



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY ALASKA
724 POSTAL SERVICE LOOP #5000
JOINT BASE ELMENDORF-RICHARDSON, ALASKA 99505-5000

APVR-CG

NOV 22 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Sexual Harassment/Assault Response and Prevention (SHARP) (CG Policy # 0-03)

1. References:

- a. USARPAC SHARP Policy #SUS20 8 June 2019
- b. AR 600-20, Chapter 7-8, Army Command Policy, 6 Nov 14
- c. ALARACT 007/2012 SHARP Program Implementation Guidance, 12 Jan 12
- d. ALARACT 299/2013 Army Responsibilities, Roles, Procedures, and Authorities for Responding to Sexual Assault Allegations, 8 Nov 13
- e. Army Directive (AD) 2015-10, Sexual Assault Incident Response Oversight (SAIRO) Report, 24 Feb 15
- f. AD 2018-16 Suitability Criteria for Military Personnel in Specified Positions, 8 Nov 18
- g. EXORD 193-14, Screening of SHARP Personnel and Others in Identified Positions of Significant Trust, 26 Jul 14
- h. USARPAC OPORD 14-08-043, Screening of SHARP Personnel and Others in Identified Positions of Significant Trust, 15 Aug 14
- i. 10 U.S.C. § 917a, herein referred to as Art. 117a, 12 Dec 17
- j. Department of Defense (DoD) Instruction 6495.02 24 May 2017

2. Applicability: This policy applies to all US Army Alaska (USARAK) personnel, Soldiers, civilians, Family members and contractors assigned, attached or employed by USARAK and tenant organizations or activities.

3. Sexual harassment, sexual assault, sexual wrongful broadcast or distribution of images and retaliation for reporting these incidents are unacceptable conduct and will

not be tolerated. Sexual assault is a crime under the Uniform Code of Military Justice (UCMJ), federal, and state law and has no place in the Army or our communities. Sexual harassment/assault is inconsistent with Army Values as it degrades unit performance, cohesion, mission readiness and is degrading to the dignity of the individual. This command will not tolerate sexual harassment or sexual assault! We must foster a climate of trust and respect that protects our Soldiers, civilians, and Family members. SHARP is a commander's program therefore, commanders must ensure leadership is engaged at all levels to prevent sexual harassment and assault. We will hold all offenders accountable.

- a. Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when; submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; or submission to or rejection of such conduct by a person is used as a basis for career employment decisions affecting that person; or such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive environment.
 - b. Sexual assault is a crime 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 including, but not limited to, the following specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, or attempts to commit these offenses.
 - c. Article 117a generally prohibits knowingly and wrongfully broadcasting or distributing intimate visual images of another person or a visual image of sexually explicit conduct involving a person who is at least 18 years old at the time the visual image was created. Criminal Investigation Division must investigate such conduct, and a SARC will be appointed. If an AR 15-6, investigation reveals that an act reported, as sexual harassment is a sex-related offense punishable under UCMJ, that commander must halt the 15-6 investigation and refer the case to CID. SHARP services, to include protected communications with SHARP professionals, are available to these victims.
4. Every member of this command who becomes aware of sexual assault, or possessing probable cause of such an act, will report these allegations immediately (within 24 hours) to the appropriate authorities.
 5. Commanders at all levels will publish and post written command policy statements on prevention of sexual harassment/assault, reporting procedures, their commitment to the SHARP Program, victim rights, definition of sexual assault and sexual harassment are punishable under UCMJ and other federal and local civilian laws, sexual

harassment and sexual assault are incompatible with Army Values and available resources.

6. Training is an integral part in preventing sexual harassment and assault. Training develops skills, knowledge, and promotes awareness. Commanders and other leaders must operationalize SHARP Program relevant topics. At a minimum, the annual required training will be completed.

a. Command teams at the company level and above will complete the SHARP ELITE Command Team Trainer (CTT) not more than 30 days before assuming a position within the command team. The training will be followed by an in brief by the assigned SARC.

b. All SHARP Representatives must complete the SHARP ELITE POST Training annually.

7. All reports of an unrestricted sexual assault will be reported as a Serious Incident Report within 12 hours to the USARAK Command Center (UCC), the Senior Commander and the USARPAC Operations Center: along with notifying CID and the assigned SARC. Commanders will submit SAIRO Reports to the USARAK CG, ensuring that the SHARP Program Manager receives a copy. All reports will be entered into the appropriate reporting system. All sexual assaults will be processed (tracked and updated) by the SARC that is assigned to the victim's brigade. The only time a victim from a different brigade will assist a victim is per the request from the victim. All means to utilize a SHARP representative from the victim's brigade should be suggested. The back up to all USARAK Brigade SHARP services is the USARAK SHARP Program Office. There are two modes of reporting a sexual assault - Restricted and Unrestricted.

a. Restricted reporting allows a victim to confidentially disclose the details of the assault to specifically identified individuals and receive medical care and counseling without triggering an official investigation. Soldiers who are sexually assaulted and desire restricted reporting should report the assault to the SARC/SHARP Specialist, VA/SHARP Specialist, or Health Care Provider only. Effective 5 August 2019, all victims that choose a restricted reporting option should be made aware of the Catch a Serial Offender (CATCH) Program. The CATCH a Serial Offender Program (CATCH) is a new, confidential way for Service members and their adult dependents to provide information about their restricted report of sexual assault and/or offender to DoD criminal investigators. CATCH allows the Department to capture allegations about offenders, assess the information and then offer victims the opportunity to participate in the military justice process when there are other, similar reports.

b. Unrestricted reporting allows a victim desiring an official investigation into the allegation to use current reporting channels such as law enforcement and the chain of command. Victims desiring unrestricted reporting may still contact the SARC/SHARP Specialist, VA/SHARP Specialist, or Health Care Provider. Upon notification of a sexual assault, the brigade SARC/SHARP Specialist will immediately contact the battalion VA/SHARP Specialist. Details regarding the incident will be limited to those personnel who have a legitimate need to know the information, as well as those agencies which the UCMJ, policies, or applicable laws dictate, be notified of such a charge.

d. The chain of command, to include commanders, will refrain from questioning victims as to the specifics of the alleged event. To do so in a sexual assault scenario may undermine the confidentiality of the restricted reporting option, as well as undermine a criminal investigation. Personnel will treat all victims/survivors of sexual assault with dignity, fairness, and respect. Appropriate respect will be given to the privacy of the victim as well as the accused.

8. Every victim of sexual assault are entitled to the following rights:

- Right to be treated with fairness and respect
- Right to be reasonably protected from the offender
- Right to be notified of court-martial proceedings
- Right to be present at court-martial proceedings
- Right to confer with the Government attorney
- Right to available restitution
- Right to know outcome of trial and release from confinement

9. All sexual harassments will adhere to the timeline annotated in AR 600-20. Extensions will be granted on a case-to-case basis. All extensions requiring the USARAK Commanding General's signature will be processed through the USARAK SHARP Program Manager. Extensions requiring brigade commander's approval will be processed through the Brigade SARC. All sexual harassments will be reported on the CCIR within 12 hours of notification to the USARAK Command Center (UCC), the USARAK Senior Commander.

10. Our SHARP program critically depends on selecting the right personnel to assume the role of a SARC/SHARP, VA/SHARP at all levels. I want to emphasize the importance of commanders personally interviewing and selecting the best qualified personnel to serve as a SHARP representative. Our SHARP team is our top leaders, second only to our commanders. Our SHARP team must be of the highest moral, ethical, and professional character.

Offense will also result in disqualification for appointment to or retention in a position as a SHARP/SARC or SHARP/VA.

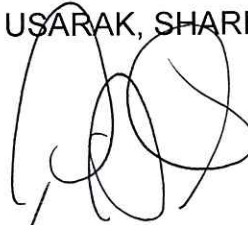
11. There are no bystanders in this effort. We are all accountable. I expect all members of this Command to take an active role in the prevention of sexual harassment and sexual assault. Just as we have defeated every enemy we have faced, we will defeat this enemy within our ranks. Make this your top priority- One assault is too many. My challenge to you is in seeking to eliminate sexual harassment and sexual assault is to have a culture where these kinds of behaviors are not able to occur. Start with yourself and then help those around you, then set the examples for others to see. My goal is 100% reporting and no incidents. I am committed to this program.

12. Resources to assist victims or complainants are available at the following phone numbers: JBER: 1-907-384-7272, FWA: 1-907-353-7272, DoD Safe Helpline 1-877-995-5247.

13. Compliance with USARAK SHARP OPORDs and policy guidance is mandatory.

14. Expiration: This command policy memorandum will remain in effect until superseded or rescinded.

15. Point of contact for this policy letter is the USARAK, SHARP Program Manager at 384-1945.

A handwritten signature in black ink, appearing to read 'P. Andrysiak Jr.', with a stylized, cursive script.

PETER B. ANDRYSIK JR.
Major General, USA
Commanding

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