



DEPARTMENT OF THE ARMY
5TH BATTALION, 5TH AIR DEFENSE ARTILLERY REGIMENT
3416 BABCOCK ROAD
FORT SILL, OKLAHOMA 73503

AFVL-RJB-BC

17 June 2025

MEMORANDUM FOR RECORD

SUBJECT: Policy Letter 6 Sexual Harassment/Assault Response and Prevention (SHARP)

1. References. DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program, 23 January 2012 (Incorporates change 6, effective 10 November 2021); DoD Instruction 6495.02, Sexual Assault Prevention and Response: Program Procedures, Volume 1, 28 March 2012 (Incorporates change 7, effective 06 September 2022); DoDI 6495.02, Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases, Volume 3, 24 June 2022; DoD Instruction 1020.03, Harassment Prevention and Response in the Armed Forces, 08 February 2018 (Incorporates change 2, effective 20 December 2022); AR 600-20, Army Command Policy, 24 July 2020; AR 27-10, Military Justice, 20 March 2024.
2. Policy. 31st Air Defense Artillery (ADA) is committed to creating and maintaining an environment that maximizes productivity and respect for human dignity. Sexual harassment and sexual assault are offenses contrary to the Army Values and the Warrior Ethos. Sexual harassment and sexual assault destroy teamwork and negatively affect combat readiness and is not tolerated in the U.S. Army and will not be tolerated within this Command. Sexual harassment and sexual assault may be punished under the Uniform Code of Military Justice and other federal and local laws.
3. **Sexual harassment** is conduct that involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature. These include verbal, nonverbal, and physical contact, which is outlined in AR 600-20, Chapter 7. The chain of command at all levels will not preclude Soldiers from using alternative agencies to seek guidance regarding how to address sexual harassment directly.
 - a. Informal complaints allow the complainant to resolve an issue through discussion, problem identification, and clarification of issues without being filed in writing on the DA Form 7746. The complaint can receive healthcare, counseling, chaplain guidance, legal assistance, and unit or installation trained mediators for alternate dispute resolution. Direct resolution can be utilized if their desired remedy for the behavior can be achieved through leadership actions, peer intervention, counseling, or training.

- b. Formal complaints should be filed within 60 days from the date of the offense. Formal sexual harassment complaints will be filed on the DA Form 7746. All formal complaints will be forwarded to the BDE Commander by the BDE Sexual Assault Response Coordinator (SARC) immediately.
- c. Anonymous complaints can be filed by dropping a note under the door of the BDE SARC or Victim Advocate (VA) as well as the door of any commander on post, dropping a card in the boxes located throughout the footprint, via phone without leaving a name, etc. All anonymous complaints will be taken to the BDE SARC who will report it to the BDE commander. When an anonymous complaint is elevated to the commander and is determined to have enough information to investigate, the anonymous complaint will be handled formally and documented on the DA Form 7746.

4. **Sexual assault** is a crime. Sexual assault is intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. It includes rape, nonconsensual sodomy, indecent assault, or attempts to commit any of these types of acts. The failure of the victim to offer physical resistance will not be construed as consent. Consent is not inferred when a subject uses force, threat of force, or coercion on the victim. A person cannot consent when asleep, unconscious, or otherwise incapacitated.

- a. Restricted reporting allows the victim confidentiality to disclose sexual assault details when told to a chaplain or reported to the unit SHARP/VA, BDE or installation SARC/VA, or military hospital medical personnel without chain of command or law enforcement involvement. The victim receives medical treatment, advocacy services, and support without initiation of an investigation. Without an investigation, the perpetrator cannot be prosecuted.
- b. Unrestricted reporting can be submitted through the chain of command, supervisory personnel, military police, Criminal Investigation Division (CID), unit SHARP/VA, BDE or installation SARC/VA, or military hospital medical personnel. The victim receives medical treatment, advocacy services, and support. An investigation is initiated, and the perpetrator can be prosecuted.

5. Sexual harassment and sexual assault undermine the unit's ability to work effectively as a team. Leaders at every echelon are responsible for exercising active and positive leadership in the prevention of sexual harassment and sexual assault. This includes at a minimum, annual SHARP training to educate the force, while enforcing accountability for those who commit these violations. All leaders create conditions for awareness, prevention, training, victim advocacy, response, reporting, and accountability. **Reprisal, retaliation and/or ostracism against individuals exercising their right to report sexual harassment or sexual assault will not be tolerated by this command and is punishable under the UCMJ.**

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6. A copy of this memorandum will be posted on every SHARP bulletin board down to the Battery/Company level.

7. The point of contact for this memorandum is the 5-5 ADA BN S1 at james.m.hale79.mil@army.mil

DEWAYNE L. DEENER
LTC, AD
Commanding