCS). Survivors of sexual assault may elect an expedited transfer as part of their resiliency and recovery process. If a victim does not request a Military Protective Order (MPO), a declination statement or Memorandum for Record (MFR) is required. A survivor may request a Military Protection Order at any time during the process. Effective immediately for all sexual harassment and sexual assault reports, 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. As soon as possible, but no later than 6 hours after determining an MPO is warranted (such as the presence of a threat of physical harm), the first O-6 commander in the subject's chain of command will ensure that the subject's commander has issued and served a DD Form 2873 (Military Protective Order) to the subject Soldier,

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that it has been submitted to the appropriate installation Directorate of Emergency Service or Provost Marshal Office (DES/PMO), and that a copy has been provided to the protected individual(s).

Any commanding officer in the subject's chain of command has authority to sign MPOs. Commanders will—

- (1) Follow all procedures outlined in AR 27–10.
- (2) Ensure, to the maximum extent practicable, complainants, victims, and subjects avoid contact in accordance with the MPO.
- (3) Inform the subject of the MPO that disobeying an MPO is a violation of the Uniform Code of Military Justice and may result in judicial, nonjudicial, or adverse administrative action.
- (4) Inform complainants and victims of the limitations and ramifications of an MPO, that MPOs may not be enforceable by non-military authorities, and that they have the RIGHT to also seek a temporary restraining order (TRO) and/or civilian protective order (CPO) issued by a judge, magistrate, or other authorized civilian official. Commanders should refer victims to sexual assault response coordinators (SARCs), victim advocates (VAs), and the installation Office of the Staff Judge Advocate for assistance in obtaining a TRO or CPO.
- (5) Immediately on receipt, the installation DES/PMO will notify the appropriate civilian authorities of the MPO by entering the MPO into the National Crime Information Center (NCIC) Protective Order File. The installation DES/PMO will generate a Law Enforcement Report in the Army Law Enforcement Reporting and Tracking System: MPOs will not be entered into a raw data file. Only after confirmation that the DES/PMO is not able to enter MPOs in the NCIC system due to State statutes, the PMO/DES will forward the MPO to the United States Army Crime Records Center for entry into NCIC.

d. PCS expedited transfer. All expedited transfers, outbound or inbound, will be coordinated with the installation lead SARC. Brigade SARCs will ensure that victims coordinate with Fort Carson Lead SARC once PCS orders are obtained. Colonel(O-6) level or above Commanders are the only Commanders authorized to coordinate warm hand off with gaining COL/O-6 Commanders of the expedited transfer.

9. SHARP resources are available to train and assist commanders and leaders at every level. SARCs and VAs are available from the Battalion to Division level to provide assistance with sexual harassment complaints and sexual assault reports, SHARP training, prevention and response efforts, and victim advocacy. Commanders will ensure that SARCs and VAs conduct prevention training activities and advise all commanders in their formation on SHARP program response activities.

a. Commanders will incorporate unit level SHARP annual training into the overall training plan for the unit and document the training on unit training schedules.

b. Annual SHARP training will be conducted face-to-face using the approved Department of the Army SHARP Annual Refresher Training Support Package available on the Army Training Network. Commanders will determine the duration, location, and means for conducting the training. Unit leaders will lead the training with the assistance of credentialed SHARP professionals. Commanders will also ensure that SHARP

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training is fully integrated in newcomer's briefs, training courses, and holiday and weekend safety briefings; and before, during and after deployment.

c. Commanders will upload completed SHARP training into Soldiers Digital Training Management System (DTMS) record.

10. Commanders will personally select a full-time deployable SARC and VA at the Brigade level and a collateral duty SARC and VA at the Battalion level. Selectees will be on appointment orders signed by the Brigade commander (Collateral Duty) or Commanding General (Full-time). Collateral Duty SARCs and VAs will have one year retention, and a clear HRC background check. Full-time SARCs and VAs will have two year retention, and a clear HRC background check. Selectees are required to complete the 80-hour SHARP Foundation course (Collateral Duty), 6-week SHARP Career Course (Full-time), and possess a current DoD Sexual Assault Advocate Certification Program (D-SAACP) certificate.

a. Commanders remain overall responsible for the health and welfare of the service members in their unit. Nothing in this policy should be interpreted to conflict with, restrain, or otherwise reduce this responsibility. Commanders may NOT talk with victims about the facts and circumstances concerning the allegations for which the victim sought representation. If a commander wants to talk with the victim about such represented matters, the commander must coordinate with the Special Victim's Counsel (SVC).

b. Commanders that attend the Sexual Assault Review Board (SARB), O-6 or above, IAW AR 600-20, paragraph 7-4, and Appendix F, will provide monthly updates to survivors of sexual assault who filed an unrestricted report regarding the current status of any ongoing investigative, medical, legal, or any other request made by the victim, or command proceedings regarding the sexual assault until the final disposition of the reported assault. This is a non-delegable commander duty. The monthly update will occur within 72 hours after the SARB. At a minimum, a monthly update is provided to the victim (if report is unrestricted) on the current status of any ongoing investigative, medical, legal, or command proceedings regarding the assault. Monthly updates will continue until the final disposition of the reported assault (that is, the conclusion of any judicial, non-judicial, and administrative actions (including separation) taken in response to the offense, whichever is later in time). IAW AR 600-20, Appendix F, paragraph F-5(b)(7)(b), ensure that the victim is informed of all case dispositions, including those disposed of by non-judicial punishment, within 72 hours of the final disposition. Additionally, the Battalion Commander will follow-up with the victim within 45 days after disposition of the case to ensure the victim's needs have been addressed. These updates will be provided through the SVC, if represented.

c. The following personnel are required to attend the monthly and the quarterly Sexual Assault Review Board. This policy letter acts as their appointment orders:

- (1). The Senior Mission Commander
- (2) Lead SARC (Principal)
- (3) Survivor's immediate Commander (O-6), for tenant units, the higher-ranking commander in the Survivor's Chain of Command

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- (4) All SARCs regardless of whether they have a case being discussed in the SARB
- (5) Victim Advocate of the survivor whose case is being discussed
- (6) Staff Judge Advocate (or representative)
- (7) Special Victims Counsel
- (8) Provost Marshall (or representative)
- (9) Senior Chaplain on the Installation (or representative)
- (10) Sexual Assault Clinical Provider (SACP)
- (11) Chief Behavioral Health (or representative)
- (12) Special Victim's Liaison (SVL)
- (13) Criminal Investigation Division Special Agent in Charge (or representative)

d. If all members of the special victim investigation and prosecution (SVIP) are present at the SARB, the SARB will satisfy the minimum requirement of a once-a-month meeting to assess progress in the investigation or prosecution of a sexual assault and to help ensure all victim's needs are being met, in accordance with DoDI 5505.19.

e. This will prevent undue command influence.

11. Punitive provision: This memorandum serves as a lawful general order and regulation within the meaning of Article 92, Uniform Code of Military Justice (UCMJ), and 18 USC § 1382. Acts of sexual harassment, as defined in paragraph 5 above; may result in punitive action under the UCMJ, adverse administrative action, or both as ARMY policy keeps evolving and the new "Sexual /Harassment" crime procedures are implemented under Article 134. Civilian employees who commit an act of sexual harassment, sexual assault, or another sex-related offense may be subject to other disciplinary and/or administrative action per federal regulations, appropriate civilian personnel regulations, and State law.

12. Commanders have a responsibility to create an environment where safety and trust is promoted, and individuals feel free to report incidents of sexual assault. Sexual assault will not be tolerated on this installation.

13. The proponent for this policy is the 4th Infantry Division and Fort Carson SHARP Program Office at 719-524-0535.

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Tab A (Procedures for Implementing AD 2022-13, (Reforms to Counter Sexual Harassment/Sexual Assault in the Army) to Enclosure 3 (Sexual Harassment/Assault Response and Prevention) to the 4th Infantry Division and Fort Carson, Commanding General, RESPECT Policy Letter

1. References.

a. Army Regulation (AR) 15-6, Procedures for Administrative Investigations and Boards of Officers), 1 April 2016.

b. AR 600-20, Army Command Policy, 24 July 2020.

c. Report of the Fort Hood Independent Review Committee, 6 November 2020.

2. Applicability. This policy applies to all military personnel, active or reserve, assigned or attached to 4th Infantry Division and Fort Carson units, regardless of location, and tenant organizations.

3. Purpose. To provide guidance regarding the following: assignment of investigative officers (IOs) for sexual harassment investigations; issuance of Military Protective Orders (MPOs), and disposition/status updates to sexual assault victims; reporting of sexual harassment and sexual assaults; and direct the initiation of elimination or separation for substantiated sex-related offenses.

4. Background. The Fort Hood Independent Review Committee provided recommendations to improve the effectiveness of the SHARP Program. As a result, the Department of the Army directed the immediate implementation of certain recommendations from that report. I am committed to eliminating sexual harassment and sexual assault in the 4th Infantry Division and believe we can do more to eliminate this coercive behavior.

5. Policy. Sexual harassment and sexual assault are inconsistent with the Army Values and abhorrent to service in the United States Army. This behavior cannot and will not be tolerated. However, we as leaders cannot take actions in response to this type of behavior unless we know of it. I hereby direct the following:

a. Reporting Requirements. Effective immediately, Sergeants and above, who are not authorized to receive restricted reports IAW reference b, paragraph 7-9(b), who learn of allegations of sexual harassment or sexual assault involving members of their unit will immediately report those allegations to their immediate commander.

b. Sexual Harassment Investigation IOs. Effective immediately, if sufficient information exists to permit the initiation of an investigation, commanders will appoint IOs from outside the subject's assigned brigade-sized element to conduct sexual harassment complaint investigations under AR 600-20, chapter 7. The policy applies to formal sexual harassment complaints brought to the attention of the commander, excluding informal complaints received by the Brigade SARC.



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(1) Sexual harassment complaint investigations will comply with processing timelines established by AR 600-20.

(2) IOs will be in the grade of 0-3 or higher.

(3) Each Brigade will maintain a DA 6 duty roster of eligible IOs.

(4) Exceptions. Exceptions requiring appointment of an IO from the same brigade-sized element as the subject will be approved in writing by the first general officer in command and included as an enclosure to the investigation. This authority may not be delegated.

(5) The 4ID Office of the Staff Judge Advocate, Administrative Law Division will be responsible for ensuring that the necessary internal controls are in place for the appointment of IOs to ensure equal distribution of IOs.

c. MPOs. Effective immediately, for all sexual harassment and sexual assault complaints, the first 0-6 in the subject's chain of command will, as soon as possible, but no later than six hours after determining an MPO is warranted (such as the presence of a threat of physical harm), ensure that the subject's commander issues a DD Form 2873 (MPO) to the subject, submits it to the installation Directorate of Emergency Service or Provost Marshal Office (DES/PMO), and provides a copy to the victim.

(1) Commanders must educate complainants to ensure they understand the ramifications of an MPO. Commanders will also ensure, to the maximum extent practicable, that complainants and subjects avoid contact in accordance with the MPO.

(2) Immediately upon receipt of the MPO, the installation DES/PMO will notify the appropriate civilian authorities of the MPO by entering the MPO into the National Crime Information Center (NCIC) Protective Order File. The installation DES/PMO will generate a Law Enforcement Report in the Army Law Enforcement Reporting and Tracking System; MPOs will not be entered into a raw data file. After confirmation that the DES/PMO is not able to enter MPOs in the NCIC system due to state statutes, the PMO/DES will forward the MPO to the United States Army Crime Records Center for entry into NCIC.

d. Disposition and Status Disclosure to Sexual Assault Victims. In addition to the requirement in AR 600-20, para. 7-5(t), to provide status updates to victims within 72 hours of each recurring Sexual Assault Review Board (SARB), brigade commanders (or brigade-equivalent commanders) will also notify the Soldier complainant within two business days of receiving the final outcome of any judicial, non-judicial, or administrative proceedings. This duty is not delegable. This policy does not change the responsibilities requiring Victim Advocates (VAs) and Sexual Assault Response Coordinators (SARCs) to provide information to victims in their care.

e. Initiation of Elimination. Effective immediately, administrative separation or officer elimination action will be initiated against a Soldier or Officer who committed an offense under Article 120 or 120b, UCMJ, or who committed sexual harassment, when a commander has decided not to prefer charges, when there has been a substantiated allegation of a sexual harassment or sexual assault offense under the following

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circumstances:

(1) When a Soldier or Officer is the relevant subject of a founded law enforcement investigation into any violation of Article 120 or 120b, Uniform Code of Military Justice (UCMJ), unless the Command intends to or has preferred court-martial charges under the UCMJ. I further direct the initiation of separation or elimination against any Soldier who is found guilty by a civilian court or at a court-martial where a punitive discharge is not adjudged of a violation of Article 120 or 120b, UCMJ, to include non-penetrative offenses; and

(2) When allegations are substantiated by a command-directed investigation that involves sexual harassment as defined by AR 600-20, para. 7-7.

(3) A commander may rehabilitate a Soldier against whom there is a minor substantiated complaint of sexual harassment, as determined by the commander in consultation with the servicing judge advocate. The first O-6 commander in the subject's chain of command will decide as to whether a substantiated sexual harassment complaint is minor. Efforts to rehabilitate a Soldier deemed to have engaged in a minor substantiated complaint of sexual harassment will include the following components: sexual harassment refresher training, individual corrective counseling, and monitoring of behavior for a period of time as determined appropriate by the first O-6 commander in the Soldier's chain of command. **Exceptions:** Substantiated complaints wherein the offender attempted or engaged in quid pro quo behavior, sexual touching offenses where the offender was the superior in a superior-subordinate relationship, or substantiated complaints involving repeat offenders (2 or more formal or informal reports or unwanted sexual behavior or sexual harassment) are not appropriate for rehabilitation.

f. Composition of Enlisted and Officer Elimination Boards for Sexual Misconduct. In administrative separation or officer elimination cases involving allegations of any form of sexual misconduct, sexual harassment, or domestic violence that are referred to either an administrative separation board or board of inquiry, at least one voting member of the board shall be of the same gender as the respondent and the alleged victim. Commanders must keep this policy in mind when selecting board members to ensure there are adequate numbers of males and females.

6. Proponent. The proponent for this policy is the 4th Infantry Division SHARP Office at 719-526-8625.

Enclosure 4 (Equal Employment Opportunity Program) to Policy Letter #1: Ready and Resilient

1. References:

a. Army Regulation (AR) 690-12, Equal Employment Opportunity and Diversity, 12 December 2019.

b. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.

c. FORSCOM Commanding General Policy Memo 3, Equal Employment Opportunity (EEO) Program, 21 March 2019.

2. Applicability.

a. This policy applies to civilian employees including all applicants, employed civilians, and certain contractor personnel serviced by the Fort Carson Equal Employment Opportunity Office. Additionally, formerly employed civilians have the right to file complaints.

b. This policy further applies to all military personnel, active or reserve, assigned or attached to 4th Infantry Division and Fort Carson units, and tenant activities, regardless of location if the military personnel's actions or behaviors unlawfully or offensively impact a civilian (as noted in 2.a. above).

c. This policy applies on post during duty hours and could potentially apply off post during non-duty hours. It further applies to working environments on post, and could potentially apply to living and recreational situations on and off-post as well as online interactions.

3. Purpose. To ensure every 4ID and Fort Carson service member and Civilian employee has the opportunity to reach his or her potential free of unlawful discrimination or offensive behavior.

4. Policy.

a. I am firmly committed to ensuring fair and equal treatment for all Fort Carson service members and Civilian employees based on merit, fitness, and capability. I fully support the EEO Program and direct the same level of support from subordinate commanders.

b. It is 4ID and Fort Carson Policy to maintain a model workplace free from harassment (sexual, non-sexual) and other forms of discrimination on the basis of race, color, national origin, age (over 40), religion, disability, genetic information, sex (including pregnancy, sexual orientation, gender identity), and reprisal for participating

Enclosure 4 (Equal Employment Opportunity Program) to Policy Letter #1: Ready and Resilient

in EEO activities.

c. Every commander, manager, director and supervisor is expected to ensure EEO is a fundamental part of all personnel management policies, procedures, decisions, and actions that affect employment, including recruitment, hiring, transfers, awards, training, career development, separation and recognition. Adherence to the principles of EEO exemplifies prudent leadership and is the right thing to do. I expect performance evaluations of military and civilian leaders to reflect their level of success in compliance with this policy.

d. Another part of our commitment to a diverse workforce is to provide reasonable accommodation for individuals with disabilities to perform the essential functions of their position. Supervisors will work jointly with employees and the Fort Carson Disability Program Manager (Mr. Reed, 719-526-0872) on effective strategies in compliance with the Department of the Army's Procedures on Reasonable Accommodation. Complete instructions for accommodating individuals with disabilities can be found in AR 690-12 Appendix C and on the Fort Carson EEO website <http://www.carson.army.mil/organizations/eo.html> under the "Reasonable Accommodation" section.

e. Civilian employees perceiving issues of equal employment opportunity discrimination may report them to any management official in their chain of command or consult the garrison EEO office for guidance without fear of intimidation, reprisal, or retaliation. For the complaint process, they should refer to the Garrison Commander's Policy Letter #4, Right to File a Discrimination Complaint. The garrison policy can be found at <http://www.carson.army.mil/organizations/eo.html>.

5. Proponent. The Fort Carson EEO Office is the proponent for the EEO program and can be contacted at (719) 526-9673/0872.

Enclosure 5 (Fort Carson Command Policy Letter, Suicide Prevention) to Policy Letter #1: Ready & Resilient

1. References:

- a. AR 600-63, Army Health Promotion
- b. Senior Commander's Guide to Suicide Prevention, Army Resilience Directorate, Nov 2021

2. Purpose: To define and publish policies and procedures for Suicide Prevention actions to reduce risk and return at-risk individuals to duty.

3. Background: Suicides among soldiers continue to rise and pose a clear threat to the cohesiveness and mission readiness of our units. Suicide is the result of complex and integrated factors and there is not a single "fix." Effective suicide prevention efforts (education, outreach, crisis intervention, training, and policy) are dependent upon the existence of a command culture that fosters trust, caring, and engaged leaders focused on prevention and early intervention (non-clinical or clinical counseling) as opposed to crisis management alone.

4. Policy.

a. IAW NDAAFY2013, Commanders and health professionals have the authority to inquire about privately owned weapons if they have reasonable grounds to believe that a soldier is at risk of suicide or harm to others. As Commanders promote firearms safety and education, it is important to ensure that leaders at the lowest level are well-versed in the National Defense Authorization Act (NDAA) guidelines. These guidelines prohibit the Secretary of Defense from collecting, maintaining, or infringing on individual rights to possess, own, carry, and otherwise use privately-owned firearms, ammunitions, and weapons. Proper storage of firearms and ammunition play a significant role in reducing the risk of suicide, as at-risk individuals are separated from easy access to lethal means.

b. Commanders/Directors will continually emphasize suicide awareness training. They will schedule suicide prevention and resiliency training to ensure all military and civilian personnel receive training annually. Family Members will be encouraged to attend similar training.

c. First-line leaders are educated on suicide-related risk factors. They are continually engaged with and proactively looking for issues in their Soldiers before problems arise. Leaders have identified and track Soldiers with higher risk issues.

d. Soldiers are educated on suicide-related risk factors and warning signs and feel empowered to intervene with other unit members in distress.

e. Commanders will establish unit watch policies and procedures for uniformed members who are deemed at risk for suicide.

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f. Religious Support Office will ensure that Chaplains and Religious Affairs Specialists (RAS) are trained as gatekeepers.

g. The Suicide Prevention Task Force will convene monthly to share lessons learned, educate each other, and discuss prevention efforts across the installation.

6. Suicide is a preventable tragedy. With the goals and actions established above, 4ID soldiers will continue to take care of each other and prevent suicide from our ranks.

7. Proponent: The POC for this Policy is Cheril Paxton, Suicide Prevention Program Manager at 719-526-0401.