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US ARMY INSTALLATION MANAGEMENT COMMAND
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FORT LEE POLICY NO. 20-6

NOV 04 2020

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Garrison Command Policy Letter Sexual Harassment/Assault Response and Prevention (SHARP)

1. REFERENCES.

- a. DOD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, 28 March 2013, Revised (3) on 24 May 2017.
- b. DOD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program, 23 January 2012, Revised 11 April 2017.
- c. AR 600-20, Army Command Policy, Chapter 7, 24 July 2020.
- d. 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 November 2018.
- e. DoDI 1020.03, Harassment Prevention and Response in the Armed Forces, 8 February 2018.

2. Sexual harassment and sexual assault are incompatible with Army Values and adversely affect morale, welfare, discipline, and mission readiness. These actions destroy the lives of individuals, threaten the core of the Army profession and degrade our community. As the premier installation in the Army, we must collectively reduce sexual harassments and assaults by creating a climate that respects the dignity of every member of the Army Family. Commanders, leaders, and supervisors at all levels are responsible for providing a safe and healthy environment for Soldiers, DA civilians, contractors, and Family Members to live, work, and participate in recreational activities on and off the installation.

3. Complainants of sexual harassment and victims of sexual assault will be treated with compassion, dignity and respect at all times. Commanders, managers, and leaders at all levels will ensure protection against acts or threats of reprisal.

4. 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:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career;

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b. Submission to, or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person;

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.

5. The Army's policy is zero tolerance for sexual harassment. Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career of an individual is engaging in sexual harassment. Similarly, any individual who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is engaging in sexual harassment. Sexual harassment is punishable under the Uniform Code of Military Justice (UCMJ) and any person who is found guilty of sexual harassment will be disciplined.

6. Service Members who feel that they are being or have been sexually harassed should make it clear that the behavior is offensive and are encouraged to report the incident to their SHARP personnel, supervisor, chain of command, or the Inspector General's Office. DA civilians report sexual harassment complaints to the Equal Employment Opportunity Office.

7. Allegations of sexual harassment will be investigated and resolved promptly at the lowest level possible or by formal disciplinary or administrative action. Commanders, managers, and supervisors will take prompt and decisive action when such sexual harassment is substantiated.

8. Sexual assault is defined as intentional sexual contact characterized by the use of force, threat of force, abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, nonconsensual sodomy (oral or anal), indecent assault (unwanted, inappropriate sexual contact of fondling), or attempts to commit these acts.

9. Sexual assault is punishable by the UCMJ. DoD law enforcement and legal personnel directly engaged in the detection, investigation or prosecution of crimes are responsible for ensuring that victims of military-related crimes have rights that are annotated and protected. Victims of sexual assault will be provided a DD Form 2701 listing the Victims' Rights. The rights of victims and reported offenders will be respected to ensure safety of all parties.

10. Service Members and their dependents 18 years of age and older who are victims of sexual assault may report the incident in a Restricted or Unrestricted manner.

a. Restricted reporting allows a victim of a sexual assault to disclose the details of the assault on confidential basis to specifically identify individuals and receive medical treatment and counseling without triggering an official investigation. Soldiers and dependents who are sexually assaulted and desire restricted reporting should report the assault to a Victim Advocate Specialist, Sexual Assault Response Coordinator (SARC), or healthcare provider on post to maintain confidentiality.

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b. Unrestricted reporting allows a victim of a sexual assault to receive medical treatment, counseling, and triggers an official investigation into the sexual assault. Victims may make an unrestricted report to a SHARP Victim Advocate, SARC, Chaplain, healthcare provider, law enforcement, or the chain of command. With the consent of the victim, a healthcare provider will conduct a forensic examination, which may include the collection of evidence. Details regarding the incident will be limited to only those personnel on a need to know basis.

11. Commanders, leaders and supervisors will ensure that all military and civilian personnel attend SHARP annual refresher face to face training using the annual training support package. In addition, commanders will also ensure that SHARP training is fully integrated into newcomers' briefs, leaders' training, safety briefings and before, during, and after deployment.

12. I am committed to ensuring that Soldiers, Family Members and Army civilians live and work in an environment free from sexual harassment and sexual assault. I expect the same commitment from every member of the team. Through education, discipline, and enforcement of standards, commanders and leaders at all levels will be committed to creating and maintaining an environment in which every member can maximize their productivity and thrive to full potential.

13. Personnel are subject to the UCMJ who fail to comply with the provisions of this policy memorandum and may be subject to punishment under the UCMJ or adverse administrative action authorized by applicable regulations.

14. Civilian employees should contact the SARC at (804) 734-7083 or the Fort Lee 24/7 hotline (804) 894-0029 for information on services available to them.

15. This policy supersedes Fort Lee Policy No. 19-6, dated 17 January 2019.

16. PROPONENCY. The proponent for this command policy is the Fort Lee USAG SARC office, at (804) 734-7083.



KARIN L. WATSON
COL, MP
Commanding

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