



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON-KWAJALEIN ATOLL
UNIT 17001, BOX 1 APO AP 96555-0100

AMIM-KWG-ZA (600-20h)

14 October 2023

MEMORANDUM FOR All Military Personnel, Department of Defense (DOD)
Civilians, Contractors, and Family Members within the United States Army Garrison-
Kwajalein Atoll (USAG-KA) Installation

SUBJECT: Policy #4 - Sexual Harassment/ Assault Response and Prevention
(SHARP) Program

1. This policy letter remains in effect until rescinded or superseded.
2. References.
 - a. AR 600-20, Army Command Policy, July 24, 2020
 - b. ALARACT 013/2021 – Additional Sexual Harassment/Assault Response and Prevention Program Guidance
 - c. DoDI 6495.02 Volume 1, Sexual Assault Prevention and Response: Program Procedures, March 28, 2013 Incorporating Change 5, April 09, 2021
 - d. DoDI 6495.02 Volume 2, Sexual Assault Prevention and Response: Education and Training, April 09, 2021
3. Purpose. USAG-KA provides a safe environment for all personnel assigned to or supporting this command. This policy promotes a command climate that encourages victims to report incidents of sexual assault and harassment without fear of retribution, intimidation, or retaliation. Soldiers and Civilians are the cornerstone of our combat readiness at USAG-KA. Providing a safe and inclusive environment is essential to the USAG-KA mission.
4. Policy.
 - a. AR 600-20, Chapter 7, Sexual Harassment/Assault Prevention and Response Program (SHARP), establishes Army policy for this program. This policy is designed to reinforce the Army's and USAG-KA's leadership commitment to eliminate incidents of sexual harassment or assault through a comprehensive program centering on awareness, prevention, training, education, victim advocacy, response, reporting, accountability, and inclusivity. Leaders at every level must be committed to creating and maintaining an environment promoting productivity and respect for

human dignity. Unacceptable actions erode trust, destroy teamwork, and negatively affect combat readiness. Sexual harassment and assault are punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local laws. We will hold ourselves accountable.

b. AR 600-20, para 7-7 under Title 10 USC 1561 defines the term "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.

(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 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.

c. Personnel have the right to present a complaint to the command through the SHARP program without fear of intimidation, reprisal, retaliation, or further harassment. Attempts to resolve sexual harassment should always be made to solve the problem at the lowest possible level within the organization. Sexual harassment options include informal and formal complaints:

(1) An informal complaint is not made in writing, and the complainant may speak to the offender, to a supervisor, or both. It is the intention that the offending behavior would stop with no further action required. A memorandum of record detailing the action which resolved the complaint is highly recommended.

(2) A formal complaint is a written statement submitted on a DA Form 7279 to the Sexual Assault Response Coordinator (SARC). All formal sexual harassment complaints will be reported to the first General Courts-Martial Convening Authority (GCMCA) within three calendar days.

d. Sexual assault is a crime that has no place in the Army. Sexual assault is incompatible with Army values and is punishable under the Uniform Code of Military Justice. Anyone who is aware of sexual assault has 24 hours to report this criminal misconduct.

e. AR 600-20, para 7-9 states: Sexual assault is a crime. Sexual assault is intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. Sexual assault can occur without regard to gender, spousal relationship or age of the victim.

Consent is not deemed or construed to mean the failure by the victim to offer physical resistance. Consent cannot be given when a person uses force, threat of force or coercion, or when the victim is asleep, incapacitated or unconscious.

f. Military service personnel, civilian employees, and adult family members (18 years and older), who are sexually assaulted, have the choice of two reporting options; Restricted or Unrestricted reporting.

(1) Restricted reporting is kept confidential; this allows the victim to receive medical care and behavioral health services without notifying the command or law enforcement. No official investigation is possible if the reporting remains restricted. Only SHARP Specialists (SARCs and VAs), medical and behavioral health care professionals, and Chaplains can be notified if the victim wishes to keep the sexual assault report restricted.

(2) Unrestricted reporting allows the victim to receive medical and behavioral health care; in addition, the Criminal Investigation Division (CID) will initiate an investigation. The command will also be notified. The victim may request an expedited transfer, if it is in his or her best interests. The victim will be able to receive a Sexual Assault Forensics Examination (SAFE) whether the report is restricted or unrestricted. With an unrestricted report, details regarding the incident is limited to only those personnel with a legitimate need to know.

g. All sexual assault victims may elect to have a Special Victim Counsel (SVC). All such services will be coordinated through the Staff Judge Advocate (SJA).

5. Responsibilities:

a. SHARP is everyone's responsibility. Anyone, particularly bystanders, who witness or become aware of sexual harassment or sexual violence are required to act either by direct intervention or by reporting the incident as soon as possible to emergency services. Personnel in the chain of command must report sexual harassment to the SHARP office and sexual assault to CID, as it becomes known to them.

b. Victims of sexual harassment and sexual assault will be treated with fairness, dignity and respect at all times. Safety for the victim is the primary consideration, particularly in cases of sexual violence. Retaliation and retribution towards the victim is strictly not allowed. This is true with the chain of command or with peer interaction. Any incident of reprisal against a sexual harassment or sexual assault victim must be immediately brought to the attention of the Garrison Commander.

6. Annual SHARP training is mandatory for all Military and Civilian employees. The training consists of both face-to-face and online training sessions.

7. Proponent: The proponent for this policy is the Sexual Harassment/Assault Response and Prevention (SHARP) Coordinator. Report sexual harassment to the appropriate supervisor or the Equal Employment Opportunity (EEO) Office or an EEO counselor. A command Sexual Harassment Hotline has been established at (253) 389-8469 for reporting, and accessible 24 hours a day, 7 days a week. Garrison SHARP representative available 24 hours a day, 7 days a week at (808) 580-3241 pager number 0100. Additionally, you may also contact the USAG-KA EEO point of contact at (808) 787-1097 or DSN at (315) 437-1097; he/she can facilitate concern/complaint with an EEO Counselor at SMDC Huntsville.

8. A copy of this memorandum will be prominently displayed on all official bulletin boards in all directorates.



ANDREW R. MORGAN
COL, MC (FA40C)
Commanding