



DEPARTMENT OF THE ARMY  
DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER  
PRESIDIO OF MONTEREY  
MONTEREY, CALIFORNIA 93944-5000

ATZP-CDR

27 February 2019

MEMORANDUM FOR SEE DISTRIBUTION

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

1. References:

- a. AR 600-20, Army Command Policy, 6 November 2014.
- b. TRADOC Policy Letter 23, Sexual Harassment/Assault Response and Prevention (SHARP) Program, 15 July 2016.
- c. Combined Arms Center (CAC) and Fort Leavenworth Policy Letter 7, Sexual Harassment/Assault Response and Prevention (SHARP) Program, 19 August 2016.

2. Purpose: This policy establishes the Defense Language Institute Foreign Language Center (DLIFLC) and Presidio of Monterey (POM) Sexual Harassment/Assault Response and Prevention Program.

3. Applicability: This policy applies to all civilian employees, military personnel and their family members, assigned or attached to DLIFLC and POM.

4. Proponent: The proponent for this policy is the DLIFLC Sexual Assault Response Coordinator's Office, ATZP-SARC, (831) 242-3446. This policy supersedes the previous policy letters on Prevention of Sexual Harassment, dated 13 June 2013, and Sexual Assault, dated 4 June 2010.

5. Acts of sexual harassment and sexual assault are unacceptable, destroying individual and unit morale and negatively affecting combat readiness, and will not be tolerated. Leaders at all levels will be committed to true culture change, creating and maintaining an environment promoting dignity and respect while simultaneously emphasizing community building. Through education, discipline, and enforcement of standards, DLIFLC and POM will work to establish an environment free from sexual harassment and sexual assault where each individual within the DLIFLC and POM team is valued and protected. Leaders will consider allegations of sexual harassment and sexual assault with utmost seriousness; protecting the privacy of survivors, holding offenders accountable, and preventing revictimization. Leaders will establish and sustain an environment at all levels in which Service Members and DA civilians can

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report incidents of sexual harassment or sexual assault without fear of harassment or reprisal. Every member of DLIFLC and POM must have the personal courage to intervene no matter the time or place, to act decisively in order to protect members of the DLIFLC and POM family, and to be motivated by their service values in order to be a constant force in the fight to eliminate sexual harassment and sexual assault. I am fully committed to the Army's and DLIFLC's SHARP program.

6. The explanations of sexual harassment and sexual assault and their reporting options follow below:

a. Sexual Harassment is a form of sex discrimination involving unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a military member is engaging in sexual harassment. Complaints of sexual harassment by Service Members or their family members may be filed through the chain of command, next higher echelon commander, SHARP representative, or inspector general (IG). Civilian employees will file complaints through their management officials, IG, or the Equal Employment Office. There are two types of complaints:

(1) An informal complaint is one that a Soldier or family member does not wish to file in writing. It is not subject to a time suspension and the chain of command or management officials normally handle the resolution process.

(2) A formal complaint is one that the complainant files in writing and swears to the accuracy of the information. Active duty Soldiers have 60 calendar days and civilian employees have 45 calendar days from the date of the incident to file a complaint of sexual harassment. Commanders at all levels, along with the complainants, will follow the procedures for filing formal or informal complaints outlined in Appendix C of AR 600-20, Army Command Policy.

b. Sexual Assault is a crime defined by intentional sexual contact characterized by the use of force, physical threat, or abuse of authority; or when the victim does not or cannot consent. Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender, spousal relationship, or age of the victim. Sexual assault is punishable under UCMJ and other federal and local civilian laws.

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c. Consent means words or overt acts indicating a freely given agreement to sexual conduct by a competent person. A sleeping, unconscious, or incompetent person cannot consent to a sexual act.

d. There are two types of reporting options for survivors of sexual assault:

(1) Restricted Reporting allows a Soldier or family member age 18 and older, who is a victim of sexual assault to, disclose the details of their assault to a sexual assault response coordinator (SARC), victim advocate (VA), chaplain, or healthcare provider\* and receive medical treatment and counseling on a confidential basis, without triggering an official investigation.

(a) \*In California, healthcare providers have a mandatory reporting requirement when that healthcare provider knows or reasonably suspects that the patient is suffering from injuries inflicted as a result of rape or other sexual assault. However, a victim must provide written consent before a sexual assault forensic examination (SAFE) exam, to include the collection of evidence, may be administered.

(b) If a victim wishes to file a restricted report while also choosing to undergo a (SAFE) exam and/or to receive confidential medical treatment and counseling, he or she should report the sexual assault first to a SHARP professional. The SHARP professional should ensure the victim is aware of any state or local mandatory reporting requirements and the impact of those legal requirements on the ability of the victim to file a restricted report. Army policy cannot prevent local law enforcement from initiating a criminal investigation or referring the matter to the local District Attorney for criminal prosecution of the alleged assailant.

(2) Unrestricted Reporting allows a Soldier or family member age 18 and older, who is sexually assaulted and desires medical treatment, counseling, and an official investigation, to report the assault to the chain of command and other officials including the Criminal Investigative Division (CID), IG, or Provost Marshal. Law enforcement will investigate all unrestricted reports and protect the rights of all parties involved. Civilian employees who wish to report a sexual assault should contact their local law enforcement officials.

e. Survivors of sexual assault will be treated with fairness, dignity, and respect. We must ensure that the needs of survivors are compassionately met and that they are aware of their rights, options, and resources available for support. Care will be taken to protect individual privacy and avoid instances of secondary victimization during medical treatment, investigation, and legal adjudication.

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7. The SHARP program is a commander's program and in order to establish and maintain an environment free of sexual harassment and sexual assault, all unit commands will:

a. Include SHARP training in all new Soldier/Leader integration programs. Training will focus on prevention education, risk factor awareness, reporting procedures, bystander intervention, appropriate online conduct, the correlation between sexual assault and alcohol abuse, and survivor support.

b. Conduct annual SHARP training for all assigned personnel, as well as ensuring all personnel conduct annual online SHARP Standing Strong training through the Army Learning Management System.

8. This policy is effective until superseded or rescinded.



GARY M. HAUSMAN  
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Commanding

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