DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND PACIFIC REGION
HEADQUARTERS, US ARMY GARRISON-HUMPHREYS
UNIT #15228
APO AP 96271-5228

IMHM-MWA 7 October 2015

MEMORANDUM FOR All Personnel Assigned or Attached to USAG Humphreys

SUBJECT: US Army Garrison Humphreys Policy Letter #30, Sexual Harassment/ Assault Response and Prevention (SHARP) Program

1. This policy letter rescinds USAG-Humphreys Policy Letter #13, Prevention of Sexual Harassment (POSH) and supersedes USAG-Humphreys Policy Letter #30 Sexual Assault Prevention and Response (SAPR) Program, both dated 31 July 2013. This policy letter remains in effect until rescinded or superseded.

2. References:

a. AR 600-20, Army Command Policy, 6 November 2014.

b. USFK Command Policy Letter #43, Sexual Assault Prevention and the Protection of Victims, 28 March 2004.

c. ALARACT 007-2012 SHARP Program Implementation Guidance, 12 January 2012.

d. DoDI 6495.01, Sexual Assault Prevention and Response (SAPR) Program, 23 January 2012 (incorporating Change 2, 20 January 2015).

e. DoDI 6495.02, Sexual Assault Prevention and Response (SAPR) Procedures, 28 March 2013 (incorporating Change 2, 7 July 2015).

f. Army Directive 2013-21, Initiating Separation Proceedings and Prohibiting Overseas Assignment for Soldiers Convicted of Sex Offenses, 7 November 2013.

g. 8th Army Command Policy Letter #11, Sexual Harassment/Assault Response and Prevention (SHARP) Program, 9 December 2013.

h. 8A OPORD 341-12, 8th Army Sexual Harassment/Assault Response and Prevention (SHARP) Program Synchronization Order.

i. FRAGO 1 to 8A OPORD 341-12, 8th Army Sexual Harassment/Assault Response and Prevention (SHARP) Program Implementation Order.

j. HQDA EXORD 221-12, 2012 Sexual Harassment/Assault Response and Prevention (SHARP) Program Synchronization Order.

k. USARPAC OPORD #12-07-038, 2012 Sexual Harassment/Assault Response and Prevention (SHARP) Program Synchronization Order.

3. Purpose: To establish the USAG Humphreys and Area III, Korea, policy for Sexual Harassment/Assault Response and Prevention (SHARP) program.

4. Applicability: This policy applies to all personnel, military and civilian, assigned or attached to USAG Humphreys and Area III, Korea, to include tenant units, invited contractors and dependent family members.

5. Policy:

a. The prevention and elimination of sexual violence is the number one priority of this command. The policy of the US armed forces is that sexual harassment and sexual assault is unacceptable conduct, which will not be tolerated or condoned. The Army leadership at all levels remains committed to creating and maintaining an environment conducive of maximum productivity and respect for human dignity. Sexual violence in our units destroys teamwork and negatively affects combat readiness. The Army bases its success on mission accomplishment, which can only be achieved in an environment free of sexual harassment and sexual assault for all personnel.

b. AR 600-20, para 7-4 defines sexual harassment as a form of gender discrimination that includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

c. Submission to, or rejection of, such sexual advances is made explicitly or implicitly a term or condition of a person's job, pay, career, or employment decisions effecting that person. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance and creates an intimidating, hostile or offensive work environment.

d. 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 subordinate personnel is engaging in sexual harassment. Similarly, anyone who makes deliberate or repeated unwelcome verbal comments, gestures, or other overtures of a sexual nature, is engaging in sexual harassment.

e. Personnel have the right to present a complaint to the command through the SHARP program without fear of intimidation, reprisal, retaliation, or further harassment. Attempts to resolve sexual harassment should always be made to solve the problem at the lowest possible level within the organization. Sexual harassment options include informal and formal complaints:

(1) An informal complaint is not made in writing, and the complainant may speak to the offender, to a supervisor, or both. It is the intention that the offending behavior would stop with no further action required. A memorandum of record detailing the action which resolved the complaint is highly recommended.

(2) A formal complaint is a written statement submitted on a DA Form 7279 to the Sexual Assault Response Coordinator (SARC). All formal sexual harassment complaints will be reported to the first General Courts-Martial Convening Authority (GCMCA) within three calendar days.

f. Sexual assault is a crime that has no place in the Army. Sexual assault is incompatible with Army values and is punishable under the Uniform Code of Military Justice. Anyone who is aware of sexual assault has 24 hours to report this criminal misconduct.

g. AR 600-20, para 8-4a states: Sexual assault is a criminal offense and is defined as intentional sexual conduct, characterized by use of force, physical threat or abuse of authority, or when the victim does not and cannot consent. Sexual assault can occur without regard to gender, spousal relationship or age of the victim. Consent is not deemed or construed to mean the failure by the victim to offer physical resistance. Consent cannot be given when a person uses force, threat of force or coercion, or when the victim is asleep, incapacitated or unconscious.

h. Military service personnel, civilian employees, and adult family members (18 years and older), who are sexually assaulted, have the choice of two reporting options; Restricted or Unrestricted reporting.

(1) The USFK SHARP Hotline is the quickest and most reliable way to report sexual harassment and assault, either restricted or unrestricted. To call the 24/7 SHARP Hotline from anywhere in Korea, dial DSN 158 on-post or 0503-363-5700 from any commercial line or a cell phone. Please select the number to the Area where the sexual assault took place; for USAG Humphreys and Area III, press the number 3.

(2) Restricted reporting is kept confidential, this allows the victim to receive medical care and behavioral health services without notifying the command or law enforcement. No official investigation is possible if the reporting remains restricted.

Only SHARP Specialists (SARCs and VAs), medical and behavioral health care professionals, and Chaplains can be notified, if the victim wishes to keep the sexual assault report restricted.

(3) Unrestricted reporting allows the victim to receive medical and behavioral health care; in addition, the Criminal Investigation Division (CID) will initiate an investigation. The command will also be notified. The victim may request an expedited transfer, if it is in his or her best interests. The victim will be able to receive a Sexual Assault Forensics Examination (SAFE) whether the report is restricted or unrestricted. With an unrestricted report, details regarding the incident is limited to only those personnel with a legitimate need to know.

i. All sexual assault victims may elect to have a Special Victim Counsel (SVC). All such services will be coordinated through the Staff Judge Advocate (SJA).

6. Responsibilities:

a. SHARP is everyone's responsibility. Anyone, particularly bystanders, who witness or become aware of sexual harassment or sexual violence are required to act either by direct intervention or by reporting the incident as soon as possible to emergency services. Personnel in the chain of command must report sexual harassment to the SHARP office and sexual assault to CID, as it becomes known to them.

b. Victims of sexual harassment and sexual assault will be treated with fairness, dignity and respect at all times. Safety for the victim is the primary consideration, particularly in cases of sexual violence. Retaliation and retribution towards the victim is strictly not allowed. This is true with the chain of command or with peer interaction. Any incident of reprisal against a sexual harassment or sexual assault victim must be immediately brought to the attention of the Brigade or Garrison Commander.

7. Proponent: The proponent for this policy is the Directorate of Family and Morale, Welfare and Recreation (DF&MWR) Army Community Service (ACS) Sexual Harassment/Assault Response and Prevention (SHARP) Program.

8. The point of contact is the Garrison Sexual Assault Response Coordinators Office, 3rd floor, building 572, DSN 753-8435/8444. The 24/7 SHARP Hotline: DSN 158, cell phone 0503-363-5700.

JOSEPH C. HOLLAND
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Commanding

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