



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY FIRES CENTER OF EXCELLENCE AND FORT SILL
455 MCNAIR AVENUE, SUITE 100
FORT SILL, OKLAHOMA 73503

AUG 23 2022

ATZR-C

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CG Policy Memorandum #5B, Trust, Teamwork and Cohesion – SHARP

1. References:

- a. Army Regulation 600-20, Army Command Policy, 24 July 2020.
- b. Army Directive 2022-10, Safe-to-report for Victims of Sexual Assault , 06 July 2022

2. The Fires Center of Excellence and Fort Sill upholds all Army prevention of sexual harassment, sexual assault, and treatment of complainant and victims policies. We are committed to the Army's policy of promoting the prevention of sexual harassment, sexual assault, and the appropriate treatment of victims. Our goal is the complete elimination of any form of sexual harassment and sexual assault.

a. Sexual harassment and sexual assault are incompatible with the Army Values and will be not tolerated. We will eliminate these acts through a comprehensive program of awareness and prevention, training and education, victim advocacy, accountability and support through the Sexual Harassment Assault Response Prevention (SHARP) Program.

b. This memorandum serves as the policy letter for these preventative measures. I expect the environment within the Fires Center of Excellence (FCoE) and Fort Sill to be one in which Soldiers care so much about Trust, Teamwork and Cohesion, that they never allow that Trust, Teamwork and Cohesion to fray or disintegrate by allowing any form of sexual harassment or sexual assault to happen. This applies to all members assigned, attached or present for duty at the FCoE and Fort Sill, on or off duty, and on or off post.

3. Trust, the foundation of teamwork and cohesion, is essential in any organization and directly drives our readiness. FCoE and Fort Sill leaders will ensure that our command climate at all levels sustain these three important principles. Even in training, our lives are frequently in the hands of our fellow Soldiers. All Soldiers, Civilians and Family Members at FCoE and Fort Sill must live the Army Values and the Soldier's Creed. We always treat others with dignity and respect. Any instance of someone who is not treated with dignity and respect, or a failure to display adherence to the Army Values, will be immediately addressed and corrected.

4. Sexual harassment is any conduct that involves unwelcome sexual advances, requests for sexual favors, deliberate or repeated offensive comments, and gestures of a sexual nature or use of disparaging and/or sexualized terms. Any person in a supervisory role 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 engages in sexual harassment. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance and creates an intimidating, hostile or offensive working environment. Any form of sexual harassment occurring in person, through electronic communication, including social media and other forms of communication is unacceptable and is not compatible with an environment that fosters Trust, Teamwork and Cohesion. Under SHARP there are three complaint procedures; anonymous, informal and formal. Commanders at all levels will immediately contact the full-time (O-6 level) Sexual Assault Response Coordinator (SARC) when they become aware of a sexual harassment complaint to ensure a coordinated response. Command battle drills are provided in enclosures 1 through 3.

5. 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. The term includes a broad category of sexual offenses consisting of the following UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these acts. Under SHARP there are two reporting options for sexual assault: restricted and unrestricted reporting. Command battle drills are provided in enclosures 4 and 5.

6. All personnel have the right to be treated with dignity and respect. Crime victims have the following additional rights: to be reasonably protected from the accused, to be notified of court proceedings, to be present at public court proceedings, to confer with the government attorney on the case, available restitution, and to information about the conviction, sentencing, imprisonment, and release of the offender. This list is not all-inclusive but outlines some of the rights of the victim. IAW Army Directive 2022-10 collateral misconduct is defined as any victim misconduct that might be in times, places, or circumstances associated with the victim's sexual assault incident. In cases of collateral misconduct, commanders are to assess collateral misconduct against aggravating and mitigating circumstances in sexual assault cases. Victims will not be subject to discipline for minor collateral misconduct pursuant to this policy. See Army Directive 2022-10 for determination and examples of minor collateral misconduct.

7. All individuals seeking assistance will be able to do so without fear of retaliation. Retaliation may include reprisal, ostracism, or acts of cruelty, oppression or maltreatment. Retaliation against victims, alleged victims, witnesses, bystanders, SARCs, Victim Advocates (VAs) and first responders will not be tolerated and may be punished under Article 92, UCMJ. Acts of retaliation may be reported to Command, Fort Sill Inspector General's Office (580) 442-3172, the Criminal Investigative Division (580) 442-5404 or the SHARP hotline at (580)-91-SHARP.

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8. All Soldiers, Family Members and DA Civilians can receive assistance from the SHARP Program. Information and assistance provided will be specific to the eligibility of the individual seeking services. Commanders and leaders will ensure medical treatment and counseling, chaplain, legal services, law enforcement, military and civilian protective orders, expedited transfers, a Victim Advocate (VA) and/or Sexual Assault Response Coordinator (SARC) are available to victims and complainants who are eligible for services. Tenant units will receive support through the SHARP program. To reach an advocate 24 hours a day, 7 days a week, please call the Fort Sill SHARP Hotline at (580) 917-4277 or the DoD Safe Helpline at 1-877-995-5247 or visit the SHARP Resource Center, 2913 Custer Road.

9. This policy is punitive, violations may be punished under UCMJ, ART 92. Leaders who fail to address complaints or document sexual harassment and sexual assault may also be subject to punitive and/or adverse administrative action.

10. This CG Policy Memorandum supersedes CG Policy Memo IMSI-EE, subject: Prevention of Sexual Harassment and Sexual Assault and Treatment of Complainant and Victims, CG Policy Memorandum 18-19.

11. The point of contact for this policy is the Installation SHARP Program Manager, (580) 558-0115.



KENNETH L. KAMPER
Major General, USA
Commanding

5 Encls

1. Sexual Harassment Anonymous Complaint Process
2. Sexual Harassment Formal Complaints Process
3. Sexual Harassment Informal Complaints Process
4. Sexual Assault Unrestricted Reports & Independent Investigations
5. Sexual Assault Restricted Reports

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U.S. Army Garrison
Headquarters Detachment
95th Division

Enclosure 1


	<p style="text-align: center;">UNCLASSIFIED</p> <h3 style="text-align: center;">SEXUAL HARASSMENT ANONYMOUS COMPLAINT PROCESS Command Battle Drill</h3> <p>Command notified of an anonymous complaint <u>with</u> sufficient information to conduct an inquiry or investigation</p> <ol style="list-style-type: none">1) O6 Commander will get with O6 level managing SARC to complete a DA Form 7746 with the information provided by the anonymous complaint; the O6 Commander is the complainant on the DA Form 7746.2) The O6 Commander will follow the formal complaint process to conduct the inquiry or investigation. <p>Command notified of an anonymous complaint <u>without</u> sufficient information to conduct an investigation</p> <ol style="list-style-type: none">1) The O6 Commander will complete and sign an MFR and provide a copy to the O6 level managing SARC for record keeping.<ol style="list-style-type: none">a. The MFR should contain the following information if available: date and time the information was received; a detailed description of the facts and circumstances included in the complaint; any other pertinent information.	
<hr/> <p style="text-align: center;">UNCLASSIFIED</p> <p style="text-align: right;">Reviewed/Updated August 2022</p> <p style="text-align: center;">FRONTIER LIVING...#LIVINGNEWFRONTIERS</p>		

Enclosure 2



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SEXUAL HARASSMENT FORMAL COMPLAINTS PROCESS Command Battle Drill



Brigade Commander receives the formal complaint and will determine at what level a thorough investigation can be achieved


- 1) Formal complaint initiated by a signed DA Form 7746 within 60 calendar days from the date of aggravating behavior.
- 2) An officer swears the complainant to their statement on the DA Form 7746.
- 3) The BDE Commander acknowledges receipt of the complaint and within 72 hours will initiate an inquiry or a 15-6 investigation, appoint an IO from outside the BDE (or BN if trainee on trainee in 434 FA BDE), IAW CG Policy #6B and implement a retaliation prevention plan.
- 4) GCMCA is notified by the O6 Commander within 72 hours of receipt of complaint (TRADOC units submit an SIR IAW USAFCoEFS 1-8)
- 5) IO meets with legal and full time CONSULTING SARC (separate from the SARC that took the complaint) and conducts the investigation to be completed within 14 calendar days after the date on which the investigation is initiated.
- 6) O6 Commander updates the GCMA with a final or progress report within 20 calendar days of investigation initiation.
- 7) If investigation continues beyond 14 days, progress reports will be sent to the GCMA every 14 days until completion.
 - 1) O6 Commander will also update named complainants on the progress of the investigation every 14 days from the date of complaint receipt until the case is closed.
 - 2) O6 Commander will provide the complainant information about the status and outcomes of the complaint. For example, who is investigating, projected completion date, inquiry/investigation findings, and, upon command decision, a substantiated or unsubstantiated determination.
- 8) Consulting SARC will remain available to the IO for consultation and assistance throughout the investigation.
- 9) IO provides packet to legal and they provide a review memo to Command of the inquiry or 15-6 investigation process.
- 10) Appointing authority will decide to investigate further, approve or disapprove all or part of the findings and recommendations and inform the complainant(s) and subject in writing and the BDE SARC.
- 11) O6 Commander will provide a final report to the GCMCA and the SHARP Program Manager/Lead SARC including the appointing authority's actions taken on the findings and recommendations.

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Enclosure 3



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SEXUAL HARASSMENT INFORMAL COMPLAINT PROCESS Command Battle Drill



Command notified of an informal complaint and initiates an inquiry or a 15-6 with SHARP support


- 1) Commander will immediately notify the O6 level managing SARC to ensure support to the complainant and ensure an IO is appointed IAW CG Policy 6B.
- 2) Commander will initiate an inquiry or 15-6 investigation. The SARC will meet with the complainant to see if they want to complete a DA Form 7746 to make a formal complaint since Command is initiating an inquiry or 15-6 (similar to the independent investigation process for sexual assault cases).
 - a. If the complainant completes the DA Form 7746 the formal complaint process will be followed.
 - b. If complainant declines to fill out DA Form 7746, the formal complaint process will be followed with O5 Commander as the complainant.
- 3) O6 level managing SARC completes ICRS input as a formal complaint within 3 calendar days with the O5 Commander as the complainant.
- 4) O6 level managing SARC will advise O6 Commander of GCMCA update initially at 20 days and thereafter every 14 days until complete.

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Enclosure 4




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SEXUAL ASSAULT

UNRESTRICTED REPORTS & INDEPENDENT INVESTIGATIONS

Command Battle Drill




- 1) Notify O6 level SARC, SJA and CID if contact was penetrative OR contact was made on the vulva, penis, scrotum, anus, groin, breast, inner thigh or buttocks, OR your servicing trial counsel recommended you call CID. Victims may be eligible for a restricted report despite Command knowledge of a sexual assault (DoDI 6495.02 vol1).
- 2) Notify higher-level command (O6 CDR will notify CG).
- 3) Ensure victim is notified and offered services.
- 4) Complete a Serious Incident Report IAW USAFCEFS Regulation 1-8.
- 5) Separate victim and subject (no contact order, duty location).
- 6) Ensure victim is notified of right to expedited transfer and/or possible transfer of alleged perpetrator.
- 7) Issue order to subordinates to: (1) limit information on incident only to personnel with need to know; (2) immediately report any allegations of retaliation or intimidation of victim/witnesses; and (3) protect victim privacy.
- 8) If victim is assessed to be in a high-risk situation, convene a High Risk Response Team (HRRT) IAW AR 600-20.
- 9) Ensure O5 completes the Sexual Assault Incident Response Oversight (SAIRO) Report (within 8 calendar days of notification of an unrestricted report or an independent investigation) IAW AR 600-20.
- 10) Provide monthly victim update within 72 hours after the CMG/SARB convenes.
- 11) Commanders will identify and develop a plan for victims, witnesses, bystanders, SARCs, VAs or first responders who experienced any retaliation or reprisal due to an unrestricted report of sexual assault and forward the plan to the CG IAW AR 600-20.
- 12) Complete DA Form 4833 after disposition is complete.

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Enclosure 5




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SEXUAL ASSAULT

RESTRICTED REPORTS

Command Battle Drill



- 1) SARC or VA receives a restricted report of sexual assault.
- 2) O6 level SARC completes a Restricted Sexual Assault Report (RSAR) after a completed DD form 2910 and distributes it to the BDE CDR and Installation SARC.
- 3) O6 Commander will send RSAR to CG, SHARP Program Manager/Director and Installation SARC within 24 hours of the restricted report.

- SIRs are never to be used in restricted sexual assault cases. The IOC does not receive information on restricted reports.
- HHQ receives information on restricted reports from the Defense Sexual Assault Incident Database (DSAID).

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