



DEPARTMENT OF THE ARMY
HEADQUARTERS, III ARMORED CORPS AND FORT CAVAZOS
BUILDING 1001 761ST TANK BATTALION AVENUE
FORT CAVAZOS, TEXAS 76544-5000

AFZF-CG

1 2 SEP 2024

COMMANDING GENERAL'S
POLICY LETTER # 3

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Sexual Harassment/Assault Response and Prevention (SHARP)

1. References: See Enclosure 1
2. This policy applies at all times and in all locations to all Servicemembers, Family Members and Civilians assigned to, attached to, or performing duties in units or activities assigned, attached, stationed, based, or otherwise located on the Fort Cavazos military reservation over the age of 18. This includes, but is not limited to, units, Servicemembers and Civilians conducting maneuvers, training, maintenance, or other duties on the Fort Cavazos military reservation over whom Commander, III Armored Corps and Fort Cavazos, exercises Senior Commander (SC) authority.
3. I am committed to ensuring Soldiers, Family members, and Department of the Army (DA) Civilian employees live and work in an environment free of sexual harassment and sexual assault. Commanders, leaders, and supervisors are committed to creating and maintaining an environment conducive to inclusion, dignity, and respect. Readiness is increased through engaged leadership by permanently shifting our culture to eliminating sexual assault, harassment, and retaliation. Sexual harassment and sexual assault destroy teamwork and negatively affect unit readiness and mission performance and will not be tolerated. Victims must feel empowered to report these incidents and will receive support from their chain of command.
4. Prevention of sexual harassment and sexual assault is everyone's responsibility. Every Soldier, Civilian employee, and Family member is responsible for treating each other with mutual dignity and respect. Your professionalism is reflected daily by your speech and conduct, which must be consistent with the Army Values. We cannot tolerate or condone sexual harassment, sexual assault, or retaliation for reporting; we must eradicate this behavior from our Army. It is incumbent upon all leaders to set the example and to create an environment conducive to inclusion, good order, and discipline. Leaders at all levels will protect their teams against sexual harassment and sexual assault, and proactively ensure that their environments are free from all forms of both. Each unit Commander within the Corps has an open-door policy, and there is a 24-hour Sexual Harassment/Assault Response and Prevention (SHARP) Hotline available to receive reports.
5. Sexual Harassment.

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a. Army Regulation 600-20, paragraph 7-7, defines sexual harassment to mean any of the following:

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

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

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

(c) 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, and the victim does perceive, the environment as hostile or offensive.

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

(3) Any deliberate or repeated unwelcome verbal comments or gestures of a sexual nature by any member of the Armed Forces or Civilian employees 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. Sexual harassment can occur through electronic communications, including social media, other forms of communication, and in person. The use of disparaging and/or sexualized terms may contribute to an unlawful hostile environment and thus will not be tolerated. Sexual harassment is incompatible with the Army Values and may be punishable under the Uniform Code of Military Justice (UCMJ). Leaders who fail to address complaints or document sexual harassment may also be subject to punitive and/or adverse administrative action.

c. Sexual Harassment Reporting and Resources. Soldiers, cadets, and Family members aged 18 and over may file a sexual harassment complaint with their BDE or any installation's Sexual Assault Response Coordinator (SARC). Although the processing of sexual harassment complaints through the chain of command and SARC

is strongly encouraged, it will not serve as the only channel available to Soldiers/Family members to resolve or seek guidance on how to address sexual harassment. Commanders will not preclude Soldiers from using alternative agencies to provide guidance regarding how to address sexual harassment directly. If any complaints of sexual harassment describe sexual assault, leaders will provide the Soldier an immediate opportunity to speak with a SARC and contact CFO. All sexual harassment complaints will be addressed regardless of the level at which they are reported. Support services that are available to help resolve the issues, as appropriate, both on and off-post include health care, counseling, Military Protective Orders (MPO), Temporary Restraining Orders (TRO), and Civilian Protective Orders (CPO), chaplains, legal assistance, and unit or installation trained mediators for alternative dispute resolution.

d. Soldiers can submit a sexual harassment complaint formally in writing on a DA Form 7746, informally to a full-time brigade-level SARC, or anonymously by any means from an unidentified source.

(1) Anonymous Complaints. An anonymous complaint is defined as a report of sexual harassment, regardless of the means of transmission, from an unknown or unidentified source. The individual reporting the information is not required to divulge any personally identifying information (PII). Commanders will publicize and enable anonymous reporting through organizational hotlines, email, or official telephone lines. All anonymous complaints, even those that cannot be investigated, will be referred to the subject's BDE commander for evaluation.

(2) Informal Complaints. An informal sexual harassment complaint is a complaint that a complainant does not wish to file in writing on a DA Form 7746. Typically, those issues that can be taken care of informally and can be resolved through discussion, problem identification, and clarification of the issues. An informal complaint is not subject to regulatory timeliness standards but should be resolved within 14 calendar days of the complaint receipt.

(3) Formal Complaints. Soldiers file formal sexual harassment complaints on the DA Form 7746, documenting the nature of the complaint and the requested remedies. Soldiers are encouraged to file formal complaints within 60 calendar days from the date of the aggravating behavior. This will facilitate the investigation and resolution of these complaints. In cases where the complainant and subject are in different units, complaints may have to be elevated to the first commander in the chain of command who has command authority over both the complainant and the subject. Complainant confidentiality will be protected to the maximum extent possible.

6. Sexual Assault.

a. Sexual assault is incompatible with the Army Values, is a criminal offense, and may be punishable under the UCMJ and other Federal and local civilian laws. Sexual assault is defined as the intentional sexual contact characterized by use of force, threats, 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 UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these acts. There are two reporting options for sexual assault: restricted reporting and unrestricted reporting.

(1) Unrestricted Reporting. This reporting option triggers an investigation, command notification, and allows a person who reports sexual assault to access healthcare treatment and the assignment of a SARC and a Victim Advocate (VA). When a sexual assault is reported through unrestricted reporting, a SARC will be notified and respond or direct a VA to respond, offer the victim emergency healthcare and an optional forensic exam, explain the contents of the DD Form 2910, and request that the victim elect a reporting option on the form. If the victim elects the unrestricted reporting option, a victim may not change from an unrestricted to a restricted report. If the unrestricted option is elected, the completed DD Form 2701 (Initial Information for Victims and Witnesses of Crime), which sets out victims' rights and points of contact, will be distributed to the victim in unrestricted reporting cases by DoD law-enforcement agents.

(a) A victim can disclose that they are the victim of a sexual assault to a SARC, VA, health care provider (HCP), command authorities, or others. The victim will have access to medical treatment and counseling, support, and consideration for protection orders and expedited transfers. If the victim chooses to file an unrestricted report, the SARC, VA, HCP, chain of command, and law enforcement, will be notified that the crime was reported. An official investigation will be triggered, and the subject may be prosecuted. All unrestricted reports will be referred to the Criminal Investigative Division (CID), regardless of severity. Once a victim files an unrestricted report, it cannot be converted to a restricted report. If at any time a victim declines to participate in an investigation or prosecution, that decision should be honored by commanders, investigators, and all other personnel involved in the case.

(b) Commanders who become aware of reported or suspected sexual assault, including reports from a third party, will immediately contact the SARC and USACIDC. Commanders will not initiate any AR 15-6 investigation into reports of sexual assault and will contact their servicing legal office for consultation if it is unclear whether a reported act is sexual harassment or sexual assault.

(c) If a supervisor of a Soldier becomes aware of a sexual assault involving a Soldier, the supervisor is required to inform the Soldier's commander immediately.

(2) Restricted Reporting. A Soldier or Family member 18 years of age and older who is sexually assaulted and desires medical care, counseling, and victim

advocacy without initiating the investigative process should use the restricted reporting option. Restricted reporting allows a sexual assault victim to confidentially disclose the details of their assault to specifically identified individuals and receive medical treatment and counseling, without triggering the official investigative process. Restricted reporting is intended to give victims additional time and increased control over the release and management of their personal information, and to empower them to seek relevant information and support to make more informed decisions about participating in the criminal investigation. A victim who receives appropriate care and treatment and is provided an opportunity to make an informed decision about a criminal investigation is more likely to develop increased trust that their needs are of primary concern to the command and may eventually decide to pursue an investigation. Even if the victim chooses not to pursue a criminal investigation, this additional reporting avenue gives commanders a clearer picture of the sexual violence within their command and enhances a commander's ability to provide an environment that is safe and contributes to the well-being and mission readiness of all its members. If a victim elects this reporting option, a victim may convert a restricted report to an unrestricted report at any time.

(a) Providing victims do not personally report the sexual assault to law enforcement, to include CID, and did not previously elect to make an unrestricted report by signing a DD Form 2910 for the same sexual assault incident, Soldiers and Family members aged 18 years and older can file a restricted report even if there is an on-going CID investigation into the sexual assault initiated by a third party or the CID investigation into the sexual assault has been closed.

(b) Victims retain eligibility for a restricted report after an investigation has closed in order to access SHARP advocacy and support services, including legal, medical, and mental health care; and to retain a record of their report which can be used as supporting documentation of the sexual assault report when seeking services or filing a disability claim with the Department of Veterans Affairs.

7. Retaliation and Reprisal. It is the right of every member of this command to present a complaint without fear of retaliation, reprisal, ostracism, or maltreatment. Retaliatory behaviors are incompatible with the Army Values and may be punishable under the UCMJ. If the retaliatory behavior is criminal in nature and the victim filed an unrestricted report, the crime should be immediately reported to CID. Commanders will establish procedures to protect all first responders, both civilians and Soldiers, 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.

a. Reprisal is the taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a 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 protected communication See Article 132, UCMJ, 2024)

c. Commanders will establish procedures to protect all first responders, both Civilians and Soldiers, 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.

d. Victims can seek assistance on how to report retaliatory behavior by requesting assistance from the following:

(1) A SARC or VA; or

(2) A SARC on a different installation, which can be facilitated by the DoD SAFE Helpline at 877-995-5247; or

(3) Immediate commander; or

(4) A commander outside their chain of command; or

(5) Equal Opportunity professional; or

(6) A General Officer (GO) if the retaliation, reprisal, ostracism, or maltreatment involves the administrative separation of victims within one year of the final disposition of their sexual assault case; or

(7) A GO if the victim believes that there has been an impact on their military career because they reported a sexual assault or sought mental health treatment for trauma that the victim believes is associated with the sexual assault; or

(8) Trial counsel, Victim Witness Assistance Program, Special Victim Counsel, or a legal assistance attorney; or

(9) Inspector General's office, invoking whistleblower protections; or

(10) CID, if the retaliation takes the form of an act that is criminal in nature and the victim filed an unrestricted report.

8. Reporting Procedures:

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- a. All victims of sexual assault and sexual harassment will be treated with dignity, fairness, privacy and respect. I expect leaders to swiftly, and in accordance with regulation, address allegations of sexual harassment, sexual assault and retaliation in accordance with established policy and regulations. For Civilian employees who are experiencing sexual harassment, procedures and courses of action are available through their local EEO Office. We will treat every reported sexual assault, sexual harassment, and retaliation incident seriously and follow the Army guidelines listed below:
- b. Commanders will immediately report allegations of sexual assault and certain acts of sexual misconduct to their local CID office. Commanders will thoroughly and professionally investigate all allegations of sexual harassment, and retaliation that do not otherwise require referral to another agency. The appointment of a sexual harassment investigation—formal, informal, and anonymous—is reserved to commanders in the grade of O6 and above. Sexual harassment and sexual assault are punishable under the UCMJ for service members and other federal and local laws for Civilians.
- c. Commanders or supervisors will contact their local SARC for guidance when they are notified of an allegation of sexual assault against uniformed personnel, their eligible family members or DACs. In compliance with the Office of Special Trial Counsel (OSTC) jurisdiction, commanders will hold offenders appropriately accountable, provide compassionate care for victims, and protect the rights and privacy of survivors. SHARP personnel will explain to the victim the resources available through the DD Form 2910, where the reporting option is elected, and also provide the victim with a copy of their rights as a victim using DD Form 2701 (Initial Information for Victims and Witnesses of a Crime). See Enclosure 1 for a listing of victims' rights.
- d. Supervisors and leaders in the chain of command, NCO support channel or in the supervisory chain must take action once a Soldier or Civilian reports a case of sexual harassment or sexual assault. When they become aware of sexual assault or sexual harassment, they are required to inform their commander immediately. All commanders who become aware of a sexual assault, even if it is outside of their command, must immediately report it to CID. Commanders will not initiate an investigation or inquiry into any report of sexual assault.
- e. Battalion level commanders will submit the Sexual Assault Incident Response Oversight Report (SAIRO), when required, within eight calendar days of the incident IAW ref 1a, Appendix K.
- f. Leaders at all levels will create a culture of trust in which everyone can thrive and achieve their full potential.

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9. This Command Policy Memorandum supersedes Command Policy SHARP and SVC dated 14 July 2023. This policy will remain in effect until superseded or rescinded.

10. The point of contact for this memorandum is the III Armored Corps Lead SARC at 254-287-7901.



KEVIN D. ADMIRAL
Lieutenant General, USA
Commanding

- 2 Enclosures
- 1. References
- 2. Victim Bill of Rights

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Enclosure 1: References

- a. Army Regulation (AR) 600-20, Army Command Policy, 24 July 2020.
- b. AR 600-8-2, Suspension of Favorable Personnel Actions (Flag), 5 April 2021.
- c. AR 27-26, Rules of Professional Conduct for Lawyers, 18 June 2018.
- d. AR 623-3, Evaluation Reporting System, 14 June 2019.
- e. Department of the Army Pamphlet 623-3, Evaluation Reporting System, 27 September 2019.
- f. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 1 August 2024.
- g. Department of Defense Instruction (DoDI) 6495.02, Volume 1 (Sexual Assault Prevention and Response: Program Procedures), Incorporating Change 8, 26 July 2024.
- h. Department of Defense Instruction (DoDI) 6495.02, Volume 2 (Sexual Assault Education and Training), 9 April 2021.
- i. Department of Defense Instruction (DoDI) 6495.02, Volume 3 (Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases), Incorporating Change 1, 26 July 2024.
- j. Department of Defense Instruction 6495.03, Defense Sexual Assault Advocate Certification Program (D-SAACP), 28 February 2020
- k. DoDI 1350.02 (Military Equal Opportunity Program), September 4, 2020
- l. Secretary of Defense Memorandum, Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Certain Sexual Assault Cases, 20 April 2012.
- m. National Defense Authorization Act for Fiscal Year 2016, Pub.L) 114-92 (2016k. 10 U.S.C.S. § 1044 (2014).

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n. DoD Retaliation Prevention and Response Strategy: Regarding Sexual Assault and Harassment Reports, April 2016.

o. Army Directive 2018-23 (Improving the Effectiveness of Essential and Important Army Programs: Sexual Harassment/Assault Response and Prevention, Equal Opportunity, Suicide Prevention, Alcohol and Drug Abuse Prevention, and Resilience), 8 November 2018.

p. FORSCOM Commanding General Policy Memo 8, Sexual Harassment and Sexual Assault Prevention and Response, 19 SEP 22.

q. Army Directive 2022-13 (Reforms to Counter Sexual Harassment/Sexual Assault in the Army), 20 SEP 22.

r. Army Regulation 600-32 Conduct Between Soldiers of Different Grades 18 DEC 23.

Enclosure 2: Victim Bill of Rights

As a crime victim, you have the following rights:

- The right to be treated with fairness and respect for your dignity and privacy.
- The right to be reasonably protected from the accused offender.
- The right to reasonable, accurate, and timely notice of public preliminary hearings, pretrial confinement hearings, court proceedings, and clemency and parole hearings related to the offense.
- The right to be present at all public proceedings related to the offense unless the hearing officer or military judge determines that your testimony would be materially altered if you as the victim heard other testimony.
- The right to reasonably confer with the prosecutor/Trial Counsel in the case.
- The right to receive available restitution.
- The right to be reasonably heard at:
 - A public hearing concerning the continuation of any pretrial confinement of the accused.
 - A sentencing hearing related to the offense.
 - A public Military Department Clemency and Parole Board hearing related to the offense.
- The right to submit a written statement for the consideration of the Convening Authority prior to taking action on findings and sentence.
- The right to proceedings free from unreasonable delay.
- The right to be provided information, if applicable, about the conviction, sentencing, imprisonment, Convening Authority's action, appellate review, and release of the offender.

For further information on crime issues, see the DoD Victim and Witness Assistance Council web page at: <http://vwac.defense.gov/>.

National and Local Outreach Service Organizations for sexual assault victims:

DoD Safe Helpline:	877-995-5247
Fort Cavazos SHARP Hotline:	254-319-4671
Aware Central Texas	254-813-0968
Veterans Outreach (Harker Heights)	254-953-7100
RAINN (National)	800-656-4673
Families In Crisis (Killeen)	254-634-1184/ 8309
Cove House	254-547-4673
Cove Corporation	254-547-6753

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Hope Alliance (Round Rock)
Texas Advocacy Project

512-255-1212
800-374-4673