



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY DIVISION AND FORT CARSON
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AFYB-CG

OCT 07 2025

MEMORANDUM FOR RECORD

SUBJECT: Policy Letter # 13 – Sexual Harassment/Assault Response and Prevention Program (SHARP)

1. Purpose. To ensure that every service member and Civilian on Fort Carson understands my expectations regarding the fair and humane treatment of all persons.

2. Applicability. This policy always applies, in all locations, to all service members, Family members, and Civilians assigned to, attached to, or performing duties in units or activities assigned, attached, stationed, based, or otherwise located on Fort Carson over the age of 18. This includes, but is not limited to, units, service members, and Civilians conducting maneuvers, training, maintenance, or other duties on Fort Carson over whom the Commander, 4th Infantry Division and Fort Carson, exercises Senior Commander (SC) authority.

3. Policy.

a. The Army, FORSCOM, III Corps, 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. Neither the Army nor I 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, survivors support, reporting procedures, appropriate accountability, and enhancing safety, well-being, and readiness.

b. The rights of survivors (see Enclosure) and offenders will be respected to ensure the safety of all parties. Complainants of sexual harassment and survivors of sexual assault will be treated with compassion, dignity, and respect always. 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.

c. This guidance is punitive, and violations may be punished under Articles 92 or 134, Uniform Code of Military Justice (UCMJ). Sexual assault and sexual harassment

are criminal offenses and punishable under the UCMJ for service members. and punishable under the UCMJ. 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.

4. Sexual Harassment.

a. Sexual harassment conduct is:

(1) Conduct that –

(a) Involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when –

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

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

(d) 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

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

(3) 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.

(4) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any member of the Armed Forces or Civilian employee of the DoD.

b. 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.

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

d. The use of sexist and misogynistic language or behavior that targets any

protected class contributes to a hostile environment will not be tolerated. Leaders at all levels will protect their teams, Soldiers, DA Civilians, and Family members against sexual harassment and proactively ensure that their environments are free from all forms of sexual harassment.

e. Soldiers are required to follow the sexual harassment and SHARP policy 24/7, on and off-post, during duty and non-duty hours. Policies apply to work, living, and recreational environments, including both on and off-post housing.

f. Leaders who fail to address complaints or document sexual harassment or assault may also be subject to punitive and/or adverse administrative action.

g. Individuals are encouraged to report incidents of sexual harassment 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. Commanders who become aware of a complaint of sexual harassment or a request for direct intervention will initiate a 15-6 investigation in accordance with (IAW) the above-mentioned regulations.

h. Full time Sexual Assault Response Coordinators (SARC) and victim advocates (VA) will receive all reports of sexual harassment. All reports will be uploaded to the Integrated Case Reporting System (ICRS) within 48 hours of receiving the complaint. All commanders who receive a complaint of sexual harassment that involves physical contact that is not clearly sexual assault will coordinate with their supporting legal office. Any doubts will be resolved in favor of reporting the physical contact to the special agent-in-charge of the supporting USACID office. SARCs or VAs will complete a non-clinical safety assessment for each survivor. Survivors can file a complaint with their commander or supervisor directly without involving the SARC or VA.

i. If sufficient information exists to initiate an investigation, brigade commanders will appoint an investigating officer pursuant to the requirements prescribed in AR 15-6. For formal sexual harassment complaint investigations, a specially trained investigating officer from outside the victim's and subject's assigned brigade-sized element will be appointed. The investigation will be conducted in accordance with DoDI 1020.03, AR 600-52, and AR 15-6.

j. Brigade commanders (or brigade equivalent commanders) will provide written or verbal updates to the complainant and subject on the status of the investigation every 14 calendar days until the investigation is complete and actions to resolve the complaint are taken. This duty is not delegable. This policy does not change the responsibilities requiring VAs and SARCs to provide information to survivors in their care.

k. Upon completion of the investigation, the subject's brigade commander will ensure

that a copy of the completed investigation is provided to the SARC for safe-keeping for 50 years.

l. 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 communication channels. All actions will be appropriately redacted to comply with the Privacy Act of 1974 and to protect survivors' 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.

m. 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 direct communication and introduction to responsible staff at the appropriate on or off-post agency and follow-up to ensure needs are met. SHARP professionals approached by DA Civilians concerning a sexual harassment complaint will assist them in finding the appropriate supporting EEO office.

n. Commanders are recommended to consider applying the same principles related to minor incidents of collateral misconduct described in the "Safe to Report Act" when reporting a sexual assault to instances of sexual harassment.

5. Sexual Assault.

a. Sexual assault is intentional sexual contact characterized by use of force, threats, or intimidation, or abuse of authority or when the victim does not or cannot consent. The term includes a broad category of sexual offenses consisting of the following specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these offenses. Sexual assault is punishable under Article 120, UCMJ, or under other federal and local civilian laws.

b. Every service member who is aware of a sexual assault should immediately report it unless the "Battle Buddy" or the "Law Enforcement" exceptions apply. 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.

c. Leaders and all Soldiers in the grade of E-5 or above who are made aware of a sexual assault are required to report the incident to their local CID office or Military Criminal Investigation Office (MCIO) 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 (Exception: those covered under confidentiality, i.e. Law Enforcement exception (DoDI 5505.18) and applicable privileges).

d. SARCs and VAs will capture SHARP/SAPR related inquiries and record them within 48 hours in the DSAIDs SAPR Related Inquiries Module.

6. Ostracism, retaliation, reprisal and maltreatment in response to reports of sexual assault and sexual harassment are incompatible with the Army Values and this Ready and Resilient 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 acts 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. Reprisal is the taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold favorable personnel action, or any other act of retaliation, against a Soldier or Family member for making or preparing a formal complaint, a DA Civilian for engaging in activity in opposition to perceived discrimination, or against an alleged subject under investigation.

b. Retaliation is any person subject to the UCMJ who 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 protect communication. See Article 132, UCMJ.

7. Rehabilitation, Elimination, and Involuntary Separation. Commanders will initiate elimination proceedings for officers and involuntary administrative separation proceedings for enlisted Soldiers against whom there is a substantiated complaint of sexual harassment in accordance with AR 600-52, para 2-15.

a. 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 their 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.

b. 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 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 (i.e., two or more substantiated formal or informal reports or unwanted sexual behavior or sexual harassment) are not appropriate for rehabilitation.

8. Sexual Assault Resources and Reporting:

a. Sexual assault survivors are strongly encouraged to seek assistance immediately. Commanders must provide support and assistance to victims and report sexual assaults to CID. Medical treatment, counseling, and legal services are available to sexual assault victims. Service members and their dependents, 18 years old 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 to file either a restricted or an unrestricted report.

b. Restricted reporting allows service members, DoD/DA Civilians, 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, during otherwise privileged communications with a chaplain or legal assistance attorney, a survivor 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 survivor 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 survivor. Credentialed SARCs and VAs should discuss with the survivor how restricted reports are handled. When the option exists, the survivor 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, and the DoD law enforcement exception does not apply, the report cannot be restricted, and an investigation must be conducted by CID. If the friend, Family member, roommate, or other person to whom the survivor 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. The survivor has the right to cooperate with the MCIO investigation or not.

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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.

d. 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 survivors 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, 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) and subject. A safety assessment will be conducted in all reports of sexual assault.

e. Inform complainants and survivors 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 officials. Commanders should refer survivors to SARCs, VAs, and the installation Office of the Staff Judge Advocate for assistance in obtaining a TRO or CPO.

f. 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.

g. MPO's signed by previous commanders that are not expired or countermanded by the current commander will be enforced. The MPO signature will be valid whether it is wet or digital.

h. PCS Expedited Transfer. The expedited transfer policy is to assist in the victim's recovery by moving the victim to a new location where no one knows of the sexual

assault. The intent behind the expedited transfer policy is to address situations where a victim feels safe but uncomfortable. All expedited transfers, outbound or inbound, will be coordinated with the installation Lead SARC. Brigade SARCs will ensure that victims coordinate with the Fort Carson Lead SARC through the Supervisory SARC once PCS orders are obtained. Commanders in the grade of O-6 and above are the only commanders authorized to coordinate the warm hand-off with the gaining O-6 commander of the expedited transfer.

9. SHARP resources are available to train and assist commanders and leaders at the Division level to aid 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 formations 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 and valid training tracking systems. All new command teams will receive and document a SHARP in-brief within 30 days of the assumption of command.

b. Annual SHARP training will be conducted by unit leaders, 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 training is fully integrated in newcomer's briefs, training courses, and holiday and weekend safety briefings, including before, during, and after deployment. It is recommended to have a certified SHARP professional in attendance to support training in the event that there are specific policy or process questions, or the training invokes a response with a participant. If a SHARP professional is not available, instructors will ensure that contact information for their local SHARP office is available for timely response and support.

c. Commanders will upload completed SHARP training into Soldiers' records.

10. Commanders will personally select a full-time deployable SARC and VA at the Brigade level. Selectees will be on appointment orders signed by the Commanding General. Full-time SARCs and VAs will have two-year retention and a clear HRC background check. Selectees are required to complete the SHARP Basic Course. SARCs will complete the SHARP Basic and Intermediate Course 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

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survivors about the facts and circumstances concerning the allegations if the survivor sought Special Victim's Counsel (SVC) representation. If a commander wants to talk with the survivors about such matters represented, the commander must coordinate with the SVC.

b. Commanders that attend the Sexual Assault Review Board (SARB), O-6 or above, IAW AR 600-52, will provide monthly updates to survivors of sexual assault who filed an unrestricted report regarding the 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. 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). Ensure that the survivor is informed of all case dispositions, including those disposed of by non-judicial punishment, within two business days of the final disposition decision. Additionally, the battalion commander will follow-up with the victim within 45 days after disposition of the case to ensure the survivors' needs have been addressed. These updates will be provided through the SVC, if represented.

c. SARBs will be conducted in Garrison and in deployed environments. No SARB will be conducted below Brigade level in deployed environments.

d. The following personnel are required to attend the monthly SARB and the quarterly Sexual Assault Response Team Meeting. This policy letter acts as their appointment orders:

- (1) The Senior Mission Commander – Chair
- (2) Lead SARC (Principal) – Co-Chair
- (3) Survivor's immediate Commander (O-6), for tenant units, the higher-ranking commander in the Survivor's Chain of Command
- (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 Victim's 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 Victims' Liaison (SVL)
- (13) Criminal Investigation Division Special Agent in Charge (or representative)
- (14) FAP director during the QSART portion.

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e. 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 survivors needs are being met, in accordance with DoDI 5505.19.

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

12. The proponent of this policy is the 4th Infantry Division and Fort Carson's SHARP Program Office at 719-524-0535.



PATRICK J. ELLIS
Major General, USA
Commanding

Encl

Enclosure to Policy Letter #13 – Sexual Harassment/Assault Response and Prevention Program

Rights of survivors of crime (i.e. Victims of Sexual Assault)

As a crime victim, you have the right to:

- Be treated with fairness/respect for your dignity and privacy
- Be reasonably protected from the accused, including protective orders. Reasonable, accurate and timely notice of hearings/confinement events.
- Be present at public hearings/proceedings unless your testimony would be materially altered by your presence.
- Be reasonably heard at certain hearings.
- Confer with the U.S. government prosecutor.
- Legal assistance from a military legal assistance attorney, if eligible, or from a private attorney at your own expense.
- Receive restitution, as provided by law.
- Proceedings free from unreasonable delay.
- Express your views to the commander or convening authority as to case disposition.
- Receive a medical forensic exam at no cost.
- Be timely informed of plea, separation-in-lieu-of-trial, or non-prosecution agreements.
- Interview requests from the accused's attorney must be scheduled through your counsel and your counsel can be present during the interview.

Additional rights involving covered offenses:

- Consult a Special Victims Counsel, Victims' Counsel or Victims' Legal Counsel.
- Be informed of policies for collection and preservation of SA evidence.
- Be informed of any result of a SA evidence collection kit, including DNA profile match, toxicology report, or other information collected as part of a medical forensic exam, if such disclosure would not impede or compromise an ongoing investigation.
- Have a SA evidence collection kit or its probative contents preserved, at no-charge.
- Notification of SA evidence destruction.
- Express preference for military or civilian prosecution for incidents occurring in U.S.
- Notice to civilian authorities of your prosecution preference and their corresponding response, if known.

References:

1. MCM Article 6b
2. 10 U.S.C. §§ 1044, 1044e, and or 1565b
3. DODI 1030.02
4. DD Form 2701