



DEPARTMENT OF THE ARMY
JOINT BASE MYER-HENDERSON HALL
204 LEE AVENUE
FORT MYER, VIRGINIA 22211-1199

AMIM-MHG-ZA

23 June 2023

MEMORANDUM FOR All Joint Base Myer – Henderson Hall

SUBJECT: Joint Base Myer-Henderson Hall (JBM-HH) Policy Memorandum, Sexual Harassment/Assault Response and Prevention (SHARP)

1. REFERENCES.

a. Department of Defense Directive (DoDD) 6495.01, *Sexual Assault Prevention and Response (SAPR) Program*, 23 Jan 2012, Incorporating Change 5, 10 Nov 21.

b. DoDD 7050.06, *Military Whistleblower Protection*, 17 Apr 2015, Incorporating Change 1, 12 Oct 21.

c. Department of Defense Instruction (DoDI) 6495.02, Volume 1, *Sexual Assault Prevention and Response: Program Procedures*, 28 Mar 2013, Incorporating Change 7, 6 Sep 22.

d. DoDI 6495.02, Volume 3, *Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases*, 24 Jun 22.

e. DoDI 6495.02, Volume 2, *Sexual Assault Prevention and Response: Education and Training*, 9 Apr 21.

f. DoDI 1020.03, *Harassment Prevention and Response in the Armed Forces*, 8 Feb 18, Incorporating Change 2, 20 Dec 22.

g. Army Directive (AD) 2022-13, *Reforms To Counter Sexual Harassment/Sexual Assault in the Army*, 20 Sep 22.

h. AD 2022-10, *Safe-to-report for Victims of Sexual Assault*, 6 Jul 22.

i. AD 2021-30, *Sexual Harassment/Assault Response and Prevention Services for Department of the Army Civilians*, 2 Sep 21.

j. AD 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 Nov 18.

k. Army Regulation (AR) 350-1, *Army Training and Leader Development*, 10 Dec 17.

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l. AR 600-20, *Army Command Policy*, 24 Jul 20.

m. AR 690-600, *Equal Employment Opportunity Discrimination Complaints*, 9 Feb 04.

n. Joint Task Force-National Capital Region *Policy Letter 5 – Sexual Harassment/Assault Response and Prevention (SHARP)*, 22 Jun 21.

o. Manual for Courts-Martial - 2019 Edition.

2. **PURPOSE.** To establish policy and outline procedures regarding sexual harassment and assault prevention and reporting in the JBM-HH area of responsibility.

3. **APPLICABILITY.** This policy applies to all Soldiers, Department of the Army (DA) Civilians, family members, contractors, and other personnel who work on, reside on, or visit any U.S. Army installations, facilities, or work sites within the JBM-HH Area of Responsibility (AOR). This policy memorandum echoes and affirms the SHARP policy memorandum presently in effect and signed by the Commanding General, MDW. This policy applies both on- and off-post, as well as on- and off-duty.

4. **POLICY.**

a. The Army Command Policy (see reference 1.l) is designed to reinforce the Army's leadership commitment to eliminate incidents of sexual harassment and sexual assault through a comprehensive program centering on awareness, prevention, training, education, victim advocacy, response, reporting, and accountability. Leaders at every level must be committed to creating and maintaining an environment promoting productivity and respect for human dignity. These unacceptable actions erode trust, destroy teamwork, negatively affect combat readiness, and will not be tolerated in the Army. Sexual harassment and sexual assault are punishable under the Uniform Code of Military Justice (UCMJ) for the military and other federal and local laws for civilians and are incompatible with Army values. Subordinate command teams, SHARP professionals, supervisors, and leaders will review and understand the latest policy updates. See enclosed SHARP Policy Update Summary.

b. Preventing sexual harassment and sexual assault is everyone's responsibility. An employee who believes he or she has been subjected to sexual harassment or sexual assault should report incidents to the SHARP office. We expect leaders to swiftly (within 24 hours) address allegations of sexual harassment, sexual assault, and retaliation. For DA Civilians experiencing sexual harassment, specific procedures and courses of action are available through your local Equal Employment Opportunity Office. If you see something, say something!

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c. Sexual Harassment is defined by the Army Command Policy as:

(1) Conduct that involves unwelcomed sexual advances, requests for sexual favors, 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.

(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

(d) 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 used to control, influence, or affect the career, pay, or job of a member of the Armed Forces or a Civilian employee of the DoD.

(3) 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.

d. Sexual Assault is defined as intentional sexual contact characterized by use of force, threats, intimidation, abuse of authority, or when a victim does not or cannot consent. The term sexual assault includes a broad category of sexual offenses consisting of specific UCMJ offenses, which includes rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these acts. Anyone aware of a sexual assault should assist the victim in contacting a SHARP representative. Leaders in the chain of command must report the incident to the commander. Sexual assault degrades mission readiness and jeopardizes our ability to work effectively as teams.

e. A civilian employee who has been sexually assaulted should be encouraged to report the abuser to law enforcement or be referred to a military or civilian resource as resources may be made available to them regardless if they file a report. Dependents under the age of 18 should report to the Family Advocacy Program. Soldiers and eligible family members over the age of 18 who have been sexually assaulted have the potential for both restricted and unrestricted reporting options. When individuals are

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unsure of who or where to report, they may call the JBM-HH 24/7 hotline, (202) 498-4009, and speak to a SHARP professional capable of receiving restricted reports.

5. PROCEDURES.

a. Restricted Reporting: Restricted reporting allows a Soldier and eligible family members who have been sexually assaulted, on a confidential basis, to disclose the details of their assault to specifically identified individuals and receive medical treatment and counseling, without triggering the official investigative process. Soldiers and eligible family members who are sexually assaulted and desire to make a restricted report should report the assault to their Sexual Assault Response Coordinator (SARC), Sexual Assault Prevention Response (SAPR) Victim Advocate (VA), or a healthcare provider. A victim still has a restricted reporting option even if the sexual assault has been inadvertently or previously disclosed to command by the victim, suspect, or third party; the matter has been reported to law enforcement, to include U.S. Army Criminal Investigation Division (CID), by anyone other than the victim; or an investigation is initiated, in progress, or closed. If the Soldier files a restricted report. Commanders will not ask the SARC or SAPR VA any details about the restricted report, nor seek to speak to the victim about the reported sexual assault. A victim may elect to decline participation in the investigation by signing a Section 540K Declination Letter and may seek advice of a Special Victims' Counsel (SVC). All individuals answering the on-call hotline can receive a restricted report. Civilians cannot file a restricted report through the SHARP office but may reach out to the SHARP office for civilian resources.

b. Unrestricted Reporting: Unrestricted reporting allows a Soldier, eligible family members, and certain DA Civilians who have been sexually assaulted and desire medical treatment, counseling, and an official investigation of his or her allegation to use current reporting channels (the chain of command or law enforcement), or s/he may report the incident to the SARC or the on-call SAPR VA.

c. This command will treat all victims of sexual assault and sexual harassment with dignity, fairness, and respect. We will treat every reported sexual assault, sexual harassment, and retaliation incident seriously and follow the guidelines listed below:

(1) As soon as commanders or supervisors are notified of an allegation of sexual assault, they will immediately contact their local CID office and SARC for guidance. Leaders will protect for the rights of both the survivor and the accused. The SARC/SAPR VA will provide the victim with a DD Form 2701, *Initial Information for Victims & Witnesses of Crime*, and offer SVC services. Commanders will submit a Sexual Assault Incident Response Oversight (SAIRO) report within eight calendar days of the unrestricted report of sexual assault.

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(2) Hold offenders accountable, provide compassionate care for victims, and protect the rights and privacy of survivors. Commanders will thoroughly and professionally investigate allegations of sexual harassment and ensure allegations of retaliation are processed IAW AR 600-20. Commanders will ensure all reports of sexual assault are referred to law enforcement (CID/local authorities) for criminal investigation. Commanders will not conduct any internal inquiries or investigations of sexual assaults or delay immediately contacting CID to assess credibility of the report themselves.

(3) Create a culture of trust in which everyone can thrive and achieve their full potential. Commanders, directors, and leaders must support annual Sexual Assault Awareness Prevention Month (SAAPM) events in April and SHARP campaign lines of effort.

(4) Supervisors must act once an employee or Soldier reports a case of sexual harassment or sexual assault. The first call should be to the SARC or victim advocate. Confidentiality is critical. I strongly encourage bystander intervention as a call to action.

d. All commanders and leaders will conduct annual SHARP training with the assistance of a SARC or SAPR VA for all Soldiers and DA Civilian employees within their command (this includes full-time US NAF personnel). Commanders and directors will ensure all Soldiers and Civilians are briefed annually and document their attendance using a sign-in roster and the IMCOM G3-5-7 Mandatory Training Data Call SharePoint web page. Commanders will determine the duration, location, and means for conducting SHARP Annual Refresher Training. Our goal is to have 90% trained by 1 August and 100% trained by 1 September. Training will be done monthly.

e. Leaders at echelon will lead annual training with the assistance of credentialed SHARP professionals. Leaders will facilitate the discussion as directed, not just participate in training. A leader can be anyone who is in a supervisory position. Contractors and local nationals are optional attendees (but highly encouraged to attend) and not required to be reported as mandatory training. Military family members ages 18 and over will also be offered this training along with all full-time NAF personnel.

f. All new commanders, senior enlisted advisors, and first sergeants will meet with the SARC within 30 days of taking command or change of responsibility for a one-on-one SHARP briefing, documented on a sign-in roster. The training will include trends for the unit and AOR, confidentiality and official need-to-know requirements for both unrestricted and restricted reporting, and requirements of the SAIRO report.

g. Commanders will also use the Defense Equal Opportunity Climate Survey (DEOCS) to identify SHARP issues and take immediate action on items identified as yellow or red.

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h. Commanders will also participate in their local monthly Sexual Assault Review Board (SARB) meetings, held by their installation mission commanders, and use it as a tool to support their SHARP programs.

i. The command will not tolerate retaliation or reprisal against an individual who reports a protected SHARP-related communication. Retaliation is when any person, subject to the UCMJ, 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. Service members maintain the right to report criminal offenses with a protected communication. DoDD 7050.06 protects Service members from acts of reprisal. All reports of retaliation will be referred to the Inspector General (IG).

j. U.S. Army Headquarters Brigade will appoint on orders one SARC and one SAPR VA, and Battalion Commanders will appoint two SAPR VAs using the criteria outlined in AR 600-20, Appendix G, and EXORD 221-12. SAPR VAs must complete the 80-hour SHARP Foundation Course, have a favorable criminal background investigation, be screened against the National Sex Offender Registry, and receive DoD Sexual Assault Advocate Certification Program (D-SAACP) credentials through the National Organization for Victim Assistance (NOVA).

(1) All SHARP credentials (e.g., DoD Sexual Assault Advocate Certification Program (D-SAACP) certifications) will be tracked via Defense Sexual Assault Incident Database (DSAID) for all SARCs and via electronic roster for SAPR VAs.

(2) All SARCs and SAPR VAs must complete 32 Continuing Education Units (CEUs) every two years (16 CEUs per year) following D-SAACP approval to renew their certifications.

k. Commanders will use training, education, and awareness to minimize sexual harassment and assault. Commanders will ensure that all SHARP trainings—whether quarterly, annual, or refresher trainings—are provided with the support of SHARP-credentialed personnel, to include credentialed VAs, credentialed SARCs, and SHARP training instructors. Commanders will determine the duration, location, and means for training. Unit Leaders will lead the training with the assistance of SHARP professionals.

l. The U.S. Army and the U.S. Army Material Command have directed that workplace inspections be completed annually to promote an environment of dignity and respect. All IMCOM workplaces must be free of degrading materials that create an offensive work environment. All workplace inspections will be consolidated by garrison in one

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document and sent in to the IMCOM SHARP Program Manager upon completion NLT 30 September annually. A courtesy copy will also be provided to the mission commander's SHARP office.

m. JBM-HH leaders are responsible and accountable for stopping sexual assault and sexual harassment in our ranks and for maintaining the trust of our Soldiers, Civilians, and Families. Every employee must have the personal courage to intervene, act decisively to protect their coworkers, and be a force in the fight to eradicate sexual assault and sexual harassment. The Department of Defense Sexual Assault Prevention and Response Office (SAPRO) has established a Safe Helpline so that members of the DoD community impacted by sexual assault can discuss their situation and concerns freely without worry that their information will be shared with the DoD or their chain of command. If you need immediate assistance, call the Department of Defense Safe Helpline at 877-995-5247, go online at www.safehelpline.org, or download the DoD approved Safe Helpline application on your phone for immediate anonymous and confidential support. Anonymous means that you can access Safe Helpline without needing to share any personal information about yourself. Confidentiality means that in most cases the individual can share information and it will be protected. If you need immediate assistance, call your local SARC or SAPR VA.

6. **PROPONENT.** The proponent and point-of-contact is the SHARP Program Office at (703) 696-6497.

7. This policy is effective until superseded or rescinded.


TASHA N. LOWERY
COL, AG
Commanding