AMIM-LIG-ZA (690-600) 2 June 2023

MEMORANDUM FOR RECORD

SUBJECT: Garrison Policy Letter #4, Sexual Harassment Assault Response Prevention (SHARP)

1. Applicability:
   a. This policy applies to United States Army Garrison Fort Liberty: Soldiers, Civilian employees, and Family members.
   b. Service members from other branches may contact the SHARP office for referral to the appropriate resources.

2. Guidance:
   a. Preventing sexual harassment and sexual assault is everyone’s responsibility. AR 600-20 establishes Army command policy for the SHARP program. The Army has zero tolerance for sexual harassment, sexual assault, and retaliatory behaviors.

   b. Leaders must be committed to the elimination of incidents of sexual harassment, sexual assault, and retaliatory behaviors through a comprehensive program centering on awareness, prevention, training, education, victim advocacy, response, reporting, and accountability. I expect leaders at every level to be committed to creating and maintaining a positive environment promoting dignity and respect for all.

   c. Sexual assault is a criminal offense that is punishable under the UCMJ and under Federal and State law. Sexual harassment and retaliatory behavior are punishable under the UCMJ. These unacceptable actions are incompatible with Army Values, erode trust, destroy teamwork, and negatively affect Army readiness. I strongly encourage bystander intervention to prevent sexual assault, sexual harassment, and retaliation.

3. Sexual Harassment:
   a. Title 10 USC 1561 and AR 600-20 define the term “sexual harassment” to mean any of the following:
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(1) 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; or

(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 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.

b. There is no requirement for concrete psychological harm to the complainant for behavior to constitute sexual harassment. Behavior is sufficient to constitute sexual harassment if it is so severe or pervasive that a reasonable person would perceive, and the complainant does perceive, the environment as hostile or offensive.

c. Sexual harassment can occur through electronic communications, including social media, other forms of communication, and in person.

d. The use of disparaging and/or sexualized terms may contribute to an unlawful hostile environment and thus will not be tolerated. Leaders at all levels will protect their teams against sexual harassment and proactively ensure their environments are free from all forms of sexual harassment.

e. Sexual harassment reporting options:
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(1) Soldiers (including Delayed Entry Program), cadets, and Family members aged 18 and over may file a formal, informal, or anonymous sexual harassment complaint with a full-time Sexual Assault Response Coordinator (SARC). Eligible individuals may also elect to receive victim advocacy services from a SARC or victim advocate (VA).

(2) Family members who experience workplace sexual harassment in a non-DoD workplace, on or off post, may report in accordance with the organization’s Equal Employment Opportunity (EEO) policy and procedures.

(3) Complaints from DA Civilian (DAC) personnel (to include those against Soldiers) reporting sexual harassment will be handled in accordance with the EEO procedures contained in AR 690-600, AR 690-12, or as described in separate DoD and DA policy, or as provided for in any applicable collective bargaining agreement.

4. Sexual assault:

a. Sexual assault is defined as intentional sexual contact, characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. The term includes a broad category of sexual offenses consisting of the following UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these acts.

b. Sexual assault reporting options:

(1) Restricted Reporting. Restricted reporting allows Soldiers and eligible Family members who are sexual assault victims to disclose, on a confidential basis, the details of their assault to specifically identified individuals and receive medical treatment and counseling, without triggering the official investigative process.

(a) Eligible victims may file a Restricted Report, provided they did not personally report the sexual assault incident to law enforcement (including Criminal Investigation Division (CID) or other Military Criminal Investigation Organization (MCIO); or they did not previously elect to make an Unrestricted Report with a SARC or Sexual Assault Prevention and Response victim advocate (SAPR VA) by signing a DD Form 2910 for the same sexual assault incident.

(b) Victims covered by this policy are eligible to file Restricted Reports even if:

(c) They disclosed the sexual assault incident to their commander or to personnel in the chain of command;
(2) There is an ongoing investigation into the sexual assault incident initiated by a third party and not due to the victim’s disclosure to law enforcement; or

(3) The investigation into the sexual assault incident has been closed.

(4) Eligible victims who desire restricted reporting should report the assault to a SARC, SAPR VA, Victim Representative (VR) or a healthcare provider (HCP). If a victim elects this reporting option, they may convert a restricted report to an unrestricted report at any time.

(5) **Unrestricted Reporting.** Unrestricted reporting allows Soldiers and eligible Family members to disclose that they are the victim of a sexual assault to a SARC, SAPR VA, VR, HCP, command authorities, or others. The victim will have access to medical treatment and counseling, support, and consideration for protection orders and expedited transfers. If the victim chooses to file an unrestricted report, the SARC, SAPR VA or VR, HCP, chain of command, and law enforcement, will be notified that the crime was reported. An official investigation will be triggered and the subject may be prosecuted. All unrestricted reports will be referred to CID, regardless of severity. Once a victim files an unrestricted report, it cannot be converted to a restricted report. If at any time a victim declines to participate in an investigation or prosecution, that decision should be honored by commanders, investigators, and all other personnel involved in the case.

(6) A report to a Chaplain, Special Victims’ Counsel (SVC) or legal assistance attorney will not result in the rendering of SHARP services or investigative action because of the privileges associated with speaking to these individuals. A Chaplain, SVC or legal assistance attorney should advise the victim to consult with a SARC to understand the full scope of services available and, with the victim’s consent, facilitate contact with a SARC.

(7) Soldiers and eligible Family members (18 years old or older) who have been sexually assaulted have both the restricted and unrestricted reporting options.

(8) This policy does NOT apply to victims of sexual assault perpetrated by a spouse or intimate partner, or military dependents under the age of 18 who are sexually assaulted. The Family Advocacy Program (FAP) provides the full range of services to those individuals. When a sexual assault occurs, as a result of domestic abuse or involves child abuse, the SARC will contact FAP and ensure that the case is appropriately transferred.
(9) DACs electing to make an unrestricted report of sexual assault are eligible to receive victim advocacy services from SARC, SAPR VA or VR. These services do not include expedited transfers, any medical entitlements or legal services that they are not already authorized by law or policy. DACs wishing to file a report confidentially may consult with a SARC, SAPR VA, or VR for a referral to an appropriate community resource.

(10) The Catch a Serial Offender (CATCH) Program is voluntary and allows an eligible adult sexual assault victim to submit an anonymous entry into the CATCH database to discover if the suspect in their report may have also assaulted another person (i.e., a “potential match” in the CATCH website). For more information on the CATCH program, individuals can contact their full-time SARC or the Fort Liberty SVC.

5. Retaliation:

   a. Retaliation encompasses illegal, impermissible, or hostile actions taken by an individual’s chain of command, peers, coworkers, or subjects as a result of making or being suspected of making a protected communication in accordance with DoDD 7050.06. Retaliation for reporting a criminal offense can occur in several ways, including reprisal. Investigation of complaints of non-criminal retaliatory actions other than reprisal will be processed consistent with Service-specific regulations. When a Sexual Harassment/Sexual Assault report is submitted a Commander must ensure a Retaliation/Reprisal plan is established.

   (1) Reprisal: taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, for making, preparing to make, or being perceived as making or preparing to make a protected communication.

   (2) Restriction: preventing or attempting to prevent a current Service member from making or preparing to make a lawful communication to a member of Congress or an IG.

   (3) Maltreatment: maltreatment occurs when a person subject to the UCMJ is cruel toward, oppresses or maltreats, any individual subject to the person’s orders.

   (4) Ostracism: with a nexus to military service, wrongfully excluding a military member from social acceptance or membership in or association with a group of which such military member was a part or a reasonable person would conclude wanted to be a part.
b. Every Civilian employee and military member have the right to report criminal offenses by means of a protected communication. Victims, witnesses, first responders and bystanders can seek assistance on how to report retaliatory behavior by requesting assistance from a SARC, SAPR VA, VR, commander, Military Equal Opportunity (MEO), EEO, SVC, legal assistance or an Inspector General (IG). An IG will investigate all reports of reprisal. This command will not tolerate any retaliation or reprisal against an individual who reports a protected SHARP-related communication.

6. Reporting Procedures:

a. All victims of sexual assault and sexual harassment will be treated with dignity, fairness, privacy and respect. I expect leaders to swiftly (within 24 hours) address allegations of sexual harassment, sexual assault and retaliation in accordance with established policy and regulations. For Civilian employees who are experiencing sexual harassment, procedures and courses of action are available through their local EEO Office. We will treat every reported sexual assault, sexual harassment, and retaliation incident seriously and follow the Army guidelines listed below:

b. Commanders will immediately report allegations of sexual assault and certain acts of sexual misconduct to their local CID office. Commanders will thoroughly and professionally investigate all allegations of sexual harassment, and retaliation that do not otherwise require referral to another agency. Sexual harassment and sexual assault are punishable under the UCMJ for the service members and other federal and local laws for Civilians.

c. Commanders or supervisors will contact their local SARC for guidance when they are notified of an allegation of sexual assault against uniformed personnel, their eligible Family members or DACs. They will hold offenders appropriately accountable, provide compassionate care for victims, and protect the rights and privacy of survivors. SHARP personnel will explain to the victim the resources available through the DD Form 2910, where the reporting option is elected, and also provide the victim with a copy of their rights as a victim using DD Form 2701 (Initial Information for Victims and Witnesses of a Crime). See Enclosure 1 for a listing of victims' rights.

d. Supervisors and leaders in the chain of command, NCO support channel or in the supervisory chain must take action once a Soldier or Civilian reports a case of sexual harassment or sexual assault. When they become aware of sexual assault or sexual harassment, they are required to inform their commander immediately. All commanders who become aware of a sexual assault, even if it is outside of their command, must immediately report it to CID. Commanders will not initiate an investigation or inquiry into any report of sexual assault.
e. Battalion level commanders will submit the Sexual Assault Incident Response Oversight Report (SAIRO), when required, within eight calendar days of the incident IAW ref 1d, Appendix K.

f. Leaders at all levels will create a culture of trust in which everyone can thrive and achieve their full potential.

7. Resources:

a. You can contact the DoD Safe Helpline at 877-995-5247 or www.safehelpline.org for assistance 24/7.

(1) 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. You can call the DoD Safe Helpline or go online to get confidential help.

(2) You can also download the free DoD-approved Safe Helpline application to your mobile phone and contact them via text or VoIP call for immediate anonymous and confidential support.

(3) 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.

b. If you need assistance, contact the SHARP office at 910-907-5494, cell at 910-922-3233, or visit the Soldier Support Center, bldg. 4-2843, Rm. B-E-1, during duty hours.

c. For emergency assistance after hours, contact the Fort Liberty Sexual Assault Hotline at 910-584-4267.

d. See additional resource information for Fort Liberty in Enclosure 2.

8. Training:

a. Per DoD Directive 7050.6, all 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. The training will include 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. 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. Upon training completion updates should be made in the
Digital Training Management System (DTMS) or system of training record.

b. Commanders may also be required to participate in their local monthly Sexual
Assault Review Board (SARB) meetings held by their installation senior mission
commanders and use it as a tool to support their SHARP programs.

c. Annual Training: Commanders, directors and leaders will ensure that all assigned
Soldiers and Civilians are trained annually IAW AR 600-20 and AR 350-1 and will
document their attendance to their G3-5-7 for input into the Digital Training
Management System (DTMS). My goal is to have 90% of assigned personnel trained by
1 August and 100% trained by 30 September annually. Training will be offered as
needed by leaders and supervisors and will be good for one year.

d. Per Army Directive 2018-23, commanders will determine the duration, location,
and means for conducting SHARP annual refresher training. Leaders will facilitate
annual training with the assistance of credentialed SHARP professionals, not just
participate in training. A leader can be anyone who is in a supervisory position. Training
for contractors and Family members ages 18 and over is not required (but they may
attend). The Fort Liberty Sexual Harassment/Sexual Assault Fusion Directorate SARCs
can assist in preparing leaders to facilitate annual refresher training. Training
completion will be updated within DTMS or the training system of record.

9. Point of contact is Kimberly S. Green, Sexual Harassment/Sexual Assault Fusion
Directorate Office (SHARP), at (910) 584-5978 and kimberly.s.green16.civ@army.mil.

2 Encls
1. Victims Bills of Rights
2. Sharp Resources for the
Fort Liberty Community

JOHN WILCOX
COL, CA
Commanding
Victims’ Bill of Rights

References:
- 18 USC 3771 Crime Victims’ Rights
- DD Form 2701 Initial Information for Victims and Witnesses of Crime

As a crime victim, you have the following rights:

- The right to be treated with fairness and respect for your dignity and privacy.
- The right to be reasonably protected from the accused offender.
- The right to reasonable, accurate, and timely notice of public preliminary hearings, pretrial confinement hearings, court proceedings, and clemency and parole hearings related to the offense.
- The right to be present at all public proceedings related to the offense unless the hearing officer or military judge determines that your testimony would be materially altered if you as the victim heard other testimony.
- The right to reasonably confer with the prosecutor/Trial Counsel in the case.
- The right to receive available restitution.
- The right to be reasonably heard at:
  - A public hearing concerning the continuation of any pretrial confinement of the accused.
  - A sentencing hearing related to the offense.
  - A public Military Department Clemency and Parole Board hearing related to the offense.
- The right to submit a written statement for the consideration of the Convening Authority prior to taking action on findings and sentence.
- The right to proceedings free from unreasonable delay.
- The right to be provided information, if applicable, about the conviction, sentencing, imprisonment, Convening Authority's action, appellate review, and release of the offender.

For further information on crime issues, see the DoD Victim and Witness Assistance Council web page at: http://wwac.defense.gov/
SHARP Resources for the Fort Liberty Community

Military Police (MPs): 910-396-0391
On-Call Chaplain: 910-396-4357.

Fort Liberty Sexual Harassment/Sexual Assault Fusion Directorate (SHARP): 910-907-5494 (office), 910-922-3233 (cell), or visit the Soldier Support Center, Bldg. 4-2843, Room B-E-1, during duty hours.

Fort Liberty Special Victims’ Counsel: 919-908-1186 (office) or 910-538-0734 (cell) or visit the Fort Liberty Legal Office at 4-2843 Normandy Dr., 910-396-8683.

Ft. Liberty Legal Assistance Office: 910-396-6113


Army Substance Abuse Program: 910-396-4100
Employee Assistance Program: 910-396-5784
Suicide Prevention: 910-432-7279

National Suicide Prevention Hotline: 1-800-273-8255

Military Equal Opportunity: 910-396-4538

Equal Employment Opportunity: 910-396-5214
Religious Support Office: 910-396-1121

Fort Liberty Inspector General: 910-643-7381

DoD OIG at 800-424-9098 (Toll-Free), 703-604-8799 (comm), 664-8799 (DSN) or file a complaint online at dodig.mil.

Military One Source - 1-800-342-9647 (Stateside) *800-342-9647 (Overseas)
*Dialing instructions online.

Rape, Abuse, & Incest National Network (RAINN): 1-800-656-HOPE (4673).

Red Cross After Hours - 1-877-272-7337.