



DEPARTMENT OF THE ARMY
HEADQUARTERS, 10TH MOUNTAIN DIVISION (LIGHT INFANTRY) AND FORT DRUM
FORT DRUM, NEW YORK 13602-5000

AFDR-CG

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Memorandum 5; Sexual Harassment/Assault Response and Prevention (SHARP)

1. References.

- a. DOD Instruction 1020.03 Harassment Prevention and Response in the Armed Forces, 08 February 2018
- b. AR 600-20, Army Command Policy, 06 November 2014
- c. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 09 February 2004
- d. AR 27-10, Military Justice, 11 May 2016

2. The Leaders of the 10th Mountain Division (LI) and Fort Drum are committed to cultivating an environment that fosters soldier and personal growth. We strive to live a life of honor by encouraging our subordinates and enforcing rules and policies to achieve those efforts. This naturally means all Soldiers, Family Members, and Civilians will live and work in an environment free of sexual harassment and sexual assault. We will continually assess our performance to create a positive environment and insure all violations of this policy are held accountable under the Uniform Code of Military Justice (UCMJ) and other Federal or state laws.

3. Definitions.

- a. Sexual harassment is conduct that involves unwelcome 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;
 - (2) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or
 - (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive environment; and
 - (4) Is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

- (5) Includes 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.
- (6) Includes any deliberate or repeated unwelcome verbal comments or gestures of a sexual nature by any member of the Armed Forces or civilian employee of the Department of Defense.
- (7) 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.
- (8) Sexual harassment can occur through electronic communications, including social media, other forms of communication, and in person.

b. Sexual assault is defined as the intentional sexual contact, characterized by the use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. The term sexual assault is a broad category of sexual offenses outlined, in the UCMJ that include rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these acts. The two reporting options for an individual involved in sexual assault are:

- (1) Unrestricted - provides victims of sexual assault access to medical, advocacy, legal, counseling services, and official investigation of the sexual assault.
- (2) Restricted - enables service members and their dependents, age 18 years or older, to confidentially disclose details of their sexual assault without triggering an investigative process. Individuals also sustain access to medical, advocacy, legal, and counseling services.

4. Responsibilities.

a. 10th Mountain Division and Fort Drum Commanders will commit to creating a positive command climate, actively prevent and end sexual violence. Sexual harassment and sexual assault will not be tolerated in the 10th Mountain Division (LI) and Fort Drum. Combating sexual harassment and sexual assault is a responsibility of each member of the chain of command. Good units have positive cultures and their leaders possess the competence to know right from wrong, and the commitment to abide by these standards. All commanders will implement the following guidelines:

- (1) Establish a SHARP program to educate, discipline, and enforcement Army policies and standards.
- (2) Create an environment that is conducive to good order and discipline; acts of reprisal or retaliation will not be tolerated.

AFDR-CG

SUBJECT: Policy Memorandum 5; Sexual Harassment/Assault Response and Prevention (SHARP)

(3) Accept all sexual harassment complaints and ensure they are processed within a timely manner in accordance with AR 600-20.

(4) Encourage Soldiers, Family Members, and Civilians to report any sexual harassment or report a sexual assault incident by utilizing their chain of command or SHARP program.

(5) Not impede Civilian employees who exercise their rights to pursue administrative remedies through the Equal Employment Opportunity (EEO) program.

(6) Uphold a commitment to honor the rights afforded to victims and witnesses of crimes.

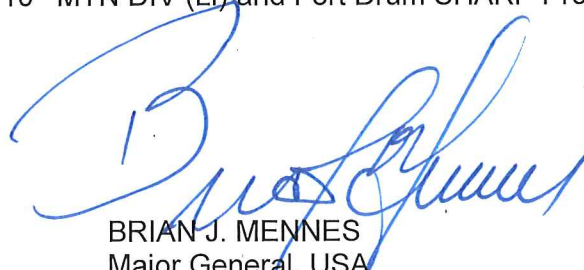
b. Fort Drum Commanders will implement the following guidelines within their applicable SHARP programs:

(1) Appoint one full-time credentialed Sexual Assault Response Coordinator (SARC), and one full-time credentialed Victim Advocate (VA) at the brigade and brigade equivalent level. Personnel assigned to SARC/VA fulltime duties will not hold other positions or be assigned additional tasks that may detract from their primary role.

(2) Document mandatory unit SHARP training in the Digital Training Management System (DTMS).

(3) Ensure Brigade SHARP personnel participate in Division/Installation SHARP program activities, to include SARC training, planning, committee, and sub-committee membership.

5. The point of contact for this policy is the 10th MTN DIV (LI) and Fort Drum SHARP Program Manager at (315) 774-2196.



BRIAN J. MENNES
Major General, USA
Commanding

DISTRIBUTION:

A