



CIVILIAN GUIDEBOOK

DEPARTMENT OF THE ARMY CIVILIAN
SEXUAL HARASSMENT/ASSAULT RESPONSE
AND PREVENTION (SHARP) GUIDEBOOK

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U.S. ARMY

SHARPSM
SEXUAL HARASSMENT/ASSAULT RESPONSE & PREVENTION

**I.A.M.
STRONG**TM
INTERVENE • ACT • MOTIVATE

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PURPOSE

This Sexual Harassment/Assault Response and Prevention (SHARP) guidebook is intended to help Department of the Army (DA) Civilians understand the Army's sexual harassment and sexual assault prevention and response efforts. This guidebook provides a general overview about how the Army treats sexual harassment and sexual assault involving DA Civilians. The guide is drawn from current Department of Defense (DoD) and Army policy, and published directives pertaining to the SHARP Program; however, it does not supersede, rescind, or amend any published policies of these departments. It should not be construed or referenced as an authoritative source for Army sexual harassment and sexual assault regulations or policy.

ARMY CIVILIAN CORPS CREED

I am an Army Civilian—a member of the Army team.

I am dedicated to our Army, our Soldiers, and Civilians.

I will always support the mission.

I provide stability and continuity during war and peace.

I support and defend the Constitution of the United States and consider it an honor to serve our Nation and our Army.

I live the Army values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage.

I am an Army Civilian.

DA Civilians are trusted Army professionals within the Army Profession. Supporting the Army's SHARP mission is one way individuals can demonstrate their dedication to the Army, its mission, and to Army Soldiers, Army Family members, and DA Civilians (known collectively as the Army team). SHARP draws upon the Army Ethic inherent in being part of the Army team.

Different procedures apply to DA Civilians and to Soldiers. It is important for DA Civilians to have situational awareness of Soldier SHARP procedures in order to assist the Soldiers on their team. We have included references to both Soldier and Civilian procedures in this guidebook.

“The nation expects leadership from her Army and we must lead in the campaign against sexual assault and harassment. Whether it be on a college campus, downtown, or on an Army installation, sexual assault is a cancer that harms victims every day. It is our duty to face this threat, defeat it, and encourage reporting without fear of retaliation.”

—Former Secretary of the Army, Eric Fanning

The Army’s Sexual Harassment/Assault Response and Prevention (SHARP) Program exists to facilitate prevention of sexual harassment and sexual assault and provide a professional, robust response system should it occur. The SHARP Program’s mission is to promote an Army culture and command climate that fosters adherence to the Army Ethic and ensures every Army team member will be treated with dignity and respect at all times and in all circumstances.

The SHARP Program provides unity of effort for sexual harassment and sexual assault prevention efforts across the Army. While Army sexual harassment and sexual assault response policies for DA Civilians may be different from those that apply to Soldiers, all individuals should become familiar with the SHARP Program and policy provisions to properly carry out responsibilities and appropriately advise individuals of applicable services and support.

Intervene, Act, and Motivate (I. A.M.) Strong is the Army’s campaign to combat sexual assault by engaging all DA Civilians and Soldiers in efforts to prevent sexual harassment and sexual assault. In support of cultural change, DA Civilians and Soldiers support the Army’s strategy by participating in peer-to-peer communication to create a climate that rejects attitudes and conduct that could give the impression of an environment tolerant of sexual harassment or sexual assault.

Army Civilians may already be familiar with the Army's SHARP Program. The SHARP Program provides guidance, tools, and support to the entire Army Community as it relates to the prevention of, and response to, sexual harassment and sexual assault. It is important for Army Civilians to understand the basic goals of the program, their responsibilities, and how the Army's efforts impact each member of the Army team.

Senior leaders have spoken boldly about, and put many resources behind, the Army's effort to prevent sexual harassment and sexual assault. Sexual harassment and sexual assault are issues that, if allowed to exist unchecked, have serious detrimental consequences for the Army. The Army is taking on its prevention efforts as an aggressive holistic strategy to achieve culture change and to eradicate sexual harassment and sexual assault.

Sexual harassment and sexual assault are fundamental breaches of the Army Ethic and violate the expectation that DA Civilians and Soldiers treat everyone with dignity and respect. Sexual harassment and sexual assault also threaten trust, functional readiness, and cohesion. Incidents take a serious toll on victims; they disrupt good order and discipline within the Army; and they damage the reputation of the Army.

The Army is committed to providing the best possible quality of life for Soldiers, DA Civilians, and Families. Civilian leaders and commanders play an important role in preventing sexual harassment and sexual assault in the Army. Furthermore, **every** member of the Army team has an integral part in this effort.

POLICY

Sexual harassment is unacceptable conduct and will not be tolerated. It is a prohibited personnel practice and a form of unlawful discrimination punishable under specific authorities.

Sexual assault is a criminal offense that has no place in the Army. It is incompatible with Army values and is punishable under Federal and local civilian laws and the Uniform Code of Military Justice (UCMJ), as applicable.

Sexual harassment and sexual assault degrade mission readiness by devastating the Army's ability to work effectively as a team. Army leadership at all levels will be committed to creating and maintaining an environment conducive to maximum productivity, fairness, and respect for human dignity.

The prevention of sexual harassment and sexual assault is the responsibility of every DA Civilian and Soldier. Leaders set the standard for DA Civilians and Soldiers to follow. Successful mission accomplishment can be achieved only in an environment free of sexual harassment and sexual assault for all personnel.

APPLICABILITY

Army sexual harassment policy applies to DA Civilians while they are on duty, on government property, or involved in a job-related activity, e.g., Temporary Duty (TDY). The policy may also apply to DA Civilians after working hours, if there is a nexus between the conduct and the efficiency of federal service, e.g., misconduct of one or more DA Civilians at an after-work-hours office function may violate Army sexual harassment policy and lead to discipline.

- DA Civilians, former employees, applicants for employment, and certain contract employees⁰¹ may file complaints of sexual harassment under the Equal Employment Opportunity (EEO) complaint process contained in Army Regulation (AR) 690-600, Equal Employment Opportunity Discrimination Complaints.
- Soldiers may file complaints of sexual harassment under the SHARP Program's complaint process, which is contained in AR 600-20, Army Command Policy.

⁰¹ Contractors should follow their companies' processes and policies.

Sexual assault is a crime. Victims are encouraged to report allegations of sexual assault to law enforcement immediately. The following non-military individuals who are victims of sexual assault are eligible for limited emergency care medical services at a military treatment facility (MTF), unless they are otherwise eligible as a Service member or TRICARE (<http://www.tricare.mil>) beneficiary of the military health system to receive treatment in a MTF at no cost to them. They will also be offered limited SHARP services to be defined as the assistance of a Sexual Assault Response Coordinator (SARC) and a SHARP Victim Advocate (VA) while undergoing emergency care OCONUS. These limited medical and SHARP services shall be provided to:

- DoD civilian employees and their family dependents 18 years of age and older when they are stationed or performing duties OCONUS and eligible for treatment in the military healthcare system (MHS) at military installations or facilities OCONUS.
- U.S. citizen DoD contractor personnel when they are authorized to accompany the Armed Forces in a contingency operation OCONUS and their U.S. citizen employees.

Unless covered by an applicable exception to policy⁰², DA Civilians, their family dependents 18 years of age and older, and contractor personnel only have the Unrestricted Reporting option. All DA Civilians may contact a SARC or VA for a referral to civilian resources.

SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination. Sexual harassment, as defined in Army Regulation 690-600, involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when—

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

⁰² See Army Directive 2017-02, SHARP Services for Department of the Army Civilians, 5 January 2017.

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

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 civilian employee or Soldier is engaging in sexual harassment. Similarly, any civilian employee or Soldier who makes deliberate or repeated unwelcome verbal comments, gestures, or physical conduct of a sexual nature is engaging in sexual harassment.

TYPES OF SEXUAL HARASSMENT

Quid Pro Quo is a Latin phrase meaning “this for that.” In terms of sexual harassment, it refers to conditions placed on a person's career or terms of employment in return for sexual favors. It includes implicit or explicit threats of adverse action if the person does not submit to such conditions and/or promises of favorable actions if the person does submit to the conditions.

A Hostile Work Environment occurs when personnel are subjected to offensive, unwanted, and unsolicited sexual or gender-based comments or behaviors. If these behaviors unreasonably interfere with their performance, regardless of whether the harasser and the victim are in the same workplace, then the environment is classified as hostile. A hostile environment brings the topic of sex or gender differences into the workplace in any one of a number of forms. It does not necessarily include the more blatant acts of “quid pro quo”; it normally includes nonviolent, gender-biased sexual behaviors (for example, the use of derogatory gender-biased terms, comments about body parts, suggestive pictures, explicit jokes, and unwanted touching).

CATEGORIES OF SEXUAL HARASSMENT

Verbal. Examples of verbal sexual harassment may include telling sexual jokes; using sexually explicit profanity, threats, sexually oriented cadences, or making sexual comments; whistling in a sexually suggestive manner; and describing certain attributes of one's physical appearance in a sexual manner. Verbal sexual harassment may also include using terms such as "honey," "babe," "sweetheart," "stud," or "hunk." Verbal sexual harassment need not be directed at a specific person in order to be considered sexual harassment of that person. For example, an employee overhearing sexual jokes by co-workers in the workplace is potentially being subjected to verbal sexual harassment.

Nonverbal. Examples of nonverbal sexual harassment may include staring suggestively at someone (sometimes referred to as, "undressing someone with one's eyes"), blowing kisses, winking, or licking one's lips in a suggestive manner. Nonverbal sexual harassment also includes offensive printed material (for example, displaying sexually oriented pictures or cartoons); using sexually oriented screensavers on one's computer; sexually explicit online social media content, or sending sexually oriented notes, letters, texts, faxes, or e-mail.

Physical Contact. Examples of physical sexual harassment may include touching, patting, pinching, bumping, grabbing, cornering, or blocking a passageway; kissing; and providing unsolicited back or neck rubs. Some physical sexual harassment may also be deemed sexual assault.

SEXUAL ASSAULT

The definition of sexual assault may differ depending on the federal, state, or host nation jurisdiction in which the assault was committed and the military, civilian, or local national status of the offender.

The Department of Defense defines sexual assault as:

- Intentional sexual contact characterized by the use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. As used in this Instruction, the

term includes a broad category of sexual offenses consisting of the following specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these offenses. (**DODI 6495.02**)

Federal and State law also prohibits a broad variety of sexual offenses.

DEFINITION OF CONSENT

The Department of Defense defines consent as a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating or social or sexual relationship by *itself* or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent. A sleeping, unconscious, or incompetent person cannot consent. (**DoDD 6495.01**)

The definition of consent may differ depending on the federal, state, or host nation jurisdiction in which the assault was committed and the military, civilian, or local national status of the offender.

RETALIATION

The Army does not tolerate reprisal or retaliation against a victim, an alleged victim, a first responder, or another member of the Armed Forces based on that individual's report of a criminal offense. The Inspector General (IG) and/or EEO can provide guidance on retaliation and reprisal.

According to Equal Employment Opportunity Commission (EEOC), a manager may not fire, demote, harass or otherwise "retaliate" against an individual for filing a complaint of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination.

The same laws that prohibit discrimination based on race, color, sex, religion, national origin, age, disability and genetic information also prohibit retaliation against individuals who oppose unlawful discrimination or participate in an employment discrimination proceeding.

According to AR 690-600, no person will be subject to retaliation for opposing any practice or for participating in any stage of administrative or judicial proceedings under those statutes made unlawful by—

- Title VII of the Civil Rights Act (Title VII) (42 USC §2000e-16),
- The Age Discrimination in Employment Act (ADEA) (29 USC §621),
- The Equal Pay Act (29 USC §206(d)), or
- The Rehabilitation Act (29 USC §791).

Retaliation against a DA Civilian can be reported to the chain of command, supervisors, the IG, EEO, and the Office of Special Counsel. The Office of Special Counsel has primary jurisdiction for civilian whistleblower reprisal complaints, but the DoD Office of Inspector General (DoDIG) has discretion to accept such complaints for investigation under appropriate circumstances.

For information regarding soldiers, please see a SHARP team member.

PREVENTION EFFORTS

All members of the Army team are responsible for supporting the Army's sexual harassment and sexual assault prevention, awareness, and response efforts. Peers, subordinates, and supervisors should never tolerate, condone, or ignore sexual harassment and sexual assault. DA Civilians are encouraged to support the Army's strategy to intervene--if safe to do so--and act and motivate others to prevent sexual harassment and sexual assault.

Below is a short checklist of ways Army professionals can ensure success of the Army's SHARP Program and promote a healthy culture of prevention:

- Treat all fairly, with dignity and respect.

- Embrace and support all SHARP initiatives.
- Model appropriate behaviors; set the example for others to follow; and do not engage in sexual harassment and sexual assault conduct.
- Emphasize prevention and awareness, while ensuring everyone understands bystander intervention techniques such as by challenging and correcting inappropriate behavior and language.
- Recognize and discontinue cultural indicators, micro-aggressions, and oppressive behaviors that could result in sexual harassment and escalate to sexual assault.
- Advocate for peer-to-peer, subordinate, and superior accountability for behaviors that support sexual harassment and sexual assault.
- Do not engage in or encourage victim blaming. Promote awareness of the impact of victim blaming.
- Encourage reporting of sexual harassment and sexual assault.
- Advise victims where they can receive the assistance they need. Support victims by listening and believing.

“Department of the Army Civilians play a vital role in our nation’s defense and to the readiness of our Army. Leaders must set the conditions for a positive work climate, free from sexual assault and the conditions that lead to such offenses. Civilians must not fear retaliation and must know they will be protected, supported, and treated with dignity and respect.”

—GEN Mark A. Milley, Chief of Staff of the Army

VICTIM RIGHTS

A victim is an individual who has suffered direct physical, emotional, or financial harm as a result of a crime committed in violation of applicable laws within the jurisdiction where the offense was committed. However, the definition of victim may differ depending on federal or state jurisdiction. Criminal jurisdiction and the rights of victim depend on many factors, including the status of the offender, the status of the victim, and the location where the offense took place.

RESOURCES

- Call 911—Used in an emergency when a crime may occur, has occurred, or when an individual believes he or she may be subject to physical harm
- Chain of Command
- Equal Employment Opportunity Office
- Sexual Harassment/Assault Response and Prevention (SHARP) Program
- Employee Assistance Program
- Chaplain
- Special Victims’ Counsel

- Inspector General
- Military Police
- U.S. Army Criminal Investigation Command (CID)—Investigates criminal incidents
- Local or State Police
- U.S. Equal Employment Opportunity Commission:
<https://www.eeoc.gov>
- DoD Safe Helpline (operated by Rape, Abuse, and Incest National Network (RAINN)): 1-877-995-5247, <http://www.safehelpline.org>, or Text location or zip code to 55-247 (within CONUS) or 202-470-5546 (OCONUS)
- National Sexual Assault Hotline (RAINN): 1-800-656-HOPE (4673), <http://www.rainn.org>
- National Sexual Violence Resource Center (NSVRC):
1-877-739-3895, <http://www.nsvrc.org>
- U.S. Department of Justice, Office on Violence Against Women:
<http://www.justice.gov/ovw/sexual-assault>

SEXUAL HARASSMENT

Sexual harassment has no place in the Army. All members of the Army team are expected to abide by the Army's sexual harassment policy and its anti-harassment policy for the workplace (see Section IV, References, Army Policy). The prevention of workplace sexual harassment is part of the Army's commitment to an environment of mutual respect, dignity, and fair treatment.

REPORTING AND RESPONSE

The Army encourages sexual harassment to be handled at the lowest level possible. DA Civilians and Soldiers (whether victims or bystanders) should take reasonable action to help resolve unwelcome acts. Examples of how to accomplish this include:

- **Direct approach.** Confront the harasser and tell him/her that the behavior is not appreciated, not welcomed and that it must stop. Stay focused on the behavior and its impact. Use common courtesy.

Write down thoughts before approaching the individual involved.

- **Indirect approach.** Send a letter to the harasser stating the facts, personal feelings about the inappropriate behavior and expected resolution.
- **Third party.** Request assistance from another person. Ask someone else to talk to the harasser, to accompany the victim, or to intervene on behalf of the victim to resolve the conflict.
- **Chain of command.** Report the behavior to immediate supervisors or others in the chain of command and ask for assistance in resolving the situation.
- **File a complaint.** See information on initiating a complaint below. DA Civilians may initiate an EEO complaint immediately without taking other steps or approaches if they are not comfortable doing so.

DA Civilians should report sexual harassment to their immediate supervisor or other management official in the chain of command. As soon as the supervisor or other management official learns about the alleged harassment, he/she should immediately initiate an investigation/inquiry into the harassment claim. It may be necessary to undertake intermediate measures before completing the investigation/inquiry to ensure that further harassment does not occur.

A DA Civilian should also report sexual harassment to his/her servicing EEO office or an EEO official and may file an EEO complaint if he/she believes he/she has been subjected to discrimination. The EEO office will explain the complaint process to individuals who contact them. DA Civilians who wish to initiate an EEO complaint must contact the EEO Office within 45 calendar days of the harassment. If the harassment is ongoing, the most recent instance must have occurred within 45 calendar days of contact with the EEO Office. AR 690-600 outlines the Army EEO complaint process.⁰³

⁰³ A contractor who believes he or she has been subjected to sexual harassment should notify a government management official and his or her contractor employer. A contractor may also contact the local EEO office for information.

A DA Civilian who is part of a collective bargaining unit may also file a grievance under the negotiated grievance procedures in their command's collective bargaining agreement unless the governing collective bargaining agreement excludes allegations of discrimination from the negotiated grievance procedure.

OFFENDER ACCOUNTABILITY

Disciplinary measures should be proportional to the seriousness of the offense in accordance with Army Regulation (AR) 690-700, *Personnel Relations and Services*, Chapter 751, *Discipline*, Table 1-1, Table of Penalties for Various Offenses. If management cannot make a determination that harassment occurred because the evidence is inconclusive, management should still undertake preventive measures, such as training and monitoring.

SEXUAL ASSAULT

The manner in which the reporting and investigation of sexual assault are handled differs depending upon local, state, and federal laws or the applicable laws of a foreign nation. The DoD, Army, and other branches of military service have the responsibility to investigate sexual assault or assist DA Civilian victims when the sexual assault occurs within a locality under military jurisdiction. As a result, DA Civilian victims receive limited sexual assault services in those specific circumstances provided for by law and/or regulation.

(Note: DA Civilians always have the option to seek or be referred to community based crisis services and support organizations.)

REPORTING PROCESS OVERVIEW

Any individual who has been sexually assaulted should report the assault to the appropriate law enforcement authority and seek emergency care. If the incident occurs under the jurisdiction of military authorities, the sexual assault should be reported to the appropriate military criminal investigative organization and the chain of command.

Reporting sexual assault, rape, and other sexual crimes is essential to safeguarding the victim and others in the community. Supervisors who learn of a crime must report it to the appropriate military criminal investigative organization and the chain of command. The Army's criminal investigative organization is the U.S. Army Criminal Investigation Command, commonly referred to as "CID." Any victim may seek guidance from their SARC/VA or Staff Judge Advocate (SJA) regarding the appropriate military criminal investigative organization.

NOT REPORTING

If an incident of sexual assault occurs, deciding whether to report it, or what type of report to submit, is the victim's choice. The Army encourages victims to report all incidents of sexual assault; especially when the alleged offender may be a Soldier, a Soldier's Family member, a DA Civilian, or contractor, and/or the assault takes place on the installation or at the organization. The Army, however, understands that some victims may choose not to report a sexual assault. If victims choose not to report a sexual assault, they should understand that they may not receive SHARP support or other considerations made available if they had reported the sexual assault. In addition, if the victim chooses not to report, and no one else reports the incident, the chain of command and law enforcement may not know that a crime occurred and the alleged offender might not be held appropriately accountable through investigation and/or prosecution efforts.

CIVILIAN SEXUAL ASSAULT REPORTING OPTIONS

As stated earlier, any individual who has been sexually assaulted should report the assault to the appropriate federal or state law enforcement authority responsible for the jurisdiction in which the crime occurred. If the sexual assault was perpetrated by a military service member, the incident should also be reported to the military chain of command.

DA Civilians are encouraged to file an Unrestricted Report⁰⁴ and consult with SHARP personnel for assistance with locating local resources, especially when there is a nexus to the workplace. Unless covered

⁰⁴ An Unrestricted Report is defined in AR 600-20, DoDI 6495.02, and in the Glossary.

by an applicable exception to policy⁰⁵, DA Civilians only have the Unrestricted Reporting option. An Unrestricted Report is not confidential as it requires disclosure of the sexual assault to law enforcement, the SARC, the VA, the chain of command, and other individuals with a need to know in the performance of their duties and an official investigation of the allegations will be launched.

CIVILIAN SEXUAL ASSAULT RESPONSE

Sexual assault response for victims who are DA Civilians is covered by the laws of the jurisdiction in which a crime was committed and is managed by multiple state and local civilian agencies and organizations. However, if an alleged sexual assault occurs within military jurisdiction, and the victim's supervisor becomes aware of the allegation, it is the responsibility of that commander or civilian equivalent to take immediate steps to assist in the victim's safety to the extent authorized by law and regulation. The victim's chain of command will refer the matter to the appropriate military criminal investigative organization and/or law enforcement agency and then contact the SJA.⁰⁶

In addition, the Army is required to notify the Department of Justice of any alleged assault that occurs on a military installation when the alleged offender and/or victim is not a military member or dependent in accordance with DoDI 5505.18, *Investigation of Adult Sexual Assault in the Department of Defense*, and the Memorandum of Understanding between the Departments of Justice and Defense relating to the Investigation and Prosecution of Certain Crimes, dated August 1984.

CIVILIAN VICTIM SERVICES SUPPORT (OCONUS/DEPLOYED)

OCONUS SHARP personnel can direct DA Civilians and their dependents to available resources. Unless otherwise eligible to receive treatment in a military medical treatment facility, DA Civilians and their dependents are eligible for limited military medical services in

⁰⁵ See Army Directive 2017-02, SHARP Services for Department of the Army Civilians, 5 January 2017

⁰⁶ If the victim is a contractor, the contractor's employer should also be notified.

the form of emergency care when stationed with or accompanying U.S. Forces OCONUS. They will also be offered limited services of SHARP personnel who are designated as a SARC and/or a VA while undergoing emergency care OCONUS. Unless covered by an applicable exception to policy⁰⁷, the only sexual assault reporting option for DA Civilians is unrestricted reporting. Emergency care consists of emergency medical care and a Sexual Assault Forensic Evidence (SAFE) Kit. These limited medical and SAPR services will be provided to DOD civilian employees and their family members, 18 years of age and older, when stationed or performing duties OCONUS and eligible for treatment in the military healthcare system at military installations or facilities OCONUS. This provision includes DOD contractor personnel when authorized to accompany U.S. Armed Forces in a contingency operation OCONUS and their U.S. citizen employees.

CIVILIAN VICTIM SERVICES SUPPORT (CONUS)

DA Civilians in the continental United States (CONUS) may contact the unit SARC or VA who will help identify civilian resources.

OFFENDER ACCOUNTABILITY

Generally speaking, the military will not have criminal jurisdiction over civilian employees who commit sexual assaults, but management will have disciplinary options.

RETALIATION

It is unlawful for someone to retaliate against an individual who makes a claim of harassment or sexual assault. Management should make clear to the parties that it will undertake immediate and appropriate corrective action, including investigation and discipline, if it determines that retaliation has occurred in violation of Army policy.

⁰⁷ See Army Directive 2017-02, SHARP Services for Department of the Army Civilians, 5 January 2017.

“Soldiers and Department of the Army Civilians, especially our first-line leaders, have their fingers on the pulse of our Army. They are in the greatest position to effect change at the grassroots level, setting the standards of conduct and positively influencing unit climate. Every member of the Army Team, including our DA Civilians will be treated with dignity and respect. Sexual assault, sexual harassment and the conditions that lead to such offenses will not be tolerated – not in our Army.

—SMA Daniel A. Dailey, Sergeant Major of the Army

PREVENTION OF SEXUAL HARASSMENT AND SEXUAL ASSAULT

The Army’s prevention approach places the responsibility for prevention on every member of the Army team. It is expected that DA Civilians and Soldiers will respond appropriately to sexually offensive conduct, as needed. Team members should be prepared to intervene to stop inappropriate conduct. Everyone needs to work toward a common goal of creating an Army culture in which sexual harassment and sexual assault are unacceptable. If team members do not actively condemn sexual harassment and sexual assault, then they may be perceived as silently condoning such conduct.

SHARP PERSONNEL

The SHARP Program staff, SARCs, and VAs are vital to each command’s success in preventing sexual harassment and sexual assault. They support the command’s ability to provide a well-coordinated, highly responsive prevention and awareness effort. The following SHARP Program staff, SARC, and VA actions (lists are not exhaustive) assist in promoting a climate of dignity and respect:

SHARP PROGRAM STAFF

- Train the workforce related to the SHARP Program
- Provide expertise in procedures, issues, and criteria related to response, victim advocacy, reporting and investigative procedures, and decision points and impacts related to incidents of sexual harassment and sexual assault
- Conduct training activities such as pre-/post-deployment training, leadership training, newcomer training, and annual unit training
- Assess training and prevention effectiveness; advise leaders on activities
- Coordinate and participate in prevention events and communications
- Tracking trends to update prevention approach
- Coordinate with the commander and/or EEO/EO on command climate survey results
- Manage command resources

SARC

- Ensure overall management of sexual harassment and assault prevention, training, and victim advocacy
- Ensure team members of the command understand what victims receive in the way of guidance and emotional support during administrative, medical, investigative, and legal procedures, and the processes involved in response to an incident
- Work with the local installation public affairs office to ensure that the installation is informed of programs and services
- Conduct senior leader training to increase awareness of sexual harassment and assault issues, high-risk behavior, and victim assistance programs (for example, off-post rape crisis centers)
- Evaluate the effectiveness of prevention, awareness, and response programs

VA

- Ensure team members of the command understand their reporting options

- Be knowledgeable about services available to sexual harassment and assault victims
- Provide information to team members of the command on victim rights and options
- Provide education and training on the subject of sexual harassment, sexual assault, and bystander intervention

[Note: SHARP personnel do not process DA Civilian complaints of sexual harassment. If a DA Civilian wants to file a complaint, they should contact their local EEO office. If a DA Civilian contacts SHARP personnel regarding sexual harassment they will assist the complainant in identifying the local EEO office.]

PROMOTING A CLIMATE OF PREVENTION

Leaders and Supervisors will:

- Ensure completion of mandatory EEO, Anti-Harassment, and NO FEAR Act annual training
- Develop a culture where sexual harassment is not tolerated and respect for individuals is encouraged. This will help ensure sexual predators cannot hide among bad behaviors tolerated in an office.
- Set an example of respectful speech and behavior toward all members of the Army team.
- Learn and recognize warning signs and offender tactics⁰⁸ and take early action to address problem behaviors and prevent potential offenders from harming others.
- Develop a reputation as a leader with whom subordinates can discuss their concerns without fear.
- Be consistent in applying Army and office policies, so all members of the team develop trust in the established systems.
- Incorporate specific sexual harassment and sexual assault

⁰⁸ According to David Lisak, PhD, in *Understanding the Predatory Nature of Sexual Violence*, “offenders tend to be extremely adept at identifying ‘likely’ victims and testing prospective victims’ boundaries; plan and premeditate their attacks, using sophisticated strategies to groom their victims for attack and to isolate them physically; use ‘instrumental’ not gratuitous violence; use psychological weapons—power, control, manipulation, and threats—backed up by physical force, and almost never resort to weapons such as knives or guns; and use alcohol deliberately to render victims more vulnerable to attack, or completely unconscious.”

prevention and response measures and education into normal command training, readiness, and safety forums (e.g., quarterly training guidance, unit status reports, safety briefings).

- Increase command awareness, emphasis, mentoring, and standardization at all levels of command.
- Promote and integrate sexual harassment and sexual assault prevention and reporting as an inherent part of unit training, operations, and readiness.
- Demonstrate and support the Army profession.
- Promote the *I. A.M. Strong* prevention campaign message that everyone can take a lead in preventing sexual harassment and sexual assault.
- Promote *Not in My Squad (Not in My Team), Not in Our Army, We are Trusted Professionals (NIMS)*⁰⁹ initiative that focuses on building mutual trust and cohesion. Organizations built on mutual trust are cohesive and self-regulate to ensure the well-being, safety, and dignity of Soldiers and DA Civilians.

Supervisors help set an organization's climate. Mutual trust is the key to establishing a climate of dignity and respect. DA Civilians and Soldiers need to know they can discuss problems with supervisors and that their superiors will take appropriate action, as needed.

When individuals in the workplace tolerate sexually offensive conduct, the potential for a hostile work environment¹⁰ increases and the perception that they are treated with dignity and respect decreases. Ultimately, this represents a breakdown of leadership and the lack of a positive example and standards for others to follow. Leaders are responsible for fostering a climate of prevention and a healthy organizational culture. A workplace where sexually

⁰⁹ The premise is that greatness spreads faster than indiscipline; people will want to be part of a team that fosters greatness. It is a call for individuals to take responsibility and own solutions for those they work with and remind the Army team that wherever they are, they represent the American people.

¹⁰ See page 6 for the definition of hostile work environment.

offensive conduct is tolerated provides an environment for sexual predators to blend in and continue their behavior.

It can be difficult for individuals to discuss sexual situations involving themselves or others. Therefore, supervisors must be sensitive and considerate while listening to DA Civilian and Soldier concerns. It is the leader's or supervisor's responsibility to take appropriate action, in accordance with policy, to resolve sexual harassment complaints and incidents of sexual assault.

One important and concrete way to promote a climate of prevention is to intervene immediately and make on-the-spot corrections in response to language or behavior that violates Army policy or ethics. When leadership ignores or is delayed and non-transparent in addressing such language or behaviors, their choices can create a chain reaction that undermines the climate of prevention. Subordinates need to see leaders live by Army Ethic and take appropriate action to prevent language and behaviors that violate Army policy. Leaders and supervisors must challenge attitudes and behaviors that permit such acts to occur. Leaders and supervisors must not allow inappropriate behavior in the workspace or organization once they become aware it exists.

For several years, the Army has been promoting the *I. A.M. Strong* prevention campaign message in conjunction with the SHARP Program. This campaign encourages all Army team members to "Intervene," "Act," and "Motivate" others to prevent sexual harassment and sexual assault. Leaders and supervisors set the example for others by proactively intervening as soon as they see a behavior that is not in alignment with the Army's desired culture of dignity and respect.

More recently, the Army began promoting *NIMS* to encourage individuals at the lowest levels to take action against inappropriate behaviors. "Not in my squad" puts "first-line leaders" directly into the fight against sexual harassment and sexual assault. Civilians should also embrace this concept by not tolerating sexual harassment or

sexual assault within their work place. To help civilians embrace this concept, they can think about it as *Not in my Team, Not in my Army*. Prevention of sexual harassment and sexual assault is an expected benefit of organizations that have mutual trust, cohesion, and self-regulation aligned with the Army Ethic.

If it appears that a leader or supervisor is ignoring these negative behaviors, some individuals may interpret the inaction as an indication the Army is not committed to enforcing Army policy on sexually offensive conduct. Individuals who believe their leaders and supervisors are ignoring Army policy related to these behaviors may experience high levels of job-related stress or participate in these behaviors themselves. This could result in performance issues and decreased job satisfaction. Some individuals may even choose to leave the Army, which wastes talent, potential, and training investment and is detrimental to readiness and mission accomplishment. Conversely, when a leader or supervisor proactively takes measures to prevent such behaviors, DA Civilians and Soldiers are likely to interpret the leader's action as proof that the Army, the organization, and leaders and supervisors are committed to enforcing sexual harassment and sexual assault prevention policies.

Taking measures to prevent sexually offensive conduct has the power to show that:

- Individuals **are** valued in the Army.
- Individuals **can** safely discuss their fears or concerns with supervisors.
- Sexual harassment and sexual assault are **not** acceptable.
- Perpetrators **will** be held appropriately accountable.

These messages help to reinforce positive attitudes, build morale, develop team cohesion, increase trust, and create a culture in which sexual harassment and sexual assault are not accepted.

Leaders and supervisors are accountable for their action and inaction when it comes to the prevention, awareness, and response to sexual

harassment and sexual assault. Taking a firm stance in support of Army policy, Army Ethic, the *I. A.M. Strong* prevention campaign, and the *NIMS* initiative sends a clear message that leaders and their staff are committed to preventing these behaviors. Ignoring the possibility that a hostile workplace and climate could exist sends the wrong message, as does failing to proactively support Army Ethic, Army policy, and prevention measures.

Commanders, Civilian Equivalents, and Other Leaders. SHARP is a commander's program; therefore, commanders and civilian equivalents have authority over the SHARP Program and are responsible for ensuring applicable SHARP services are provided to victims in a timely and appropriate manner.

Leaders have additional responsibilities in response to sexual assault incidents:

- First and foremost, leaders must always provide support to victims and set an example of treating victims with dignity and respect.
- In cases where victims are not receiving the care or services they need, leaders may exert influence, within appropriate bounds, to ensure systems operate as required and victims are cared for appropriately.
- Work with SJA, EEO/EO, and SHARP staff to coordinate on and off-post resources and referrals.
- Report all allegations of sexual assault to law enforcement immediately. Do not conduct any preliminary inquiries or investigations.

Victim's Commander or Civilian Equivalent Supervisor. In addition to reporting allegations of sexual assault to law enforcement, the victim's commander or civilian equivalent is required to take immediate steps to ensure the victim's physical safety, emotional security, and availability of medical treatment are addressed and that the SARC and appropriate law enforcement are notified. The commander or civilian equivalent is also required to ensure that victims of sexual assault are treated in a sensitive and supportive manner. They work to help victims from being re-victimized and

re-traumatized as a result of reporting the incident. Non-eligible civilians requiring emergency care for sexual assault are to be given appropriate intervention, if available, and assisted with the transition to civilian healthcare, law enforcement, and/or other support resources. The commander or civilian equivalent collaborates with SHARP personnel, Health Care Personnel (HCP), and other services to ensure timely, coordinated responses. The commander determines the best course of action for separating the victim(s) and offender(s) during the investigation.

Supervisors. If a supervisor experiences or observes an incident of sexual assault, his or her first response should be to stop the behavior immediately--if safe to do so--and then call law enforcement for appropriate help. The second step is to write down what he or she saw. If a supervisor simply hears about an incident of sexual assault, he or she should report it to a higher level leader (civilian or military) and law enforcement. Supervisors of sexual assault victims should always refer victims to the appropriate professionals for advice and support.

Supervisors **ARE NOT** official responders. A supervisor is not responsible for identifying whether a particular incident does or does not constitute sexual assault. A supervisor also is not responsible to conduct an investigation into a sexual assault.

INFLUENCES ON REPORTING

Many victims feel embarrassed about and humiliated at the prospect of discussing the details of a sexual assault and do not report sexual assaults for fear of being blamed for the incident or not being believed at all. The pain from victim blaming can also prolong a victim's trauma. It is critical to remember that sexual assault is the offender's fault, not the victim's. Eradicating victim blaming is a key step to protecting victims and preventing future sexual assaults from occurring.

ROLES & RESPONSIBILITIES – ANTI-HARASSMENT

Commander. Implements and enforces EEO policies as required by EEO laws, Presidential Executive Orders, EEOC, Office of Personnel Management, DoD, and Army regulations, policies, and directives. Is personally responsible and accountable for the EEO climate within their area of responsibility. Ensures the EEO office is organizationally placed in a direct reporting relationship with the head of the organization. Ensures that supervisors and managers understand and meet their responsibilities in the discrimination complaint program. Stresses the need for and ensure prompt complaints processing.

EEO Office. The commander's principal advisor on all matters pertaining to EEO program operations. Knows EEO laws, presidential executive orders, regulations, as well as EEOC, Office of Personnel Management, DoD, and Army EEO policy and directives, and be able to communicate the commander's EEO policy to all members and appropriate officials at all levels within the Army profession. Ensures that every reasonable effort is made to resolve complaints at the earliest possible stage.

Supervisor. Ensures that all members of the Army profession refrain from inappropriate actions or comment and acts promptly to prevent or correct situations that may give rise to meritorious complaints of discrimination. Takes corrective action against Soldiers and DA Civilians who have been found to have engaged in discriminatory practices. Supervisors should contact the EEO Office for assistance with complaints.

Office of the Staff Judge Advocate (OSJA). Provides legal advice on EEO matters to the commander, EEO office, managers, and appropriate civilian personnel officials such as Management-Employee Relations (MER) Specialists in the servicing Civilian Personnel Advisory Center (CPAC). After a formal complaint is filed, assigns the agency representative and ensures appropriate coordination with EEO and civilian personnel officials on all issues pertaining to a

complaint. Coordinates with the activity EEO office on the acceptance or dismissal, in whole or part, of individual complaints at the activity. Acts as the Army's representative in investigations and EEOC hearings in individual complaints and class action proceedings.

MER/CPAC. Ensures that the EEO office is given access to personnel records and copies of records or documents relative to the complaint when needed in the performance of their official duties. Retains the relevant records or documents until notification from the EEO office that no further administrative or legal decision is pending on the complaint. Performs regulatory reviews and provide technical support to agency representatives and the EEO office.

Civilian Employees. If a DA Civilian observes or is informed of conduct that may constitute sexual harassment, he or she is strongly encouraged to address it at the lowest level and by whichever approach they are most comfortable with. Each Army team member can influence the climate of his or her organization as well as help the Army's efforts when they speak out against sexual harassment. Each Army team member can help shape attitudes, beliefs, and actions of the individuals around them.

To foster a climate of prevention, personnel should consider the following:

- Treat everyone with dignity and respect.
- Demonstrate by word and action that they do not tolerate sexual harassment.
- Listen to fellow team members' concerns about language or behaviors that are counter to Army policy and take appropriate action, as needed.
- Encourage peer-to-peer intervention and mentoring to prevent situations from escalating.
- Encourage fellow team members to seek supervisor support when appropriate.
- Support others when they report sexual harassment. Intervene to prevent sexual harassment, when safe to do so.

ROLES & RESPONSIBILITIES WHEN SEXUAL ASSAULT IS REPORTED

First Responders. First responder personnel have the responsibility to respond to victims of sexual assault. They include SHARP personnel, healthcare providers, legal advisors, and law enforcement. These individuals are trained as first responders to provide victims with appropriate care and to handle any necessary investigations with fairness and accuracy. Because sexual assault and related offenses are serious crimes, trained professionals must handle these incidents. Referring sexual assault cases to professional responders provides avenues of protection and justice to victims, alleged offenders, leaders, and other individuals who become aware of crimes.

Sexual Assault Response Coordinator (SARC). The SARC is the single point of contact within an organization or installation who oversees sexual assault response; coordinates medical treatment including emergency care; and provides case management from the initial report through final disposition and resolution. The SARC, VA, and the SHARP Program staff oversee sexual assault awareness, prevention, response, and training. The SARC is responsible for ensuring victims of sexual assault receive appropriate and responsive emergency care¹¹. Upon notification of a sexual assault report and after receiving consent from the victim, the SARC will assign a VA. The SARC can provide referrals to DA Civilians for community based services.

Victim Advocate (VA). The VA provides non-clinical crisis intervention, referrals, and ongoing non-clinical support to victims of sexual assault. Support includes providing information on available options and resources. The VA, on behalf of the sexual assault victim and with the victim's consent, provides liaison assistance with other organizations and agencies on victim care matters. The VA reports directly to the SARC when performing victim advocacy duties. The VA can provide referrals to DA Civilians for community based services.

¹¹ DA Civilians are authorized limited SARC services when OCONUS only per DoDI 6495.02 unless covered by an applicable exception to policy.

Health Care Personnel (HCP). The term HCP encompasses all healthcare providers (e.g., administrative personnel assigned to an MTF, medical and/or mental healthcare personnel). Sexual Assault Care Coordinators (SACCs) and Sexual Assault Clinical Providers (SACPs) are available at all MTFs. These individuals provide emergency and follow-up medical and behavioral care, treat injuries, and provide referrals as needed. Other HCP with more extensive training are called Sexual Assault Medical Forensic Examiners (SAMFEs). Only SAMFEs, including Sexual Assault Nurse Examiners (SANEs) and Forensic Examiners (FEs), are authorized to perform the Sexual Assault Forensic Examination (SAFE). If the MTF does not have a trained SAMFE available, the MTF is required to have a Memorandum of Understanding/Agreement with a local facility to provide this support service. HCP will immediately notify the installation SARC of all incidents of sexual assault.

Office of the Staff Judge Advocate (OSJA). All victims, regardless of their age or status, are entitled to the services of Army Special Victim-Witness Liaisons (SVWL) when the trial is in military court. SVWL are civilian GS11 employees who work directly for the Special Victim Prosecutors. SVWL have social work backgrounds and guide the victim through the investigative and judicial process, including accompanying the victim to interviews with defense counsel.

In accordance with Army Directive 2017-16, Army Special Victims' Counsel (SVC) services may be provided to DoD civilian employees who are victims of a reported sexual assault as defined in 10 U.S.C. § 1044e(g), regardless of their eligibility for legal assistance, in instances where the alleged perpetrator is a service member and the Army has jurisdiction to prosecute under the Uniform Code of Military Justice. The scope of such SVC services is strictly limited under 10 U.S.C. § 1044e(b), to assisting victims and representing their interests during military criminal proceedings against alleged perpetrators initiated as a result of the sexual assault. Pursuant to 10 U.S.C. § 1044(b)(4), SVC services do not include consultation regarding potential civil litigation against the United States.

Civilian Employees. If a DA Civilian observes or becomes aware of conduct or allegations that may constitute or indicate sexual assault, he or she is strongly encouraged to immediately report it to the chain of command, law enforcement or legal, and/or contact the local SHARP office.

Each Army team member can influence the climate of his or her organization as well as help the Army's prevention efforts when they speak out against sexual assault. Each Army team member can help shape attitudes, beliefs, and actions of the individuals around them. They can help eliminate sexual assault from the Army and their communities, and, in some cases, directly intervene to stop incidents from occurring, referred to as *bystander intervention*.

To foster a climate of prevention, personnel should focus on the following:

- Treat everyone with dignity and respect.
- Demonstrate by word and action that they do not tolerate sexual assault.
- Listen to fellow team members' concerns about language or behaviors that are counter to Army policy and take appropriate action, as needed.
- Encourage peer-to-peer intervention and mentoring to prevent situations from escalating.
- Encourage fellow team members to seek supervisor support if they can't resolve issues on their own.
- Support others when they report sexual assault.
- Intervene in situations to prevent sexual assault, when safe to do so.

LIMITS ON ROLES AND RESPONSIBILITIES RELATED TO SEXUAL ASSAULT INVESTIGATIONS AND VICTIM SERVICES.

As stated in the "Overview" section above, DoD, the Army, and other branches of military service only have a responsibility to investigate sexual assault involving a DA Civilian or provide limited services to DA Civilians when the sexual assault occurs under military jurisdiction. The roles and responsibilities described above for

commanders, civilian equivalents, supervisors, other leaders, and first responders are limited to investigations and medical services in circumstances involving DA Civilian victims as prescribed in law and/or regulation.

LAW

- Uniform Code of Military Justice, 10 U.S.C. Chapter 47
- 10 U.S.C. § 1044e, Special Victims' Counsel for Victims of Sex-related Offenses
- 42 U.S.C Chapter 21, section 2000e, (Title VII of the Civil Rights Act of 1964)
- 29 C.F.R. 1604.11

DOD POLICY

- DoDI 5505.18: Investigation of Adult Sexual Assault in the Department of Defense, January 25, 2013, incorporating Change 2, June 18, 2015
- DoDI 5525.07: Implementation of the Memorandum of Understanding (MOU) Between the Departments of Justice (DoJ) and Defense Relating to the Investigation and Prosecution of Certain Crimes, June 18, 2007
- DoDD 6495.01: Sexual Assault Prevention and Response (SAPR) Program, January 23, 2012, incorporating Change 2, Effective January 20, 2015
- DoDI 6495.02: Sexual Assault Prevention and Response (SAPR) Program Procedures, March 28, 2013 incorporating Change 2, Effective July 7, 2015
- DoDI 6495.03: Defense Sexual Assault Advocate certification Program (D-SAACP), September 10, 2015
- DoDI 1030.2: Victim and Witness Assistance Procedures, June 4, 2004
- DoDI 1400.25, Volume 1614. DoD Civilian Personnel Management System: Investigation of Equal Employment Opportunity Complaints, November 15, 2015
- DoDD 1440.1. The DoD Civilian Equal Employment Opportunity Program, certified current November 21, 2003
- DoDD 1350.2: Department of Defense Military Equal Opportunity (MEO) Program, August 18, 1995, incorporating change 2, June 8, 2015

ARMY POLICY

- AR 27-10: Military Justice, 11 May 2016AR 600-20: Army Command Policy, 6 November 2014
- AR 690-600: Equal Employment Opportunity Discrimination Complaints, 9 February 2004
- AR 690-700: Personnel Relations and Services, Chapter 751 Discipline, 15 November 1981
- Army Directive 2015-40: Implementing Procedures for Anti-Harassment Policy, 30 October 2015
- Army Directive 2017-02, SHARP Services for Department of the Army Civilians, 5 January 2017
- Army Directive 2017-16, Civilian Employee Eligibility for the Special Victims' Counsel Program, 1 May 2017

MEMORANDUM

- Memorandum, Office of the Deputy Chief of Staff G-1, Jan 24 2017, subject: Procedures for Implementing Sexual Harassment/Assault Response and Prevention Services for Department of the Army Civilians.

ALARACT

- ALARACT 007/2012: Sexual Harassment/Assault Response and Prevention (SHARP) Program Implementation Guidance (12 JAN 12)

HQDA EXORD

- HQDA EXORD 221-12 2012: Sexual Harassment/Assault Response and Prevention (SHARP) Program Synchronization Order (23 JUN 2012)
- FRAGO 1 to HQDA EXORD 221-12 2012 SHARP Program Synchronization Order, DTG: 051838Z (DEC 12)
- FRAGO 2 to HQDA EXORD 221-12 2012 SHARP Program Synchronization Order, DTG: 271601Z (DEC 12)
- FRAGO 3 to HQDA EXORD 221-12 2012 SHARP Program Synchronization Order, DTG: 171712Z (JAN 13)

ACRONYMS AND ABBREVIATIONS

- ALARACT** (Message to) All Army Activities
- AR** Army Regulation
- CID** Criminal Investigation Command
- CONUS** Continental United States
- CPAC** Civilian Personnel Advisory Center
- DA** Department of the Army
- DoD** Department of Defense
- DoDD** Department of Defense Directive
- DoDI** Department of Defense Instruction
- DoDIG** DoD Office of Inspector General
- EEO** Equal Employment Opportunity
- EO** Equal Opportunity
- EEOC** Equal Employment Opportunity Commission
- EXORD** Execution Order
- FE** Forensic Examiner
- HQDA** Headquarters, Department of the Army
- HCP** Healthcare Personnel
- IG** Inspector General
- MER** Management – Employee Relations
- MHS** Military Health System
- MTF** Military Treatment Facility
- NIMS** Not in My Squad. Not in Our Army. We are Trusted Professionals
- OCONUS** Outside the Continental United States
- OSJA** Office of the Staff Judge Advocate

OTJAG Office of the Judge Advocate General
SACC Sexual Assault Care Coordinator
SACP Sexual Assault Clinical Provider
SAFE Sexual Assault Forensic Examination
SANE Sexual Assault Nurse Examiner
SAMFE Sexual Assault Medical Forensic Examiners
SAPR Sexual Assault Prevention and Response
SARC Sexual Assault Response Coordinator
SHARP Sexual Harassment/Assault Response and Prevention
SJA Staff Judge Advocate
SVC Special Victims' Counsel
SVWL Special Victim Witness Liaison
TDY Temporary Duty
UCMJ Uniform Code of Military Justice
USC United States Code
VA Victim Advocate

TERMS

Discrimination/Prohibited Employment Policy/Practices. Under laws enforced by the EEOC and other federal entities, it is illegal to discriminate against someone (applicant or employee) because of that person's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information. It is also illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

DoD Safe Helpline. A hotline devoted to crisis support for those affected by sexual assault. The DoD Safe Helpline provides live, one-on-one support and information to the worldwide DoD community. The service is confidential, anonymous, secure, and available worldwide, 24/7 by "click, call, or text," providing victims with the help they need anytime, anywhere. For crisis intervention, support and information, call (country code 001): 202-540-5962 (U.S.), 877-995-5247 (U.S. toll free), 94-877-995- 5247 (DSN). Text a location or zip code to 55-247 (within CONUS) or 202-470-5546 (OCONUS) to receive a list of nearby resources. Contact an online counselor (in real time) at <https://www.safehelpline.org/>.

Intervene, Act, and Motivate (I. A.M.) Strong Prevention Campaign. The Army's prevention strategy to combat sexual assaults by engaging all Army professionals in preventing and intervening to stop sexual assaults before they occur.

Military Jurisdiction. Jurisdiction exercised by courts-martial or by commanders with respect to administrative and non-judicial punishment.

Not in My Squad. Not in Our Army. We are Trusted Professionals (NIMS). An Army initiative that focuses on building mutual trust and cohesion. Organizations built on mutual trust are

cohesive and self-regulate to ensure the well-being, safety, and dignity of Soldiers and DA Civilians. The premise is that greatness spreads faster than indiscipline; people will want to be part of a team that fosters greatness. It is a call for individuals to take responsibility and own solutions for those they work with and remind the Army team that wherever they are, they represent the American people. Prevention of sexual harassment and sexual assault is an expected benefit of organizations that have mutual trust, cohesion, and self-regulation aligned with the Army Ethic.

Reprisal and Retaliation. According to AR 690-600, no person will be subject to retaliation for opposing any practice or for participating in any stage of administrative or judicial proceedings under those statutes made unlawful by—

- 01 Title VII of the Civil Rights Act (Title VII) (42 U.S.C. §2000e-16),
- 02 The Age Discrimination in Employment Act (ADEA) (29 U.S.C. §621),
- 03 The Equal Pay Act (29 U.S.C. §206(d)), or
- 04 The Rehabilitation Act (29 U.S.C. §791).

Further, AR 20-1 defines Civilian whistleblower. Persons subject to this regulation will not take (or threaten to take) an unfavorable personnel action or withhold (or threaten to withhold) a favorable personnel action with respect to any employee or applicant for employment as reprisal for communications protected by 5 U.S.C. 2302(b)(8) or 10 U.S.C. 1587 as applicable.

Restricted Report. A reporting option that allows sexual assault victims to confidentially disclose the assault to a SARC, VA, or HCP and receive medical treatment, including emergency care, counseling, and assignment of a SARC and VA, without triggering an official investigation. The victim's report is provided to the HCP (including the information acquired from a SAFE), SARCs, or VAs and will NOT be reported to law enforcement or to the command to initiate the official investigative process unless the victim consents or an established exception applies in accordance with DoDI 6495.02.

Sexual Assault Forensic Examination. The medical and forensic examination of a sexual assault victim under circumstances and controlled procedures to ensure the physical examination process and the collection, handling, analysis, testing, and safekeeping of any bodily specimens and evidence that meet the requirements necessary for use as evidence in criminal proceedings. The victim's SAFE is treated as a confidential communication when conducted as part of a Restricted Report.

Sexual Assault. As defined by DoDI 6495.02, 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 can include a broad category of sexual offenses. For example, the following are specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these offenses. (Definition applies to sexual assault that occurs within military jurisdiction.)

Sexual Harassment. As defined in AR 690-600, sexual harassment involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when—

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

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 Soldier or Civilian employee is engaging in sexual harassment. Similarly, any Soldier or Civilian employee, who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

Note: Army sexual harassment policy applies to DA Civilians while they are on duty, on government property, or involved in a job-related activity, e.g., TDY. The policy may also apply to DA Civilians af-ter working hours, if there is a nexus between the conduct and the efficiency of federal service; e.g., misconduct of one or more DA Civilians at an after-work-hours office function may violate Army sex-ual harassment policy and lead to discipline. DA Civilians report to EEO or their chain of command.

Unrestricted Report. A reporting option for sexual assault victims that triggers an investigation, command notification, and allows a person who has been sexually assaulted to access medical treatment and counseling. When a sexual assault is reported through Unrestricted Reporting, a SARC shall be notified, respond or direct a SHARP VA to respond, assign a SHARP VA, and offer the victim healthcare treatment and a SAFE. DA Civilian employees and Contractors may also file an unrestricted report, but have limited services available to them. See DoDI 6495.02, Section 2 for limited services provided to DoD Civilian employees, their family dependents 18 years of age and older when they are stationed or performing duties OCONUS, and to U.S. Citizen DoD Contractor personnel when they are authorized to accompany the Armed Forces in a contingency operation OCONUS and their U.S. Citizen employees.

Victim. A person who asserts they received direct physical, emotional, or (in some jurisdictions) pecuniary harm as a result of the commission of a sexual assault.



U.S. ARMY

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