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US ARMY INSTALLATION MANAGEMENT COMMAND
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Policy Letter# 6

12 July 2022

MEMORANDUM FOR All Members of the USAG Fort Hamilton Community

SUBJECT: Command Policy Letter ; - Sexual Harassment/Assault Response Prevention (SHARP) Program

1. References:

a. Department of Defense (DoD) Instruction 1020.03, Harassment Prevention and Response in the Armed Forces, 29 December 2020.

b. DoD Instruction 6495.02, Vol. 2, Sexual Assault Prevention and Response: Education and Training, 9 April 2021.

c. Army Regulation (AR) 350-1, Army Training and Leader Development, Table F-1, Mandatory Training Requirements for All Personnel, 10 December 2017.

d. AR 600-20, Army Command Policy, Chapter 7, 24 July 2020.

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

f. Army Directive 2018-23, Improving the Effectiveness of Essential and Important Army Programs: Sexual Harassment/Assault Response and Prevention, et al., 8 November 2018.

g. Army Directive 2021-30, Sexual Harassment/Assault Response and Prevention Services for Department of the Army Civilians, 02 September 2021.

2. Purpose. The purpose of this policy is to outline my intent for the Fort Hamilton Military Community Sexual Harassment/Assault Response and Prevention (SHARP) Program. Leadership will use training, education, and awareness to minimize incidents of sexual harassment and sexual assault; promote the sensitive care of victims of sexual harassment and sexual assault; offer victim assistance and counseling; hold those who commit sexual harassment or sexual assault offenses accountable; provide confidential avenues for reporting; and, reinforce a commitment to the Army Values and the Army Civilian Corps Creed.

3. Sexual Harassment is unwelcomed sexual advances, requests for sexual favors, verbal comments, and/or physical conduct of a sexual nature where submission to or rejection of them can impact or interfere with someone's job, pay, or career. Guidelines apply 24/7, on or off installation.

4. Sexual assault is intentional sexual contact characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Sexual assault is a criminal offense that has no place in the Army. Sexual assault degrades mission *readiness* by devaluing the Army's ability to work effectively as a team. Every Soldier and Civilian who are aware of a sexual assault should immediately (within 24 hours) report incidents. Sexual assault is incompatible with Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws.

a. In accordance with AR 600-20, Chapter 7, Installation Commanders will ensure that the installation has a 24/7 SHARP hotline. Calls to the installation 24/7 SHARP hotline number not immediately answered must be returned within 60 minutes. The installation 24/7 SHARP hotline number will be published on the DoD Safe Helpline website and will be accessible through the Safe Helpline.

b. Commanders and supervisors at each management level must champion a strong SHARP Program and provide effective education and SHARP annual training for all Soldiers and DA Civilians. Commanders are responsible for ensuring all supervisors and leaders understand their SHARP responsibilities.

5. Army policy promotes sensitive care and confidential reporting for victims of sexual assault and accountability for those who commit these crimes. There are two reporting options for sexual assault: restricted reporting and unrestricted reporting. They are defined as follows:

a. **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 Sexual Assault Response Coordinator (SARC) and a SHARP Victim Advocate (VA) or Victim Representative (VR). When a sexual assault is reported through unrestricted reporting, a SARC will be notified and respond or direct a SHARP VA or VR to respond, offer the victim emergency healthcare and an optional forensic exam, explain the contents of the DD Form 2910 (Victim Reporting Preference Statement), 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 once it is reported to U.S. Army Criminal Investigation Division Command (USACIDC). If the unrestricted option is elected, the completed DD Form 2701 (Initial Information for Victims and Witnesses of Crime), which

AMIM-HAG-ZA

SUBJECT: Command Policy Letter - Sexual Harassment/Assault Response Prevention (SHARP) Program

sets out victims' rights and points of contact, will be distributed to the victim in unrestricted reporting cases by DoD law-enforcement agents.

(1) Soldiers are eligible to receive all the services listed above when electing to make an unrestricted report of sexual assault using a DD Form 2910.

(2) DA Civilians electing to make an unrestricted report of sexual assault using a DD Form 2910 are eligible to receive victim advocacy services from SARCs, SHARP VAs or VRs. These services do not include expedited transfers, any medical entitlements, or legal services that DA Civilians are not already otherwise authorized by law or policy.

b. **Restricted reporting.** This reporting option does not trigger an investigation. The Senior Commander (SC) is notified a sexual assault has been reported, but is not given the victim's name or other personally identifiable information (PII). Restricted reporting allows Soldiers and Family Members age 18 and older who are sexual assault victims to confidentially disclose the assault to specified individuals (SARC, SHARP VA, or VR), receive healthcare treatment, and be assigned a SARC and SHARP VA or VR. A sexual assault victim can report directly to a SARC, who will respond or direct a SHARP VA or VR to respond, offer the victim healthcare treatment and a sexual assault forensic examination (SAFE), and explain to the victim the resources available through the DD Form 2910, where the reporting option is elected. The restricted reporting option is only available to Soldiers and Family Members aged 18 and older. DA Civilians are not authorized to file a restricted report. If a victim elects this reporting option, a victim may convert a restricted report to an unrestricted report at any time. The conversion to an unrestricted report will be documented with a signature by the victim and the signature of the SARC or SHARP VA or VR in the appropriate block on the DD Form 2910.

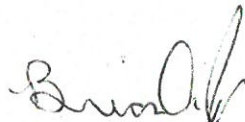
6. SARCs, SHARP VAs, and VRs will inform victims of the resources available to report instances of retaliation, reprisal, ostracism, maltreatment, sexual harassment, or to request a transfer, or seek a Military Protective Order (MPO). If the retaliatory behavior is criminal in nature and the victim filed an unrestricted report, the crime should be immediately reported to USACIDC, even if the crime is not something normally reported to USACIDC (for example, victim's personal vehicle was defaced). Victims can seek assistance on how to report retaliatory behavior by requesting assistance from—

- a. A SARC, SHARP VA, or VR, to report a sexual assault or sexual harassment;
- b. A SARC on a different installation, which can be facilitated by the DoD Safe Helpline;
- c. Immediate commander;
- d. A commander outside their chain of command;

AMIM-HAG-ZA

SUBJECT: Command Policy Letter - Sexual Harassment/Assault Response Prevention (SHARP) Program

- e. Equal Opportunity (EO) professional;
 - f. A General Officer (GO) if the retaliation, reprisal, ostracism, or maltreatment involves the administrative separation of victims within one (1) year of the final disposition of their sexual assault case;
 - g. 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. The victim may discuss the impact with the GO;
 - h. Trial counsel, Victim Witness Assistance Program, Special Victim's Counsel (SVC) (if the victim is eligible for one pursuant to 10 U.S.C. 1044e) or a legal assistance attorney;
 - i. IG, invoking whistleblower protections;
 - j. Commander or SARC to request a safety transfer, or an MPO, temporary restraining order (TRO) and/or civilian protective order (CPO), if the victim is in fear for their safety; or,
 - k. USACIDC, if the retaliation takes the form of an act that is criminal in nature and the victim filed an unrestricted report.
7. Commanders, supervisors, and managers at all levels are responsible for the effective implementation of SHARP Policy and execution of the SHARP Program. Military and DA Civilian officials at each management level will advocate a strong SHARP Program, and provide education and annual training that will enable them to prevent and appropriately respond to sexual harassment and sexual assault. Commanders are the center of gravity for execution of AR 600-20.
8. The point of contact for this policy is the Installation SARC, Domenica J. Hosein, domenica.j.hosein.civ@mail.mil, (718) 630-4756.


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COL, AD
Commanding