



ARMY RESILIENCE DIRECTORATE



SHARP
SEXUAL HARASSMENT/ASSAULT
RESPONSE AND PREVENTION

FACTSHEET

NEW: 2021 SHARP Policy Updates

As a result of Congressional requirements and issues identified in the field, a rapid update of policies, responsibilities, and procedures for the oversight of adult sexual assault cases was implemented by the Department of Defense. In November 2021, the Army received guidance from DOD requiring internal Army policies to align with these updates, including the following:

Expanded Eligibility for Restricted Reporting

Providing victims did not personally report the sexual assault to law enforcement (to include U.S. Army Criminal Investigation Division), and did not previously elect to make an Unrestricted Report by signing a DD Form 2910, the Victim Reporting Preference Statement, for the same sexual assault—Soldiers and Family members aged 18 years and older* can file a Restricted Report even if:

- They disclosed the sexual assault to their commander or to personnel in the chain of command; or
- There is an ongoing CID investigation into the sexual assault initiated by a third party and not due to the victim's disclosure to law enforcement; or
- The CID investigation into the sexual assault has been closed.

Victims retain eligibility for a Restricted Report after an investigation has closed in order to access SHARP advocacy and support services, including legal, medical, and mental health care; and to retain a record of their report which can be used as supporting documentation of the sexual assault report when seeking services or filing a disability claim with the Department of Veterans Affairs.

**DOD Civilians and contractors, at this time, are only eligible to file an Unrestricted Report.*

Changes to the Expedited Transfer Request Policy:

- Providing a maximum of five calendar days for an expedited transfer decision to be made by the appropriate approving authority, typically a brigade commander or higher.
- Allowing the transfer of a Soldier whose adult military dependent makes an Unrestricted Report of sexual assault unrelated to domestic abuse committed by the Sponsor. Victims whose circumstances meet the definition of domestic abuse in DoDI 6400.06, including intimate or dating partners, will be supported by the Family Advocacy Program, or FAP.
- Requiring a mandatory initial meeting with the gaining SARC who will explain the full range of advocacy and support options available.

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Eligibility for Submissions to the Catch a Serial Offender Program has Been Expanded to Include:

- Adult sexual assault victims who file, or have previously filed, a Restricted Report with a DD Form 2910.
- Adult sexual assault victims who file, or have previously filed, an Unrestricted Report with a DD Form 2910 and the identity of their suspect was not disclosed by the victim or not uncovered by law enforcement to include CID (e.g., third-party report with no suspect identification).

Information received via the CATCH Program will not trigger an investigation unless the victim agrees to convert their Restricted Report to an Unrestricted Report, or if originally an Unrestricted Report (see above) the victim now agrees to participate in an investigation.

Other Updates:

Additional DOD policy updates have been made to:

- SHARP prevention and training requirements. Commanders at every level must receive training to explain to subordinates the appropriate and professional response to sexual assault and retaliation; on how to prevent retaliation; and for installation and senior commanders to publicize how to report a sexual assault and how to seek assistance for a sexual assault, to include associated reports of retaliation, at their locations.
- Safeguard sexual assault victims from facing disciplinary action when reporting a sexual assault if "minor" collateral misconduct is discovered during the investigation (called the "Safe-To-Report" policy). The Safe-to-Report Policy will become effective once the Army issues its respective policy.
- Increase the retention period for a Sexual Assault Forensic Exam, or SAFE Kit, from 5 years to 10 years (the Army keeps SAFE Kits for 20 years).
- Authorize the return, *in certain circumstances*, of victim's personal property collected as part of a SAFE Kit.
- Authorize the use of a "Section 540K Declination Letter" for victims to decline to participate in an investigation.
- Prescribes SARC, or VAs who are authorized access to DSAID, the use of a "SAPR Related Inquiry Module (SRI)" for recording cases of individuals who talked to a SARC but chose not to file an official report of sexual assault using a DD Form 2910.

For more detailed information on these and other updates, see <https://www.sapr.mil/latest-policy-updates>.