



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

AMIM-MHG-ZA

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Joint Base Myer-Henderson Hall (JBM-HH) Policy Memorandum ZA-7,
Sexual Harassment/Assault Response and Prevention (SHARP)

1. REFERENCES.

- a. Department of Defense Directive (DoDD) 6495.01, SAPR Program, 23 Jan 2012, Change 3, 11 April 2017.
- b. Department of Defense Instruction (DoDI) 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, 28 March 2013, Enclosure 5, Change 4, 11 September 2020.
- c. Department of Defense Instruction (DoDI) 1020.03, Harassment Prevention and Response in the Armed Forces, 29 December 2020.
- d. AR 600-20, Army Command Policy, Chapter 7, 24 July 2020.
- e. AR 350-1, Army Training and Leader Development, Table F-1, Mandatory Training Requirements for all Personnel, 10 December 2017.
- f. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.
- g. ALARACT 007/2012, SHARP Implementation Guidance, 12 Jan 2012.
- h. ALARACT 135-2013 – HQDA EXORD 149-13, Sexual Harassment/Assault Response and Prevention Army Workplace Inspections, 21 May 2013.
- i. Message, ALARACT 188/2014, HQDA, ASA (M&RA) DCS G1, 260242Z Jul 2014, Subject: (FOUO) HQDA EXORD 193-14 Screening of Sexual Harassment/Assault Response and Prevention Program Personnel and Others in Identified Positions of Significant Trust
- j. HQDA EXORD 221-12 2012 SHARP Program Synchronization Order, FRAGOS 1-4, dated 23 June 2012, 5 December 2012, 17 January 2013, and 20 December 2013, respectively.

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k. JFHQ/MDW Policy Letter 12: SHARP, 07 August 2017.

l. OPORD 20-115, U.S. Army Material Command Sexual Harassment/Assault Response and Prevention (SHARP) Program Requirements, 8 November 2019.

m. Manual for Courts-Martial (2019 Edition).

n. Army Directive 2018-23, Improving Effectiveness of Essential Programs 8 November 2018.

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 Servicemembers, DA Civilians, Family members, contractors, and other personnel who work on, reside on or visit any US 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 Commander, MDW. This policy applies both on and off post as well as on and off duty.

4. POLICY.

a. Reference 1b establishes Army command policy for the SHARP program. This policy is designed to reinforce the Army's leadership commitment to eliminate incidents of sexual harassment or 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, and negatively affect combat readiness. 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.

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!

c. Sexual Harassment is defined as:

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

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(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 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.

(3) 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.

d. Sexual Assault is defined as sexual contact characterized by use of force, threats or intimidation, or abuse of authority 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 offenses. 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. It degrades mission readiness and jeopardizes our ability to work effectively as teams.

e. A civilian employee who has been sexually assaulted should report the abuser to law enforcement, the Equal Employment Opportunity office (if there is a connection to the workplace), or ask the SHARP office for a referral to civilian resource. Children under the age of 18 should report to the Family Advocacy Program and they do not have restricted reporting options. Servicemembers and active duty eligible Family members over the age of 18 who have been sexually assaulted have two distinct reporting options.

5. PROCEDURES.

a. Restricted Reporting: Restricted reporting allows a Servicemember and active duty eligible Family members who are sexual assault victims, 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. Servicemembers and active duty eligible Family Members who are sexually assaulted and desire restricted reporting

should report the assault to their Sexual Assault Response Coordinator (SARC), Victim Advocate (VA) or a healthcare provider. All individuals answering the on-call hotline are able to receive a restricted report.

b. Unrestricted Reporting: Unrestricted reporting allows a Servicemember and active duty eligible Family members who are sexually assaulted and desire medical treatment, counseling, and an official investigation of his/her allegation to use current reporting channels (the chain of command or law enforcement), or he/she may report the incident to the SARC or the on-call 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 SARC for guidance. Leaders will account for the rights of both the survivor and the accused. All reports of sexual assault will be reported within 24-hours in accordance with Army policy. Commanders will submit a Sexual Assault Incident Response Oversight Report (SAIRO) within eight calendar days of the incident report.

(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 retaliation. Commanders will ensure that all reports of sexual assault are referred to law enforcement (CID/Local authorities) for criminal investigation.

(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 take action once an employee or Servicemember reports a case of sexual harassment or sexual assault. First call should be to the local 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 VA for all Servicemembers and DA Civilian employees within their command (this includes full-time US NAF personnel). Commanders and directors will ensure that all Servicemembers 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.

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e. Leaders 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 (but highly encourage 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 and document this with a sign-in roster. The training will include a trends brief for the unit and area of responsibility, the confidentiality and "official need-to-know" requirements for both unrestricted and restricted reporting, and the 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.

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 or Federal law 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. Every DoD employee and military member have the right to report criminal offences with a protected communication. All reports of retaliation will be investigated by the Inspector General (IG).

j. Commanders will use training, education, and awareness to minimize sexual harassment and assault. The Brigade will appoint on orders one SHARP Sexual Assault Response Coordinator (SARC) and one SHARP Victim Advocate (VA). Battalion Commanders will appoint two SHARP Victim Advocates (VAs), using the criteria outlined in AR 600-20 and EXORD 221-12. SHARP VAs must complete the 80-hour SHARP Foundation Course, have a favorable criminal background investigations, 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).

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k. JBM-HH commanders will ensure that all SHARP trainings—whether quarterly, annual, or refresher trainings—are provided by SHARP-credentialed personnel, to include credentialed Victim Advocates, credentialed Sexual Assault Response Coordinators 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 Army and the 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 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 Servicemembers, 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 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.

DAVID D. BOWLING
COL, SF
Commanding

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