



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY YUMA PROVING GROUND  
301 C STREET  
YUMA, ARIZONA 85365-9458

TEYP-CO

13 January 2021

MEMORANDUM FOR YPG MISSION, GARRISON, AND TENANT PERSONNEL

SUBJECT: Senior Commander's Policy Statement No. 2S-Sexual Harassment/Assault Response and Prevention (SHARP) Policy

1. References:

a. Department of Defense Instruction (DoDI) 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, 28 March 2013

b. Army Regulation (AR) 600-20, Army Command Policy, Chapter 7, Prevention of Sexual Harassment and Chapter 8, Sexual Assault Prevention and Response Program. 24 July 2020.

c. DoDI 6495.01 Sexual Assault Prevention and Response (SAPR) Program 23 January 2012.

2. Purpose: To ensure that all personnel are aware of the procedures for processing SHARP complaints.

3. Summary:

a. Yuma Proving Ground maintains a culture in which sexual harassment and sexual assault will not be tolerated in this command. SHARP requires leaders at all levels of the chain of command to fully implement SHARP in support of our Soldier's well-being. Zero tolerance promotes the Army Values and supports unit cohesion and overall readiness. All YPG Personnel must demonstrate their commitment to creating and enforcing an environment free from sexual misconduct.

b. We will maintain a SHARP program which provides immediate and expert crisis response, educates the force, and ensures victims of sexual assault are treated with dignity, fairness, and respect. The prevention of sexual harassment and sexual assault is the responsibility of every Soldier and DA Civilian.

c. Both sexual harassment and sexual assault are unacceptable, and may be punishable under the Uniform Code of Military Justice (UCMJ), as well as Federal and local laws. All personnel must be familiar with standards of conduct and reporting regarding sexual harassment and sexual assault, appropriate investigation procedures

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for complaints of sexual harassment and reports of sexual assault, as well as negative administrative and disciplinary action that may be taken by the command.

d. Commanders who become aware of allegations of sexual assault must immediately contact law enforcement for investigation. Commanders will not initiate an AR 15-6 investigation into allegations of sexual assault. Sexual harassment complaints are generally not reported to law enforcement except in cases of harassment that include stalking, threats, or wrongful sexual contact. Commanders and Supervisors in charge will not make credibility assessments as a pre-cursor to: forwarding allegations of sexual assault to law enforcement or initiating authorized command investigations into complaints of sexual harassment.

e. All sexual harassment complaints and sexual assault allegations must be handled on a need-to-know basis. Every effort should be made to protect the privacy of all parties involved.

f. Sexual harassment complainants and sexual assault victims shall be offered all available support services including the assistance of a Sexual Assault Response Coordinator (SARC) and/or Victim Advocated (SHARP/VA) credentialed by the Department of Defense Sexual Assault Advocate Certification Program (D-SAACP), and appointed to serve in the position. The use of SARC and/or VA support services is always at the complainant/victim's option.

g. Commanders are responsible for ensuring all supervisors and leaders understand their SHARP roles and responsibilities, and must ensure that SHARP is addressed as one of the special interest items to be included in officer and non-commissioned officer performance evaluations in accordance with AR 623-3.

#### 4. Specifics:

a. Sexual harassment is a form of gender discrimination which includes unwelcomed sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when: submission to, or rejection of, is made a term or condition of a person's job, pay, or career; is used as a basis for career or employment decisions; or creates an intimidating, hostile, or offensive work environment. Sexual harassment also includes any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature related to the work environment by any member of the armed forces or civilian employee of the Department of Defense. Service members may file an informal or formal written complaint within 60 days of the incident. All complaints will be processed IAW AR 600-20, chapter 7.

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

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cannot consent. Consent is a mutual agreement and can be withdrawn at any point during a voluntary interaction. Consent is not possible when the victim is asleep, incapacitated, or unconscious. A person who is impaired by any drug, intoxicant, or other similar substance cannot legally give consent. By definition, consent is not given when a person uses force, threat of force, or coercion. Sexual offenses punishable under the UCMJ include: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced or anal sex), and attempts to commit these offenses. Sexual assault can occur between persons of any gender, age, or relationship status. Incidents involving minors or victims assaulted within the family should be referred to the servicing Family Advocacy Program Office.

c. Service members who are victims of sexual assault have two reporting options from which to choose. These options are unrestricted and restricted reporting.

(1) The restricted Reporting option allows the victim to receive medical, counseling and advocacy support services without triggering an official investigation or notification to the chain of command. To exercise this option, the victim may only report the sexual assault to a Sexual Assault Response Coordinator (SARC), Health Care Provider (HCP), or Unit Victim Advocate (UVA).

(2) The Unrestricted Reporting option allows a victim of sexual assault the same services as restricted reporting, but allows for a full investigation to include the possibility of a criminal prosecution. An unrestricted report requires official reporting through law enforcement and chain of command channels. Details of the incident will be released only to those personnel who have a legitimate need to know.

5. If there are questions, concerns, or if a sexual assault needs to be reported, contact your unit Victim Advocate, the Lead SARC, or call the DoD SAFE Helpline at 877-995-5247. Sexual assault victims can also report directly to the YPG 24/7 Helpline at (928) 920-3104.

6. The point of contact for this policy letter is the Lead Sexual Assault Response Coordinator at DSN 899-2501 or commercial at 928-328-2501.

BEN P. McFALL III  
COL, IN  
Commanding